

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

In Senate Chamber
Thursday
August 30, 2018

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

Prayer by Reverend David Matson of the Episcopal Church of
Saints Matthew and Barnabas in Hallowell.

REVEREND MATSON: Thank you. So as mentioned, I'm an
Episcopalian. We're the ones who act like Catholics and think
like Unitarians. So let us pray.

Holy One, we are Your creation, an expression of Your
thoughts, an extension of Your desire. Help us to honor that in
ourselves and in each other. Now cleanse our hearts. Stand
guard at our mouths, that our words and our thoughts may be
Your delight. With the sake of Your love in this place. Amen.

Pledge of Allegiance led by Senator Thomas B. Saviello of
Franklin County.

Reading of the Journal of Monday, July 9, 2018.

Doctor of the day, Richard Swett, M.D., of Dover-Foxcroft.

Off Record Remarks

PAPERS FROM THE HOUSE

Non-Concurrent Matter

Bill "An Act To Prohibit Campaign Fund-raising at the Voting
Place"

H.P. 1354 L.D. 1912

In Senate, July 9, 2018, **PASSED TO BE ENGROSSED** in **NON-
CONCURRENCE**.

Comes from the House, **PASSED TO BE ENGROSSED AS
AMENDED BY HOUSE AMENDMENT "B" (H-807)** in **NON-
CONCURRENCE**.

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

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

Off Record Remarks

The Chair noted the absence of the Senator from York, Senator
HILL, the Senator from Cumberland, Senator **CARSON**, and the
Senator from Hancock, Senator **LANGLEY**, and further excused
the same Senators from today's Roll Call votes.

COMMUNICATIONS

The Following Communication: S.P. 757

**STATE OF MAINE
128TH LEGISLATURE
OFFICE OF THE SECRETARY**

August 21, 2018

Hon. Michael D. Thibodeau
President of the Senate
128th Legislature

Hon. Sara Gideon
Speaker of the House
128th Legislature

Dear Mr. President and Madam Speaker:

On August 20, 2018, 3 bills were received by the Secretary of the
Senate.

Pursuant to the provisions of Joint Rule 308.2, the following bills
were referred to the Joint Standing Committee on Health and
Human Services:

Bill "An Act To Modify the Expungement Requirements for
Records under the Child and Family Services and Child
Protection Act" (S.P. 754) (L.D. 1920) (Sponsored by Senator
KEIM of Oxford) (GOVERNOR'S BILL)

Bill "An Act To Grant the Department of Health and Human
Services Access to Criminal History Information To Achieve the
Purposes of the Child and Family Services and Child Protection
Act" (S.P. 755) (L.D. 1921) (Sponsored by President
THIBODEAU of Waldo) (GOVERNOR'S BILL)

Bill "An Act To Amend the Child and Family Services and Child
Protection Act" (S.P. 756) (L.D. 1922) (Sponsored by Senator
DIAMOND of Cumberland) (GOVERNOR'S BILL)

Sincerely,

Heather J.R. Priest
S/Secretary of the Senate

Robert B. Hunt
S/Clerk of the House

READ and with accompanying papers **ORDERED PLACED ON FILE.**

Sent down for concurrence.

The Following Communication: S.P. 759

**STATE OF MAINE
128TH LEGISLATURE
OFFICE OF THE SECRETARY OF THE SENATE
& CLERK OF THE HOUSE**

August 23, 2018

Hon. Michael D. Thibodeau
President of the Senate
128th Legislature

Hon. Sara Gideon
Speaker of the House
128th Legislature

Dear Mr. President and Madam Speaker:

On August 22, 2018, one bill was received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 308.2, this bill was referred to the Joint Standing Committee on Health and Human Services:

Bill "An Act To Improve the Child Welfare System" (EMERGENCY) (S.P. 758) (L.D. 1923) (Sponsored by Senator HAMPER of Oxford) (GOVERNOR'S BILL)

Sincerely,

S/Heather J.R. Priest
Secretary of the Senate

S/Robert B. Hunt
Clerk of the House

READ and with accompanying papers **ORDERED PLACED ON FILE.**

Sent down for concurrence.

The Following Communication: S.C. 1067

**STATE OF MAINE
128TH LEGISLATURE
OFFICE OF THE PRESIDENT**

August 23, 2018

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

Dear Secretary Priest:

Pursuant to Joint Order (S.P. 753) passed on July 9, 2018, the Senate will convene on Thursday, August 30, 2018 at 10:00 a.m.

Sincerely,

S/Michael D. Thibodeau
President of the Senate

READ and **ORDERED PLACED ON FILE.**

The Following Communication: S.C. 1068

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

August 9, 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 Morten Arntzen of Norwalk, CT for reappointment to the Board of Trustees, Maine Maritime Academy.

Pursuant to P&SL 1975, Chapter 771 §428, this reappointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Sincerely,

S/Paul R. LePage
Governor

READ and **ORDERED PLACED ON FILE.**

The Following Communication: S.C. 1069

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

August 9, 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 Arthur K. Watson, Jr. of New Canaan, CT for reappointment to the Board of Trustees, Maine Maritime Academy.

Pursuant to P&SL 1975, Chapter 771 §428, this reappointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 1070

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

August 9, 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 Jason A. Oney of Falmouth for reappointment to the Board of Trustees, Maine Maritime Academy.

Pursuant to P&SL 1975, Chapter 771 §428, this reappointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 1071

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

August 9, 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 Ernest E. Kilbride of Carmel for appointment to the Maine Community College System Board of Trustees.

Pursuant to Title 20-A, MRSA §12705, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 1072

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

August 9, 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 Casey J. Cramton of Scarborough for appointment to the Maine Community College System Board of Trustees.

Pursuant to Title 20-A, MRSA §12705, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 1073

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

August 9, 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 Jean Ginn Marvin of Scarborough for reappointment to the Maine Community College System Board of Trustees.

Pursuant to Title 20-A, MRSA §12705, this reappointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 1074

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

August 13, 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 Peter J. DelGreco of North Yarmouth for reappointment to the Maine Rural Development Authority, Board of Trustees.

Pursuant to Title 5, MRSA §13120-D, this reappointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Labor, Commerce, Research and Economic Development.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 1075

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

August 13, 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 Bruce S. Harrington of Fairfield for reappointment to the Maine Rural Development Authority, Board of Trustees.

Pursuant to Title 5, MRSA §13120-D, this reappointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Labor, Commerce, Research and Economic Development.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 1076

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

August 13, 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 Michael A. Wiers, Esq. of St. Albans for reappointment to the Maine Milk Commission.

Pursuant to Title 7, MRSA §2952, this reappointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Agriculture, Conservation and Forestry.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 1077

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

August 13, 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 Dr. Jack L. Waterman of Waldoboro for reappointment to the Board of Pesticides Control.

Pursuant to Title 22, MRSA §1471-B, this reappointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Agriculture, Conservation and Forestry.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 1078

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

August 13, 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 John M. Jemison, Jr. Ph. D. of Orono for reappointment to the Board of Pesticides Control.

Pursuant to Title 22, MRSA §1471-B, this reappointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Agriculture, Conservation and Forestry.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 1079

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

August 13, 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 Steven N. Whipple of Yarmouth for appointment to the Board of Environmental Protection.

Pursuant to Title 38, MRSA §341-C, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Environment and Natural Resources.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 1080

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

August 13, 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 John C. Norman of Portland for reappointment to the Maine Human Rights Commission.

Pursuant to Title 5, MRSA §4561, this reappointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Judiciary.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 1081

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

August 13, 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 John H. Kilbourne of Brunswick for reappointment to the Midcoast Regional Redevelopment Authority.

Pursuant to Title 5, MRSA §13083-I, this reappointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Labor, Commerce, Research and Economic Development.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 1082

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

August 13, 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 John G. Gallagher of Brunswick for reappointment as a Commissioner of the Maine State Housing Authority.

Pursuant to Title 30-A, MRSA §4723.2, this reappointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Labor, Commerce, Research and Economic Development.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 1083

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

August 15, 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 The Hon. Douglas A. Thomas of Ripley for appointment to the Northern New England Passenger Rail Authority.

Pursuant to Title 23, MRSA §8112, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Transportation.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 1084

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

August 15, 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 Ronald J. McKinnon of Chebeague Island for reappointment to the Northern New England Passenger Rail Authority.

Pursuant to Title 23, MRSA §8112, this reappointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Transportation.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 1085

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

August 15, 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 Jonathan T. Nass, Esq. of Kennebunk for appointment to the Maine Turnpike Authority Board of Directors.

Pursuant to Title 23, MRSA §1964-A, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Transportation.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 1086

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

August 15, 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 Gerald T. Reid of Northport for appointment to the Gambling Control Board.

Pursuant to Title 8, MRSA §1002, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Veterans and Legal Affairs.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 1087

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

August 15, 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 William J. Cody of Calais for appointment to the Gambling Control Board.

Pursuant to Title 8, MRSA §1002, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Veterans and Legal Affairs.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 1088

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

August 15, 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 Robert A. Harmon of Raymond for reappointment to the Gambling Control Board.

Pursuant to Title 8, MRSA §1002, this reappointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Veterans and Legal Affairs.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 1089

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

August 16, 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 Holly D. Ferguson, CPA of Yarmouth for appointment to the Finance Authority of Maine.

Pursuant to Title 10, MRSA §965, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Labor, Commerce, Research and Economic Development.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 1090

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

August 16, 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 Eric B. Lusk of Harpswell for appointment to the Finance Authority of Maine.

Pursuant to Title 10, MRSA §965, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Labor, Commerce, Research and Economic Development.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 1091

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

August 16, 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 Clifford Andrew McGadney, Ph.D. of Waterville for appointment to the Finance Authority of Maine.

Pursuant to Title 10, MRSA §965, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Labor, Commerce, Research and Economic Development.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 1092

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

August 16, 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 Blue Keim of Dixfield for appointment to the Finance Authority of Maine.

Pursuant to Title 10, MRSA §965, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Labor, Commerce, Research and Economic Development.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 1093

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

August 16, 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 Richard M. Roderick of Cape Elizabeth for reappointment to the Finance Authority of Maine.

Pursuant to Title 10, MRSA §965, this reappointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Labor, Commerce, Research and Economic Development.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 1094

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

August 16, 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 Rebecca J. McKenna of Machias for appointment to the Washington County Development Authority.

Pursuant to Title 5, MRSA §13083-C, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Labor, Commerce, Research and Economic Development.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 1095

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

August 16, 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 Daniel M. Sullivan of Cooper for appointment to the Washington County Development Authority.

Pursuant to Title 5, MRSA §13083-C, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Labor, Commerce, Research and Economic Development.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 1096

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

August 20, 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 Joshua A. Chalmers of Scarborough for appointment to the Board of Trustees, Maine School of Science and Mathematics.

Pursuant to Title 20-A, MRSA §8204, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 1097

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

August 20, 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 Marian A. Reagan of Kennebunkport for appointment to the Board of Trustees, Maine School of Science and Mathematics.

Pursuant to Title 20-A, MRSA §8204, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 1098

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

August 20, 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 Joel E. Pike of Jay for appointment to the Board of Trustees, Maine School of Science and Mathematics.

Pursuant to Title 20-A, MRSA §8204, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 1099

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

August 20, 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 James E. Havu of Augusta for appointment to the Board of Trustees, Maine School of Science and Mathematics.

Pursuant to Title 20-A, MRSA §8204, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 1100

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

August 20, 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 Kelly M. LaRue, Ph.D. of Ellsworth for appointment to the Board of Trustees, Maine School of Science and Mathematics.

Pursuant to Title 20-A, MRSA §8204, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 1101

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

August 20, 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 David R. Ferguson, Esq. of Kennebunk for reappointment to the Board of Trustees, Maine School of Science and Mathematics.

Pursuant to Title 20-A, MRSA §8204, this reappointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 1102

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

August 20, 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 Robert C. Brooks of Portland for appointment to the Maine Labor Relations Board.

Pursuant to Title 26, MRSA §968, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Labor, Commerce, Research and Economic Development.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 1103

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

August 20, 2018

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

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

Dear President Thibodeau:

This is to inform you that I am today nominating Christine E. Riendeau of Durham for reappointment to the Maine Labor Relations Board.

Pursuant to Title 26, MRSA §968, this reappointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Labor, Commerce, Research and Economic Development.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 1104

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

August 20, 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 Robert W. Bower, Jr. of Cumberland for reappointment to the Maine Labor Relations Board.

Pursuant to Title 26, MRSA §968, this reappointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Labor, Commerce, Research and Economic Development.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 1105

August 21, 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 George A. Spear of Buxton for appointment to the State Harness Racing Commission.

Pursuant to Title 8, MRSA §261-A, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Agriculture, Conservation and Forestry.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 1106

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

August 21, 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 Donna M. Chapman of Windham for appointment to the State Harness Racing Commission.

Pursuant to Title 8, MRSA §261-A, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Agriculture, Conservation and Forestry.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 1107

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

August 21, 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 Richard R. Shiers of Gorham for appointment to the State Harness Racing Commission.

Pursuant to Title 8, MRSA §261-A, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Agriculture, Conservation and Forestry.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 1108

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

August 21, 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 Samantha J. Hebert of Windham for reappointment to the School Board of the Governor Baxter School for the Deaf.

Pursuant to Title 20-A, MRSA §7406, this reappointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 1109

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

August 21, 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 Robin L. Foster of Orrington for reappointment to the School Board of the Governor Baxter School for the Deaf.

Pursuant to Title 20-A, MRSA §7406, this reappointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 1110

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

August 21, 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 Roxanne Baker of Cape Elizabeth for reappointment to the School Board of the Governor Baxter School for the Deaf.

Pursuant to Title 20-A, MRSA §7406, this reappointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 1111

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

August 22, 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 Robert T. Weston of Hermon for appointment to the Maine Board of Tax Appeals.

Pursuant to Title 36, MRSA §151-D, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Taxation.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 1112

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

August 23, 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 The Hon. David E. Bowles of Sanford for appointment to the State Board of Education.

Pursuant to Title 20-A, MRSA §401, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 1113

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

August 23, 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 Betsy B. Gleysteen of Scarborough for appointment to the State Board of Education.

Pursuant to Title 20-A, MRSA §401, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 1114

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

August 23, 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 The Honorable John O'Neil, Jr. of Kennebunk for reappointment as a Justice to the Maine Superior 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

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 1115

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

August 23, 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 John Martin, Esq. of Skowhegan for appointment as a District Court Judge.

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

S/Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 1120

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

August 27, 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 Dr. Raymond C. Stevens of Los Angeles, California for appointment to the Board of Trustees, University of Maine System.

Pursuant to P&SL 1967, Chapter 229, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 1121

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

August 27, 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 Peter J. DeIGreco of North Yarmouth for appointment to the Board of Trustees, University of Maine System.

Pursuant to P&SL 1967, Chapter 229, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 1122

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

August 27, 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 Craig G. Larrabee of Belgrade for appointment to the Board of Trustees, University of Maine System.

Pursuant to P&SL 1967, Chapter 229, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 1123

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

August 27, 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 The Hon. Nichi S. Farnham of Bangor for appointment to the Board of Trustees, University of Maine System.

Pursuant to P&SL 1967, Chapter 229, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 1116

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

July 13, 2018

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

Dear Secretary Priest:

Please find enclosed certified copies of the final results from the June 12, 2018 Primary Elections and Special Referendum Election.

Tabulations showing the results with municipal and county totals are posted on the Secretary of State's web site here:

<http://www.maine.gov/sos/cec/elec/results/results18.html#iune18>

Sincerely,

S/Matthew Dunlap
Secretary of State

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 1117

**STATE OF MAINE
128TH LEGISLATURE
OFFICE OF THE PRESIDENT**

August 23, 2018

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 appointed Senator Roger J. Katz of Kennebec to the Joint Standing Committee on Health and Human Services. With this appointment Senator Katz will be replacing Senator James Hamper of Oxford.

Sincerely,

S/Michael D. Thibodeau
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 1118

**STATE OF MAINE
128TH LEGISLATURE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE**

August 9, 2018

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 House Rule 201.1 (I) (a), I have appointed Representative Michelle Dunphy of Old Town to the Joint Standing Committee on Labor, Commerce, Research and Economic Development, replacing Representative Dillon Bates of Westbrook, effective immediately.

Please do not hesitate to contact me should you have any questions regarding this appointment.

Sincerely,

S/Sara Gideon
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 1119

**STATE OF MAINE
128TH LEGISLATURE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE**

August 17, 2018

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

Dear Secretary Priest,

Pursuant to my authority under 5 MRSA, Part 30, Ch. 621, §24001, (3) (F), I have appointed Pamela LaHaye of Searsport to the Maine Children's Growth Council effective immediately.

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

Sincerely,

S/Sara Gideon
Speaker of the House

READ and ORDERED PLACED ON FILE.

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

Senate at Ease.

The Senate was called to order by the President.

ORDERS

Joint Orders

Expressions of Legislative Sentiment recognizing:

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

Thomas J. Davis, Jr., of Kenduskeag, longtime Penobscot County Commissioner. A dairy farmer and astute businessman, he was elected to the three-member commission in 1984 and was returned to office every four years since then. He also served as a member of the board of Eastern Maine Development Corporation for over 20 years. He helped lead the organization's Loan Review Committee. Mr. Davis will be long remembered and sadly missed by his wife of 48 years, Muriel, by his family and friends and by all those whose lives he touched;

SLS 1150

Sponsored by Senator CUSHING of Penobscot.

Cosponsored by Senators: CARPENTER of Aroostook, DAVIS of Piscataquis, DILL of Penobscot, GRATWICK of Penobscot, ROSEN of Hancock, Representatives: CAMPBELL of Orrington, CARDONE of Bangor, CRAIG of Brewer, DUCHESNE of Hudson, DUNPHY of Old Town, FREDETTE of Newport, FREY of Bangor, GUERIN of Glenburn, HAGGAN of Hampden, HANINGTON of Lincoln, JOHANSEN of Monticello, KORNFELD of Bangor, LOCKMAN of Amherst, LYFORD of Eddington, REED of Carmel, SCHNECK of Bangor, STANLEY of Medway, TIPPING of Orono, TURNER of Burlington, WALLACE of Dexter.

The Joint Order was **READ**.

THE PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Cushing.

Senator **CUSHING:** Thank you, Mr. President. Mr. President, ladies and gentlemen of the Senate, today I rise to reflect on the service of a special man to this State and his county. I refer to Tom Davis of Kenduskeag, who dedicated more than 34 years of service to the people of Penobscot County and 25 years to his hometown of Kenduskeag. He was a true example of public service with his 20 plus years on the Board of Eastern Maine Development Corp and many other organizations, such as FMHA and the Farm Bureau. Tom was a well-known and respected businessman and dairy farmer. I had the pleasure and benefit of knowing and working with Tom as an elected official and resident of his county. I found him to be an invaluable resource when you're looking to understand an issue and get a perspective that helps you see the pros and cons of a policy matter. Tom is one of those individuals who's unique in life. He was someone who was not afraid to speak his mind but does so with a great degree of common sense and knowledge of the matter at hand. Tom was one of those unique individuals, while strong in his opinion, is respected and appreciated by those who he may disagree with. In my opinion, life brings people like Tom Davis into your world to teach you how to disagree without being too disagreeable. In the arena of public policy you need a Tom Davis. He was always an advocate, many times an adversary, but rarely was he truly your enemy. He may not have understood - you may not have

understood at the time, what may have been in the heat of discussion, but if you took a step back and looked at it you'd thank folks like Tom Davis for standing up and having his say. In these times of autotelic politics, and sometimes too fast retorts, it is public servants like Tom Davis who could provide a good example of what we should emulate in our roles as makers of good public policy. I am honored to have known and had the chance to work with Tom Davis. He inspired me, as he did many others, by how he lived his life in service to those who needed an advocate like him. My condolences to his wife, Muriel, and his many family members and friends who feel the loss of his passing but also the closeness of his presence. Thank you, Mr. President.

The Joint Order was **ADOPTED**.

Sent down for concurrence.

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

Francis Edward Ackerman, of Augusta. Mr. Ackerman worked as Assistant Attorney General for the State of Maine and later as Deputy Attorney General for several years. He was respected for his thoughtfulness as a lawyer and for the quality of his legal writing, presentations in court and negotiations with opposing lawyers. In the last decade of his life, he and his sister, Julia, coauthored a historical novel inspired by a 13th-century Icelandic saga. Mr. Ackerman will be long remembered and sadly missed by his family, friends and colleagues;

SLS 1159

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

The Joint Order was **READ**.

THE PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator Carpenter.

Senator **CARPENTER:** Mr. President, ladies and gentlemen of the Senate, thank you. Very briefly, when I read the calendar this morning, going through the various items, I was shocked to see that a young Assistant Attorney General who worked with me in that office many years ago had passed. Francis Ackerman was just a lovely, lovely human being. He was a very bright attorney. Very, very gracious and wonderful to work with. Very Nordic in appearance and just one of those quiet heroes who labor in public service and rarely get recognitions. I regret that I have to stand today to commemorate his passing, but I do thank him for all of his work and I want to thank the Augusta delegation for putting this sentiment in. Francis was a wonderful man I enjoyed working with. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Katz.

Senator **KATZ:** Thank you, Mr. President. Men and women of the Senate, I just want to join my colleague, Senator Carpenter, in

paying tribute to Francis Ackerman who I knew actually through his daughter, originally, who was a classmate of one of my kids and then got to know Francis, who was a gentle, kind soul and also one of the brightest people I've ever met. It's a loss to his family, obviously, and to the legal community, but also to the Augusta community. Thank you, Mr. President.

The Joint Order was **ADOPTED**.

Sent down for concurrence.

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

Christopher Andrew Cousins, of South Paris, a prominent and well-regarded Maine journalist. Mr. Cousins began his career in 1999 at the *Advertiser Democrat* in Norway before moving later that year to *The Times Record*, where he worked as a reporter and city editor. He went on to run the State House News Service before joining the *Bangor Daily News* in 2009. He became the newspaper's State House bureau chief in 2013. Mr. Cousins received many Maine Press Association awards and was the Donald W. Reynolds Fellow for Community Journalism at the Nieman Foundation for Journalism at Harvard University from 2006 to 2007. The Maine Center for Public Interest Reporting recently described him as one of the 10 most respected journalists in the State. Mr. Cousins will be long remembered and sadly missed by his family, friends and colleagues and by all those whose lives he touched;

SLS 1164

Sponsored by President THIBODEAU of Waldo.

Cosponsored by Senators: BELLOWS of Kennebec, BRAKEY of Androscoggin, BREEN of Cumberland, CARPENTER of Aroostook, CARSON of Cumberland, CHENETTE of York, CHIPMAN of Cumberland, COLLINS of York, CUSHING of Penobscot, CYRWAY of Kennebec, DAVIS of Piscataquis, DESCHAMBAULT of York, DIAMOND of Cumberland, DILL of Penobscot, DION of Cumberland, DOW of Lincoln, GRATWICK of Penobscot, HAMPER of Oxford, HILL of York, JACKSON of Aroostook, KATZ of Kennebec, KEIM of Oxford, LANGLEY of Hancock, LIBBY of Androscoggin, MAKER of Washington, MASON of Androscoggin, MILLETT of Cumberland, MIRAMANT of Knox, ROSEN of Hancock, SAVIELLO of Franklin, VITELLI of Sagadahoc, VOLK of Cumberland, WHITTEMORE of Somerset, WOODSOME of York, Representatives: ACKLEY of Monmouth, ALLEY of Beals, AUSTIN of Skowhegan, AUSTIN of Gray, BABBIDGE of Kennebunk, BAILEY of Saco, BATTLE of South Portland, BEAR of the Houlton Band of Maliseet Indians, BEEBE-CENTER of Rockland, BERRY of Bowdoinham, BICKFORD of Auburn, BLACK of Wilton, BLUME of York, BRADSTREET of Vassalboro, BROOKS of Lewiston, BRYANT of Windham, CAMPBELL of Orrington, CARDONE of Bangor, CASÁS of Rockport, CEBRA of Naples, CHACE of Durham, CHAPMAN of Brooksville, COLLINGS of Portland, COOPER of Yarmouth, COREY of Windham, CRAIG of Brewer, DANA of the Passamaquoddy Tribe, DAUGHTRY of Brunswick, DeCHANT of Bath, DENNO of Cumberland, DEVIN of Newcastle, DILLINGHAM of Oxford, DOORE of Augusta, DUCHESNE of Hudson, DUNPHY of Old Town, ESPLING of New Gloucester,

FARNSWORTH of Portland, FARRIN of Norridgewock, FAY of Raymond, FECTEAU of Biddeford, FOLEY of Wells, FREDETTE of Newport, FREY of Bangor, FULLER of Lewiston, GATTINE of Westbrook, GERRISH of Lebanon, Speaker GIDEON of Freeport, GILLWAY of Searsport, GINZLER of Bridgton, GOLDEN of Lewiston, GRANT of Gardiner, GRIGNON of Athens, GROHMAN of Biddeford, GUERIN of Glenburn, HAGGAN of Hampden, HAMANN of South Portland, HANDY of Lewiston, HANINGTON of Lincoln, HANLEY of Pittston, HARLOW of Portland, HARRINGTON of Sanford, HARVELL of Farmington, HAWKE of Boothbay Harbor, HEAD of Bethel, HERBIG of Belfast, HERRICK of Paris, HICKMAN of Winthrop, HIGGINS of Dover-Foxcroft, HILLIARD of Belgrade, HOGAN of Old Orchard Beach, HUBBELL of Bar Harbor, HYMANSON of York, JOHANSEN of Monticello, JORGENSEN of Portland, KINNEY of Limington, KINNEY of Knox, KORNFELD of Bangor, KUMIEGA of Deer Isle, LAWRENCE of Eliot, LOCKMAN of Amherst, LONGSTAFF of Waterville, LUCHINI of Ellsworth, LYFORD of Eddington, MADIGAN of Waterville, MADIGAN of Rumford, MALABY of Hancock, MAREAN of Hollis, MARTIN of Eagle Lake, MARTIN of Sinclair, MASON of Lisbon, MASTRACCIO of Sanford, McCREA of Fort Fairfield, McCREIGHT of Harpswell, McELWEE of Caribou, McLEAN of Gorham, MELARAGNO of Auburn, MONAGHAN of Cape Elizabeth, MOONEN of Portland, NADEAU of Winslow, O'CONNOR of Berwick, O'NEIL of Saco, ORDWAY of Standish, PARKER of South Berwick, PARRY of Arundel, PERKINS of Oakland, PERRY of Calais, PICCHIOTTI of Fairfield, PICKETT of Dixfield, PIERCE of Dresden, PIERCE of Falmouth, POULIOT of Augusta, PRESCOTT of Waterboro, RECKITT of South Portland, REED of Carmel, RILEY of Jay, RYKERSON of Kittery, SAMPSON of Alfred, SANBORN of Portland, SANDERSON of Chelsea, SCHNECK of Bangor, SEAVEY of Kennebunkport, SHEATS of Auburn, SHERMAN of Hodgdon, SIMMONS of Waldoboro, SIROCKI of Scarborough, SKOLFIELD of Weld, SPEAR of South Thomaston, STANLEY of Medway, STEARNS of Guilford, STETKIS of Canaan, STEWART of Presque Isle, STROM of Pittsfield, SUTTON of Warren, SYLVESTER of Portland, TALBOT ROSS of Portland, TEPLER of Topsham, TERRY of Gorham, THERIAULT of China, TIMBERLAKE of Turner, TIPPING of Orono, TUCKER of Brunswick, TUELL of East Machias, TURNER of Burlington, VACHON of Scarborough, WADSWORTH of Hiram, WALLACE of Dexter, WARD of Dedham, WARREN of Hallowell, WHITE of Washburn, WINSOR of Norway, WOOD of Greene, ZEIGLER of Montville.

The Joint Order was **READ**.

THE PRESIDENT: The Chair recognizes the Senator from Sagadahoc, Senator Vitelli.

Senator **VITELLI:** Thank you, Mr. President. Men and women of the Senate, much has been said about Chris' role as a reporter in the State and I know that everyone in this building has come to respect and admire and trust his work. I'm here to speak of Chris as a family friend and a valued colleague to my husband. In fact, they were scheduled to have one of their regular Friday lunches tomorrow, in which they shared the equivalent of war stories, I would imagine, that fellow journalists shared. Robert Long has spoken of Chris as a storyteller. Robert is someone who worked with Chris at both *The Times Record* and the *Bangor Daily*. And, as all good storytellers, Chris had strong listening skills. He was

an acute observer of the human condition and he approached his stories with an open heart and with genuine curiosity. These are also what made him a great friend. When I first came to the Legislature I was comforted by his presence. His friendly face and his warm smile welcomed me whenever I saw him, and I can see him now, and I would often welcome him - greet him with open arms as the friend to me that he was. But early on in my days at the State House Chris took me aside and said, 'Perhaps we ought to use a little more restraint in our greetings, that perhaps a nod and a Hey, how're you doing? would be more professional, given our circumstances.' And he was right. Although it was difficult not to want to just give him a big bear hug, I followed his lead. I will miss him, as I know we all will, and I extend my condolences to his family; particularly to Jen and his two sons that he adored, Caleb and Lucas. Thank you, Mr. President.

THE PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Brakey.

Senator **BRAKEY:** Thank you, Mr. President. I'll be brief. I think we've all known and worked with Chris Cousins over the years. I know in the four years that I've been in this Chamber I feel like I've gotten to know him decently well. You know, for all of the rancor in the media these days and for all of the sometimes feelings on both sides of the media mistreating one side or the other, one thing I could always say about Chris Cousins was he was always fair, he was always decent, and he loved his family. In fact, I know so many times, just having a free moment, going down to the little press area down in the basement of the Cross Building, just sitting there and talking with him and that was the thing - you know, whenever we got off the subject of politics, that was the thing he always talked about, was his family and particularly his young children. So I know it's, as we are all striving for decency and integrity in everything we do and hoping for decency and integrity in our media, Chris was really an excellent example of that and it is a great loss that he is no longer with us. I sincerely hope that his example will endure for a long time.

The President requested the Sergeant-At-Arms escort the Senator from Androscoggin, Senator **MASON**, to the rostrum where he assumed the duties as President Pro Tempore.

The President took a seat on the Floor.

The Senate was called to order by President Pro Tempore **GARRETT P. MASON** of Androscoggin County.

THE PRESIDENT PRO TEMPORE: The Chair recognizes the Senator from Waldo, Senator Thibodeau.

Senator **THIBODEAU:** Thank you, Mr. President Pro Tem. Ladies and gentlemen of the Senate, a lot of things have already been said about Chris Cousins. My guess is that there are probably 35 great stories about Chris Cousins and your interactions with him here at the State House. Every one of them special. My guess is every one of them positive. He was a terrific

human being and, as Senator Brakey had mentioned, reporting what happens here at the State House has got to be difficult because you're trying your best, as a reporter, to do it in a way that's non-partisan, that reflects, really and truly, what is going on inside of this building. I'll assure you that Chris Cousins was one of the best that this building has ever seen. One of the reasons is he earned peoples' trust. His calm demeanor, his non-partisan approach, non-threatening approach, won him the trust of many people, including myself. The countless times that Chris would come into the President's Office, not trying to necessarily garner information so that he could put it in the story but truly trying to understand what was going on in this building just for background. I can't tell you how many times I was able to say, 'Chris, okay, Chris, off the record,' and he would say, 'Yes,' and we'd talk about what was going on and why things were happening the way they were happening. Not once, not once in Chris' tenure here was that trust ever violated. A consummate professional, a man that wanted to write the story in the most accurate possible way he could while trying to understand what was going on inside the four walls of the State House. I know that in his profession it's not appropriate that he be my friend, Senator Vitelli's friend, but my guess is, just knowing what a decent - what a great human being he was, that he'd been heartbroken if he were here and one of us had passed the same way each one of us that got to know Chris is heartbroken and feel a tremendous loss. Again, tough job. The media, I believe this in my heart, is trying to get it right, trying to understand what's going on in this building. Heck, a lot of times I'm trying to understand what's going on in this building. Not once did I ever reach out to Chris and say, 'Chris, you know this story, do you understand this background or that?' that he didn't take that serious and was always willing to clarify, not change but clarify, a situation if he felt it was important. Very humble man, a man that did a great service, not just for the *Bangor Daily News* but a great service to the people of the State of Maine, trying to help them understand what was going on in their State government. I think I can speak for every one of us saying we're all heartbroken and we'll all miss Chris very, very much. Thank you.

The Joint Order was **ADOPTED**.

Sent down for concurrence.

The President Pro Tempore requested the Sergeant-At-Arms escort the Senator from Waldo, Senator **THIBODEAU**, to the rostrum where he resumed his duties as President.

The Sergeant-At-Arms escorted the Senator from Androscoggin, Senator **MASON**, to his seat on the floor.

The Senate was called to order by the President.

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

RECESSED until the sound of the bell.

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

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

ENACTORS

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

Emergency Measure

An Act To Conform to the United States Internal Revenue Code of 1986 and Provide Tax Relief to Maine Families
S.P. 612 L.D. 1655
(S "A" S-496 to C "B" S-477)

One motion by Senator **HAMPER** of Oxford, placed on the **SPECIAL APPROPRIATIONS TABLE** pending **ENACTMENT**, in concurrence.

Act

An Act To Authorize the Installation of a Gold Star Family Memorial in Capitol Park
H.P. 1363 L.D. 1918

On motion by Senator **DAVIS** of Piscataquis, supported by a Division of one-fifth of the members present and voting, a Roll Call was ordered.

The President requested the Sergeant-At-Arms escort the Senator from Androscoggin, Senator **MASON**, to the rostrum where he assumed the duties as President Pro Tempore.

The President took a seat on the floor.

The Senate was called to order by President Pro Tempore **GARRETT P. MASON** of Androscoggin County.

THE PRESIDENT PRO TEMPORE: The Chair recognizes the Senator from Waldo, Senator Thibodeau.

Senator **THIBODEAU:** Thank you, Mr. President. Ladies and gentlemen of the Senate, you know, it's - we live in a very special state and every one of us know why it's so special. It's special because we have amazing people that live in it. They live in each and every one of our communities. They're Republicans. They're Democrats. They're unenrolled. They're people that love the state just like you and I do and they love this nation every bit as much as well. You know, some of these people make a conscious decision to go and to serve this nation in our Armed

Forces, willing to put their very life on the line in service to our nation. This bill will create a memorial in the park across the street in remembrance of some of the people that have lost their very lives in service to this nation. We're fortunate today, Senator Jackson and myself, we're fortunate to meet a lot of the family members, these Gold Star family members, their friends, people that were here to celebrate the passage of this important bill, a bill that is about remembering America's finest, remembering people who gave the ultimate sacrifice, and in doing so also honoring the families of these fallen soldiers. You know, we all recognize what a tremendous sacrifice it is when somebody loses their life in defense of their nation. We also recognize what a tremendous sacrifice the families have made. Our veterans and their families have done so very much for this great nation. They've served in a way that I will never have the opportunity to serve and what I've done in public service is so small and minute in comparison when you look at what these brave men and women have done for this nation. So, to me, I think we're here to really celebrate, to celebrate coming together, passing a bill, which is a no brainer, that honors the people who have given so very much in service to this country. Thank you, ladies and gentlemen.

THE PRESIDENT PRO TEMPORE: The Chair recognizes the Senator from Aroostook, Senator Jackson.

Senator **JACKSON:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I also wanted to rise. The Senate President did a great job explaining why this is such an honor to be here in the State Senate today. I think here in this Body, and I think of it a lot, you know, we have at times disagreements. Sometimes, you know, we come together on many things. But we're always able to speak our mind. We're always able to talk about issues that are important to us. And I do - I think about it often that there's places in this world that people can't do that. You know, they can't be free to speak about things that are important to them and the reason why we have that great ability in the Senate Chamber today is because of the men and women that have fought for that freedom, fought for that right, consistently. And so for myself, it is - it's a real debt that I can never repay to the people that have gone forward and fought for those freedoms that, you know, often times we maybe take for granted. But standing in the Senate, or in the Maine Legislature, it hits me often that, you know, I'm able to fight for things other people in other parts of this world can't do and it's all because of people that have given the service and, unfortunately, people that have actually died giving that service, something, like the Senate President said, I have never actually had to do. You know, we have members in here that have. Families that are here today, you know, myself with two sons, I can only imagine what it must be like to have to worry about them as they're serving and then, you know, for the sacrifice that they did give to this country. I mean, for me, this is a very small thing that we're able to do today for the tremendous effort, sacrifice, that you've given. I can't tell you how much all of us in this Chamber thank you for what your families have done for us in this State and us in this country. It truly is an honor to be here today to recognize your families because none of us would be here without what you've given to us. So, seriously, thank you from each and every one of us in the Chamber for what you've done. We appreciate it.

THE PRESIDENT PRO TEMPORE: The Chair recognizes the Senator from Penobscot, Senator Cushing.

Senator **CUSHING:** Thank you, Mr. President. Mr. President, ladies and gentlemen of the Senate, I just had the privilege of attending a leadership conference in Gettysburg this week and as part of that we went up on Little Round Top, the far left flank on the second day of the Battle of Gettysburg, where Joshua Chamberlain and the 20th Maine held the flank and it just struck me, as I participated in this event, how Maine has been a leader and has made some significant sacrifices. Not that we are the only ones who sacrificed in that war or other wars, but it brought home that these were men and boys from communities around our State and there was not any promise made to them when they stepped up to serve in that role. There was an expectation that it might be over soon, but it dragged on for a number of years. For those families in that day, they didn't have the benefit of the instant communications that we have now; text and social media and other things. So it could have been weeks before people realized that a loved one had been injured or lost and there was actually a story of an officer whose wife came to the battlefield to care for him because she had heard that he had been injured and she had missed by hours being able to see him before he had passed away. As we reflect on what we're doing here today, Mr. President, it gives me pause to think about the sacrifices that were made and I just wanted to add my appreciation and respect for those whose families have paid that ultimate price and I am pleased, as one of my final duties here, to be able to vote in favor of something that will memorialize those who have served our State and country. Thank you, Mr. President.

THE PRESIDENT PRO TEMPORE: The Chair recognizes the Senator from York, Senator Deschambault.

Senator **DESCHAMBAULT:** Thank you. My mother was a Gold Wife. I want to tell you a little bit about that. Excuse me. My mother was 29 years old in 1944 when she received, excuse me, the Western Union telegram that her husband was lost at sea, or they couldn't find him, he was missing. She was 29 years old. Had two children, 5 and 7. She married my father three months later and had three children. Although he's not my father, Second Lieutenant Tom Baker, we honored him throughout our whole life. I'm just saying this because it affected my mother for her whole life. She kept it to herself, but when she had her - she planned her own funeral and told the funeral director she wanted it to be known that she was a Gold Wife and was proud of it. They weren't going to put that in the paper, but she made them put that in the paper. My Mom was diagnosed with dementia in 2000. Five years later, she was in a nursing home and had full blown Alzheimer's. In 2005, I got a phone call late at night asking to speak to my mother because she had been crying all day. Couldn't understand why. They said that she was reliving the day that she received the Western Union telegram. So even with Alzheimer's and full blown dementia, my mother could still remember the pain of that day. Again, he's not my Dad but I feel great that we're going to honor Gold Wife families. Thank you.

The President Pro Tempore requested the Sergeant-At-Arms escort the Senator from Waldo, Senator **THIBODEAU**, to the rostrum where he resumed his duties as President.

The Sergeant-At-Arms escorted the Senator from Androscoggin, Senator **MASON**, to his seat on the floor.

The Senate was called to order by the President.

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

THE PRESIDENT: The Chair recognizes the Senator from Piscataquis, Senator Davis.

Senator **DAVIS:** Thank you, Mr. President. Mr. President, I'm pretty moved today about this. Two years ago I had the honor of participating in a bridge dedication up in the Town of Atkinson. A young man named Jay Brainard had been killed in the Middle East and I was greatly moved by everything that happened that day, and I'm also very pleased that Don and Nancy White, who raised him, are here today. Thank you very much for everything you've done. Thank you, Mr. President.

THE PRESIDENT: The pending question before the Senate is Final Enactment. If you are in favor of Final Enactment you will be voting yes. If you are opposed you will be voting no. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#735)

YEAS: Senators: BELLOWS, BRAKEY, BREEN, CARPENTER, CHENETTE, CHIPMAN, COLLINS, CUSHING, CYRWAY, DAVIS, DESCHAMBAULT, DIAMOND, DILL, DION, DOW, GRATWICK, HAMPER, JACKSON, KATZ, KEIM, LIBBY, MAKER, MASON, MILLETT, MIRAMANT, ROSEN, SAVIELLO, VITELLI, VOLK, WHITTEMORE, WOODSOME, PRESIDENT THIBODEAU

NAYS: Senators: None

EXCUSED: Senators: CARSON, HILL, LANGLEY

32 Senators having voted in the affirmative and no Senator having voted in the negative, with 3 Senators being excused, was **PASSED TO BE ENACTED** and, having been signed by the President, was presented by the Secretary to the Governor for his approval.

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

COMMUNICATIONS

The Following Communication: H.P. 1365

August 21, 2018

Honorable Sara Gideon
Speaker of the House
128th Legislature

Honorable Michael D. Thibodeau
President of the Senate
128th Legislature

Dear Madam Speaker and Mr. President:
On August 20, 2018, 1 bill was received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 308.2, this bill was referred to a Joint Standing Committee on August 20, 2018, as follows:

Health and Human Services

Bill "An Act To Criminalize the Failure To Make a Report of Child Abuse or Neglect as Required by Statute" (H.P. 1364) (L.D. 1919) (Sponsored by Representative SUTTON of Warren) (GOVERNOR'S BILL)

Sincerely,

S/Robert B. Hunt
Clerk of the House

S/Heather J.R. Priest
Secretary of the Senate

Comes from the House, **READ** and **ORDERED PLACED ON FILE**.

READ and **ORDERED PLACED ON FILE**, in concurrence.

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

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Improve Information Sharing Relating to Investigations of Educators"

H.P. 1366 L.D. 1924

Comes from the House, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.

On motion by Senator **MAKER** of Washington, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed, in concurrence.

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

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

REPORTS OF COMMITTEES

Senate

Ought to Pass As Amended

Senator **BRAKEY** for the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Grant the Department of Health and Human Services Access to Criminal History Information To Achieve the Purposes of the Child and Family Services and Child Protection Act"

S.P. 755 L.D. 1921

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-547)**.

Report **READ** and **ACCEPTED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-547) **READ** and **ADOPTED**.

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

Sent down for concurrence.

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

Divided Report

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Amend the Child and Family Services and Child Protection Act"

S.P. 756 L.D. 1922

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

Signed:

Senators:

CHIPMAN of Cumberland
KATZ of Kennebec

Representatives:

HYMANSON of York
DENNO of Cumberland
MADIGAN of Waterville
McCREIGHT of Harpswell

The Minority of the same Committee on the same subject reported that the same **Ought To Pass**.

Signed:

Senator:

BRAKEY of Androscoggin

Representatives:

CHACE of Durham
PARKER of South Berwick
PERRY of Calais
SANDERSON of Chelsea

Reports **READ**.

Senator **BRAKEY** of Androscoggin moved the Senate **ACCEPT** the Minority **OUGHT TO PASS** Report.

THE PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Brakey.

Senator **BRAKEY:** Thank you, Mr. President. I rise in support of the motion in front of us. You know, as folks know, we, earlier this week in the Health and Human Services Committee, heard five bills related to reforms of the overall Child Welfare Program, in direct response to the two very terrible tragedies we saw take place in our state earlier this year. This is one of those bills and I just want to give folks a quick overview of what this bill does because it's a small but significant language change in the statutes. Currently the statutes read, in regards to rehabilitation and reunification, when a child is taken from the home, from the family, because of concerns of what's going on in that home, potentially, that could negatively impact that child, current law reads that they must give family rehabilitation and reunification priority as a means for protecting the welfare of children and prevent needless delay for permanent plans for children when rehabilitation/reunification is not possible. This bill would simply make a small change to say instead of giving family rehabilitation/reunification priority it would require that reasonable efforts be made to rehabilitate and reunify families. The reason for this change, I know the first time I read this bill I thought, 'Okay, what exactly are we changing? What's going in this bill?' Really this goes back to actually the early 2000's. You know, the tragedies that we saw take place in this state earlier this year are not altogether unique in our history as a state. If you go back to the early 2000's there were some similar tragedies. Only instead of these tragedies taking place in the child's own home and family it took place in foster homes. At that time there was a real swing of the pendulum because we saw some of these tragedies take

place in a foster home and a push was pushed to the other side, that we have to focus on the highest priority of being reunifying children with their families. I can completely understand that impulse. We certainly do not want to take children away from their homes, separate children from their families, unless it is absolutely necessary for the welfare of that child. But the concern is, as we - as that was instituted in law, perhaps the pendulum swung a little too far in the other direction, to the point where the law seems to imply that reunification should be the absolute highest priority, sometimes, perhaps, even above what might be in the best interest of the child. This language change seeks to strike a balance. It seeks to continue to have reunification continue to be a priority but emphasize that the welfare of the child is the highest priority. Whether that means reunification with the family or it means that that child needs to find a permanent home somewhere else, the welfare of that child needs to be the highest priority, and so I will be voting in support of the motion in front of us and I invite my colleagues to exercise their judgment on this important matter before us and do the same. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Katz.

Senator **KATZ:** Thank you, Mr. President and men and women of the Senate. First of all, part of the reason I rise is because I had the honor of replacing, temporarily, Senator Hamper on the Human Services Committee last week because of a work commitment he had. We also dealt with this subject matter in the Government Oversight Committee now for several months and we tasked OPEGA with looking into these two terrible tragedies and trying to make some sense of them and trying to figure out what we might do to change our laws to increase the chance of these things would never happen again. So this is one of the discussions that came out of that and I feel conflicted about this bill for some of the reasons that Senator Brakey just said and also it's the enthusiastic advocacy of this by my good friend, Senator Diamond, who sponsored this bill. But I - this is a tough one. But I think that the question for me was: in one day, because we heard five bills in one day, and now we're hearing these bills here today. So in one week, what can we do now to try to help fix what I think everyone agrees is a broken system and what things are better left for more deliberate consideration of the next Legislature? I think everybody agrees that the most important thing is the safety of kids and that's the controlling principle that ought to rule here, and we ought to make sure that our statutes state that in no uncertain terms. But I respectfully suggest that our current statute is not the problem, that our current statute does honor that principle. I want to read to you from Title 22, Section 4003, which is the purposes section of that law, which says, 'Recognizing that the health and safety of children must be of paramount concern and that the right of family integrity is limited by the right of children to be protected from abuse and neglect,' then it goes on to other sections. I don't know that we could have a more definite statement about what the principle purpose of this law is. It states it in no uncertain terms. This proposed language change, I'm not entirely sure what it does, but Senator Brakey talked about the swinging pendulum, that maybe we went too far towards taking kids out of the home before and maybe the pendulum swung to too much reunification. I don't even know if that's true because we heard conflicting, no disrespect to Senator Brakey, but we heard conflicting evidence in the Committee hearing and some of it suggested that if the

pendulum is swinging it's actually against, away from, reunification and taking more kids out of the home now. So I'm not sure that the evidence is any way clear that we need to be readjusting that pendulum back to where it was.

Secondly, you know, we heard that there is increasing evidence, based upon studies, which show that wherever possible that reunification actually is in the best interest of kids and that that ought to be our priority. I'm hardly an expert on this thing, but the point is that trying to sort through that, and see what best practices today in the United States, I don't know what the answer to that is. I can assure you, we didn't have time in the couple of hours we considered this particular bill to sort that out. What I think we did learn, and what I heard at the hearing, was that there's really nothing wrong with our statute. What's wrong is that apparently some people within the Department are interpreting the statute in a way which, perhaps, is not best for our children. I don't know that the proper response to that, though, is to change the statute if it's good. The proper response is in the administration of the Bureau of Child Protective Services to train their workers, to educate them on what the law actually says, and not to change the law. As somebody put it during the Committee, this change which is being suggested is really kind of sending a subliminal message to the Department that they've got to start doing things differently. I don't know that we need to change the law to do that. This may be a good change in the statute but, from my perspective, it needs a lot more work and thought and study and consideration of best practices before we go into it. I'm very proud of the rest of the package we came up with on Tuesday because I think it is that down payment that we all want to be making on this crisis. This one, I think, can wait and needs a little bit more deliberation. Thank you, Mr. President.

On motion by Senator **MASON** of Androscoggin, supported by a Division of one-fifth of the members present and voting, a Roll Call was ordered.

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Diamond.

Senator **DIAMOND:** Thank you, Mr. President and ladies and gentlemen of the Senate. A few words on this bill. I would suggest probably this is the most important bill out of the five, in many ways, that we're going to vote on today. I got involved in this, as Senator Katz indicated, through the Government Oversight Committee and all the OPEGA and all the research that's been done and public hearings for months. What we found out is we're running out of time. Too late for Marissa Kennedy. Too late for Kendall Chick. Too late for the next little child, we don't know the name yet because they haven't died yet. We can't wait before we do anything and this is one of those areas where we can do something. If you talk with front line workers, with caseworkers, not with research people in some cubical someplace, if you talk with the caseworkers who deal with this every day they'll tell you that this law should be changed. They'll tell you that the word 'reasonable' is reasonable because the current law says 'priority' not 'a priority.' It says 'priority.' So I'd ask you to think about that. It's too much potential for problems for us to put this off and not make this change. One of the problems we're having now with the front line caseworkers is that their time is so limited and there are so few of them, so when the pressure is on them to reunify, even when they know it's not the best thing to do after hours and hours and hours of working with

these kids, they still are pressured to put that square peg into the round hole because that's what the law says. 'Reasonable' is part of the federal statute. I think it's a reasonable approach. These caseworkers are having these kids. They can see what's going on inside those walls. They take these kids to their office and keep them in their office all day for days at a time because there's no other place to put them. They spend nights in motels watching over these kids because there's no other place to put them. This - to push these kids back into a place that they know is not safe, but it's the priority, is doing an injustice. I'd really ask you to think about this. This bill is simply common sense. It simply says what is best for the child. That's all it's doing. Give that caseworker, that knows more about this than you or I, but I can tell you after talking with so many of them you feel like you're part of it, give that caseworker, those caseworkers, a little flexibility. They really know what they're doing. Give them a chance to act. Take away this bureaucracy, this little bit, and feel good about reasonable because that's what this is. It's just saying the word 'reasonable.' So I'd ask you to vote in favor of this motion. Mr. President, thank you for this. This is a very important issue and I appreciate your time.

THE PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Bellows.

Senator **BELLOWS:** Thank you, Mr. President. Ladies and gentlemen of the Senate, over the summer I have met with dozens of caseworkers and foster parents and family members, and I want to applaud both the personnel at DHHS who do such very difficult work every day, sometimes risking their own safety to protect the safety of children. I want to applaud the foster parents who work so hard to keep small children safe. I posted on Facebook last week that, because many of the caseworkers and foster parents and even parents of children involved in the system, shared with me fear of coming forward because of retaliation, perhaps, or because of consequences, either from DHHS or from the community. So I put an invitation on Facebook that if anyone wanted to leave testimony on my doorstep, if they wanted it to be truly anonymous, they could write testimony, print it out, not put a name, and leave it on my doorstep. I had a conversation with a family that I met over a year ago and they had fostered an infant who was born drug affected and they went through the process of family reunification. Mom was no longer in the picture but Dad did go through certain steps. These parents expressed concerns that this child would not be safe in the home but, alas, the child was returned to Dad and, over the course of the last couple of years, different incidents would pop up in the paper and these foster parents would express concerns, or reports about driving to endanger or different charges that this gentleman was charged with, and felt very helpless. Then this summer the worst case scenario happened, Dad died and their foster son is now parentless, but he's also not with them and they're still worried about his health and his safety. What they said with me, when they met with me, and they didn't feel comfortable coming forward and being named, but what they said is this bill is a parental rights friendly approach and it doesn't take parents out of the process, and I think we can all agree that the research does show that when family reunification can happen, and be supported and be safe, it is the right approach. But this bill does not take family reunification out of the process. What it does is introduce the language of 'reasonable' and I'm going to quote from this anonymous constituent. 'Placing child safety and

wellbeing in greater importance than the current law allows, the new language protects children without negating parental rights and is paramount to fixing this broken system. There is a climate of automated fervor to keep children with their parents at all cost.' The constituent went on to implore me to vote yes to this legislation. So I'm casting my vote yes today because of this constituent meeting but also a series of conversations that I had that made me feel that there does need to be a little more discussion for the courts, for the Attorney General's Office, for DHHS, for people involved, case managers, foster parents, kin, etcetera to come to agreement on what is reasonable. I think that does provide flexibility, and maybe it's not perfect but it's a step forward. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator Carpenter.

Senator **CARPENTER:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I briefly rise to just maybe clear up a little bit of confusion. Many of you know that my law practice is now limited to acting as guardian ad litem almost exclusively in DHHS Child Protective cases. I have probably 30 open cases in my office at this point. Real briefly, the way this works, and why I think this change is appropriate, is that when a complaint comes in, a complaint is called to the toll free number here in Augusta, if it doesn't get screened out, that's a whole other issue, then it will be assigned to an assessment worker in Houlton. That assessment worker will go out and they'll attempt to do an assessment. Those assessments can last for weeks while they're trying to gather evidence. There may clearly not be enough evidence for a case to be brought but there may be a safety plan. Maybe Grampy and Grammy's a more appropriate place for this child at this moment. Ultimately, when the case is - when the evidence has been gathered, that assessment worker will sit down with his or her supervisor and Assistant Attorney General, and they'll try to decide whether or not there is sufficient probable cause to bring a case here. So the AAG becomes a very important component here. I think this change, if it is enacted, will send the appropriate message. Prosecutors don't bring cases that they're not fairly certain they can win, for a variety of reason. Child protective cases, you don't bring a case - in the old expression, if you're going to shoot at the King make sure you kill him. In this case it may be very harmful to the child if a case is initiated and there is insufficient evidence there. So I do think that this is potentially an important step forward. Also we have to have a little bit of faith in the system. We sit in this Chamber, we confirm men and women to sit on the bench with black robes and that's who is going to make these decisions. They're going to look at the evidence, there's going to be a guardian ad litem report, and they're going to make the decision. I have never, and I've been a rostered guardian ad litem for close to 20 years, I have never seen a judge move forward with a case in a DHHS purview when the parent is making commitments and progress. I have seen cases get right up to the point of termination of parental rights, the end, the death sentence if you will, for that relationship, and all of a sudden the parent begins to turn themselves around. The courts will pause and they'll give them an opportunity. I'll give you a real quick example. A young woman had three children with the same parent. Both parents were into drugs and substances. All three children were on my case load. I recommended the termination of all three of the children's rights. They were terminated. In the meantime, the

mother had another child with the same father. The child was born drug affected. That child and that mother are doing wonderfully today. At that point something happened. The mother went and got her some help - got herself some help. She moved out of the community, which got her away from some of her sources. I could bring her - and she's already told me she would love to come down and talk to the Legislature at some point about what she's gone through. She has done wonderfully. She has that child with her. He's absolutely prospering in her care. So the courts don't look at these - I truly believe they look at these on a case by case, individualized basis. There was no reason to believe that young woman was going to be successful, yet the court gave her a chance because they saw her step up and they saw her make progress. So I think we have to allow some belief in the system, some belief in the judges that we put on the bench, that they will make the right decision, and I have never seen a judge, in my opinion, prematurely either stop a reunification process or terminate a parent's rights. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Lincoln, Senator Dow.

Senator **DOW:** Thank you, Mr. President. I, also, have talked with some caseworkers and their concerns had to do with the longevity of the cases that they were looking at being carried out in the courts for such a long period of time and represented instability for the children. So I believe, after listening to them and looking at this bill, I believe this bill helps move the needle a little bit towards the welfare of the child instead of towards making sure that the parents always have the right to hold things up in the courts. The welfare caseworkers simply told me there are cases that a child should never be returned to, for the home. There are those cases, yet we could be stalled in the courts for up to 18 months or more while this is occurring, and it just is not good for the welfare of the child. So I think this bill, while to me small, moves the needle a little bit towards the welfare of the child and that's why I will be supporting this bill.

THE PRESIDENT: The Chair recognizes the Senator from Knox, Senator Miramant.

Senator **MIRAMANT:** Thank you, Mr. President. Men and women of the Senate, I think that all of the folks who have spoken have made some great points and I do support this bill. Sometimes we're talking about a fix that seems to appear in the absence of some of the other problems. We're saying we must fix this and the Committee dealt with it and people with direct experience say this is a great way. Senator Diamond's worked on this forever. It's wonderful. We also should consider how we got here. When an organization, a company, a government manages a system, and manages it well, many of the tools in place work quite well. When they don't we start looking at other fixes. I read recently about TOTE, the company that owned the El Faro and the sinking of El Faro. They had a number for their Captains to call if they needed to deviate for weather and their Captains were afraid to call it. Then the Captain of the El Faro calls it. It's an answering machine. Please put on hold. Yes, I'm in danger of sinking, but I can't get permission to take a different route and I may jeopardize my job for doing it. We find ourselves in the same situation where the management of the Department that's supposed to take care of these children, when positions became open they weren't filled over and over until one person

was doing the job of three or four. The phones not getting answered. The caseworkers don't have the time to work on the problem. So instead of looking at that, we're looking at five different fixes that may help the workers if they can use the solution, if they don't have so many people that they're responsible for that they can't get to them with the new rules, that they can't make a good case for taking the children from the family or leaving them with the family because that's the best option. We'd better go to the source of the problem. Who is managing the Department and says don't fill the positions, leave everyone hanging, and make up some new rules so it looks like it's not the leadership's problem? I'm tired of that in corporate America and I'm tired of it here in Maine. So keep that in mind as we do solutions for Child Protective Services please.

On motion by Senator **MASON** of Androscoggin, **TABLED** until Later in Today's Session, pending the motion by Senator **BRAKEY** of Androscoggin to **ACCEPT** the Minority **OUGHT TO PASS** Report. (Roll Call Ordered)

Divided Report

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Improve the Child Welfare System" (EMERGENCY)

S.P. 758 L.D. 1923

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-548).**

Signed:

Senators:
CHIPMAN of Cumberland
KATZ of Kennebec

Representatives:
HYMANSON of York
DENNO of Cumberland
MADIGAN of Waterville
McCREIGHT of Harpswell
PARKER of South Berwick
PERRY of Calais

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "B" (S-549).**

Signed:

Senator:
BRAKEY of Androscoggin

Representatives:
CHACE of Durham
SANDERSON of Chelsea

Reports **READ.**

Senator **BRAKEY** of Androscoggin moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-548)** Report.

THE PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Brakey.

Senator **BRAKEY:** Thank you, Mr. President. So the motion that I've made is actually to adopt the report that is not the report that I supported in Committee. The two reports are very similar and I'm going to suggest that we adopt this one because I think that in the interest of there are some very important things in this legislation and I would hate to see it fail because of disagreements over small matters. Let me go over, generally speaking, what is in here because this is a big financial ask. It's a big financial ask from the Maine taxpayers. It's just over \$20 million for reforming some things that are in place related to our Child Welfare Programs. I'm just going to give you a small overview of those items and how these items are going to make an impact to make sure that what we saw take place earlier this year that we can work to avoid it in the future.

One of the problems that we hear a lot from our caseworkers on the front lines, and I think those of us who talked to our caseworkers on the front line have heard many of these things, is the huge caseloads and how overworked they are. It's like treading water infinitely. So everything in here, for the most part, is geared at how can we both give our caseworkers more support to be able to lighten their load a little bit to help them be more efficient. I'll start with one of the first items in this bill, \$3.5 million General Fund for increasing rates for foster care. Foster care, we have a shortage of foster care families here in Maine and, not only is that problematic for the children when they are removed from their birth family and are in the system, it creates a situation where the caseworkers, you'll have to have two caseworkers in a hotel room with the child for 24 hours a day. That's taking them off the job, doing other things that they need to do. It makes it difficult for them to address the other cases in their caseload. So this is one thing that we could do. Not only do the rates that we currently pay to foster care families, not only are they below the average for other states, not only out of a sense of fairness and gratitude for these families taking in kids in need, should we want to increase their rates, but it will also effectively help our caseworkers be more effective and focusing on the cases on their plate.

There's \$1 million for adding more supervisors. Now supervisors aren't necessarily supervisors like we would often think. When I hear 'supervisor' I think of someone sitting in an office, you know, barking out orders. That's not what these supervisors are. These supervisors, the 16 supervisors that would be hired are working hands on with caseworkers, helping to train new caseworkers as they come on, and often times go directly into the field with them, working side-by-side with them. Often times they are veteran caseworkers who've been, you know, exceptionally good at what they have done for years and helping to support other caseworkers.

We're also \$3.6 million for raises for caseworkers. You know, we have a big problem in terms of retaining people in this field. It is an incredibly demanding field and it can be incredibly traumatic at times, as you can imagine. So there would be a \$5 an hour increase for caseworkers. This would help both retain caseworkers and help to attract new people to fill some of the vacant positions that exist, as well as an \$1 an hour bump for

those who achieve a Masters Degree. So \$5 an hour bump for all caseworkers plus an additional \$1 an hour for those who achieve a Masters Degree.

There's a pilot program to support supportive visitations. That would be \$2.2 million. Also \$800,000 for hiring some clinical support staff, mental health support staff, in each of the districts. These support staff will not only help in cases where mental health is a factor for the child, perhaps the parents involved, but also can help debrief some of these caseworkers as they go through some of the traumatic experiences that they have encountered, as we can only imagine. You know, when you are a caseworker in a family's life you're seeing, kind of, the family at their worst moments and those can be some traumatic situations and that can really wear on some of these folks. So these mental health staff will both help with the cases themselves and helping to debrief and help our caseworkers. Also an \$8 million investment in a new computer system for the Child Welfare - for Child Welfare. You know, the computer system that they're currently operating with is about 20 years old. I asked in the Health and Human Services Committee meeting if that meant they're still operating on Windows '98. You can imagine what computer systems were like 20 years ago. They've not kept up and these computer systems will help our caseworkers be a lot more efficient in dealing with their caseloads, though there will be - this is one of the things that will take a little time to get up and going.

I do want to emphasize, overall, - and I will say there's one item in this bill as well, the item that I disagreed with but I'm going to look past for the purpose of getting some important things through, is there's up-front money for hiring 16 new additional caseworkers. I think there was agreement in the Committee that there is a potential need for more caseworkers. I think the disagreement was in terms of the timetable of that. I know the Department wanted to have this package here, in terms of building the infrastructure and the support structure around our caseworkers to make sure they are effective so we can look at adding on additional caseworkers in the future. I think that what this will effectively do - well, I don't want to put the cart before the horse, but I think that, you know, this was something that many on the Committee were very passionate - they wanted to see funded right now, and so if that is to be funded right now then the Department will have discretion in terms of the timetable and how those new folks are brought on.

I will say this is not going to fix all the problems. This is intended to be a first step. This is intended to be a phase one in reforms that are needed for Child Welfare. But I do think that having gone through exhaustively over these five bills, we had a 12 hour day when we were in. We worked from 9:30 to 9:30. We spent a lot of time going through this bill, in particular, each and every Appropriations item that's being asked for. Folks here know that I am loath to spend money. I consider myself a strong fiscal conservative. I think that we need to - you know, our government has some very important roles however, and when that comes to protecting our most vulnerable, whether that be our seniors or adults with intellectual disabilities, as we've often talked in front of this Body, or our vulnerable children who are potential victims of child abuse, we need to make sure that that role is being executed well and we need to spend the resources that are needed to protect our most vulnerable. So I would encourage that we pass this legislation today and that we get started on the work that needs to happen to make sure we're taking care of our kids. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Chipman.

Senator **CHIPMAN:** Thank you, Mr. President. Men and women of the Senate, I want to first of all, I guess, start out by thanking my good friend from Androscoggin, Senator Brakey, for supporting this report as opposed to the Minority Report. I hope we can all be on the same page with this. You know, I think of the five bills that we're considering today this, in my mind, is the most significant bill that will go the farthest, in terms of fixing the problems that need to be fixed. As you've heard, we had a long day on Monday and, leading up to Monday, we heard a lot of information across the state about problems with our Child Welfare system and protecting kids in the state and, in my mind, after hearing everything we heard on Monday, it's really not an issue about reports not being made by mandated reporters, it's not an issue about how things are defined in statute, it's really mostly an issue of staffing and the ability to handle reports that come in, follow up with them on a timely manner, and take action. That's what this bill is all about. So, as you've heard, it does add 16 caseworker positions, which I think is important. There are some positions still in the Department that aren't filled now that need to be filled and I don't believe that it's because the Department doesn't want to fill them. I think it's because of the tight labor market and the low pay and the fact that caseworkers are overburdened. They get burned out. They leave. They can't find people to fill those positions. I think the \$5 an hour pay increase will go a long way to filling those unfilled positions and then adding 16 new positions will help ease the workload that caseworkers are dealing with so that they can follow up on complaints when they're made. You know, we've heard that reports, when they're made, sometimes mandated reporters have to wait on hold for up to two hours or longer to make a report, only to have that report, in some cases, not followed up on. So, clearly, updating the computer system is important, updating the staffing and increasing the staffing is important, and increasing the pay for foster parents is also important because it is my understanding that foster parents are currently only paid \$16.50 a day to care for children for the State and that's a very low rate of pay. It's going to be very hard to attract people, obviously, to do that. So that increase is going to help and I think everything in this bill is great and I hope that we'll all vote for it. Mr. President, I'd like to ask that when the vote is taken that the yeas and nays are recorded. Thank you.

On motion by Senator **CHIPMAN** of Cumberland, supported by a Division of one-fifth of the members present and voting, a Roll Call was ordered.

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Millett.

Senator **MILLETT:** Thank you, Mr. President. Mr. President, ladies and gentlemen of the Senate, I first want to thank the Government Oversight Committee and the Health and Human Services Committee, all the dedicated professionals at DHHS and our legal system who are working so hard to try to take care of these vulnerable children. I appreciate that this is recognized as a first step in reforming our Child Welfare system. But I urge us all to think beyond this, that there is a companion piece that is at least as important and perhaps, in my mind, even more important

and that is by the time those children reach these services we have failed. The damage has been done. The fact that we have a need for so many child welfare workers is a sign of our failure to ensure safe and healthy environments for Maine's children. Many of our Maine families are stressed and our children are suffering as a result. Making smart investments in supporting families, who are strong but perhaps are faced with unexpected adversity, to help them stay strong. For those families that are in distress, help them come out of that distress quickly and make them whole because yes, indeed, a child's best place is with their family but not if it's so dysfunctional that their safety and their health is put at risk. I know that there are some excellent conversations that are happening across this state around how to work to make our families whole and strong, and what existing systems are supporting that and what existing systems are making that harder. So I hope when the next Legislature comes together that we're not just talking about child welfare reform but we're talking about how to support our Maine families and, therefore, supporting our youngest citizens. Thank you, Mr. President.

THE PRESIDENT: The pending question before the Senate is Acceptance of the Majority Ought to Pass as Amended by Committee Amendment "A" Report. If you are in favor of that report you will be voting yes. If you are opposed you will be voting no. A roll call has been ordered. Is the Senate ready for the question?

The Chair noted the absence of the Senator from Aroostook, Senator **JACKSON**, and further excused the same Senator from today's Roll Call votes.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#736)

YEAS: Senators: BELLOWS, BRAKEY, BREEN, CARPENTER, CHENETTE, CHIPMAN, COLLINS, CUSHING, CYRWAY, DAVIS, DESCHAMBAULT, DIAMOND, DILL, DION, DOW, GRATWICK, HAMPER, KATZ, KEIM, LIBBY, MAKER, MASON, MILLETT, MIRAMANT, ROSEN, SAVIELLO, VITELLI, VOLK, WHITTEMORE, WOODSOME, PRESIDENT THIBODEAU

NAYS: Senators: None

EXCUSED: Senators: CARSON, HILL, JACKSON, LANGLEY

31 Senators having voted in the affirmative and no Senator having voted in the negative, with 4 Senators being excused, the motion by Senator **BRAKEY** of Androscoggin to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-548)** Report **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-548) **READ** and **ADOPTED**.

Under suspension of the Rules, Bill **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-548)**.

Ordered sent down forthwith for concurrence.

Divided Report

Eight members of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Modify the Expungement Requirements for Records under the Child and Family Services and Child Protection Act"

S.P. 754 L.D. 1920

Reported in Report "A" that the same **Ought to Pass as Amended by Committee Amendment "A" (S-546)**.

Signed:

Senators:

BRAKEY of Androscoggin
CHIPMAN of Cumberland
KATZ of Kennebec

Representatives:

HYMANSON of York
CHACE of Durham
DENNO of Cumberland
MADIGAN of Waterville
PERRY of Calais

Two members of the same Committee on the same subject reported in Report "B" that the same **Ought Not to Pass**.

Signed:

Representatives:

McCREIGHT of Harpswell
PARKER of South Berwick

One member of the same Committee on the same subject reported in Report "C" that the same **Ought to Pass**.

Signed:

Representative:

SANDERSON of Chelsea

Reports **READ**.

On motion by Senator **BRAKEY** of Androscoggin, Report "A" **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-546) ACCEPTED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-546) **READ** and **ADOPTED**.

Under suspension of the Rules, Bill **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-546)**.

Sent down for concurrence.

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

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

PAPERS FROM THE HOUSE

Non-Concurrent Matter

Bill "An Act To Correct Errors and Inconsistencies in the Laws of Maine" (EMERGENCY)

H.P. 1327 L.D. 1894
(S "A" S-494 to C "A" H-782)

In Senate, June 19, 2018, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-782) AS AMENDED BY SENATE AMENDMENT "A" (S-494)** thereto in **NON-CONCURRENCE**.

Comes from the House, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-782) AS AMENDED BY HOUSE AMENDMENT "D" (H-809) AND SENATE AMENDMENT "A" (S-494)** thereto in **NON-CONCURRENCE**.

Senate at Ease.

The Senate was called to order by the President.

Senator **KEIM** of Oxford moved the Senate **RECEDE** and **CONCUR**.

On motion by the same Senator, supported by a Division of one-fifth of the members present and voting, a Roll Call was ordered.

THE PRESIDENT: The Chair recognizes the Senator from Oxford, Senator Keim.

Senator **KEIM:** Thank you, Mr. President. Ladies and gentlemen of the Senate, as Chair of Judiciary, I did oversee the Errors Bill and there's been a long history that the Errors Bill is never about policy. It's always a very black and white look at what was the intention and it is simply to correct clerical errors, basically. Sometimes clerical errors do change the outcome of a law that but it's unintentional, and I think this bill is about integrity. Every

single one of you would expect the Judiciary Committee to take this bill and to walk through it with the utmost integrity, not ever trying to change law in some backhanded way or underhanded way that no one would ever recognize because we pass - according to tradition, the Errors Bill gets passed as one complete unit. Because as one complete unit, everything that's in there is an error and it goes against what I believe I was tasked with for me to vote and take out something that we all recognized as an error. I think that the correct way to govern Maine is to follow through and do things with integrity on this bill and that's - so I will be voting against my own motion. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Katz.

Senator **KATZ:** Thank you, Mr. President. Mr. President, I, too, rise in opposition to the pending motion. This Errors Bill, if I recall correctly, we had before us it seems like months ago now, and I think it was months ago, and, as I recall, passed this Body by a vote of 35 to nothing. As it should have. It's an Errors and Omissions Bill. It's designed to correct mistakes that were made in drafting by staff, I believe - entirely by staff. They're human beings and they make mistakes and the way we deal with that is with an Errors and Omissions Bill. I'm unaware that there has ever been any controversy about an Errors Bill. It's probably always passes under the hammer. This time, unfortunately, it was used by some people, none in this Body, to try to gain leverage to accomplish some other policy goal and that's largely why we had a stalemate and a big part of why, I guess, we're still here on August 30th. The problem with Clean Election Funding is apparently gone away and I think we're all happy that that's true. But I worry about the precedence we set here because I think we are - I think we all honor the institution and all honor the precedent and the way things are done around here, and it has always been the way things were done around here, that an Errors and Omissions Bill goes under the hammer because it is, in fact, only correcting clerical errors. The moment we start pulling a thread out of that, and that's what this Recede and Concur motion does because this pulls out the Clean Election language, the moment we start doing that we're setting a precedent for the next Legislature or the one after that, well, we can do it because after all they did it in the 128th. I think we ought to be very concerned about precedent and I will be voting against the pending motion for that reason. Thank you, Mr. President.

On motion by Senator **MASON** of Androscoggin, **TABLED** until Later in Today's Session, pending the motion by Senator **KEIM** of Oxford to **RECEDE** and **CONCUR**. (Roll Call Ordered)

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

PAPERS FROM THE HOUSE

Joint Order

The following Joint Order: H.P. 1367

ORDERED, the Senate concurring, that the Joint Standing Committee on Appropriations and Financial Affairs shall report out, to the House, a bill related to the funding of elections.

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

READ and **PASSED**, in concurrence.

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

ENACTORS

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

Act

An Act To Employ Veterans in Health Care To Meet Workforce Needs

H.P. 1362 L.D. 1917
(S "A" S-544)

PASSED TO BE ENACTED and, having been signed by the President, was presented by the Secretary to the Governor for his approval.

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

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

REPORTS OF COMMITTEES

House

Divided Report

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Criminalize the Failure To Make a Report of Child Abuse or Neglect as Required by Statute"
H.P. 1364 L.D. 1919

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

Signed:

Senators:

BRAKEY of Androscoggin
CHIPMAN of Cumberland
KATZ of Kennebec

Representatives:

HYMANSON of York
DENNO of Cumberland
MADIGAN of Waterville
McCREIGHT of Harpswell
PARKER of South Berwick
PERRY of Calais

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-810)**.

Signed:

Representatives:

CHACE of Durham
SANDERSON of Chelsea

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

Reports **READ**.

On motion by Senator **BRAKEY** of Androscoggin, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

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

Senate at Ease.

The Senate was called to order by the President.

Off Record Remarks

RECESSED until the sound of the bell.

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

ORDERS OF THE DAY

The Chair laid before the Senate the following Tabled and Later Assigned matter:

Bill "An Act To Correct Errors and Inconsistencies in the Laws of Maine" (EMERGENCY)

H.P. 1327 L.D. 1894
(S "A" S-494 to C "A" H-782)

Tabled - August 30, 2018 by Senator **MASON** of Androscoggin

Pending - motion by Senator **KEIM** of Oxford to **RECEDE AND CONCUR** (Roll Call Ordered)

(In Senate, June 19, 2018, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-782) AS AMENDED BY SENATE AMENDMENT "A" (S-494)** thereto in **NON-CONCURRENCE**)

(In House, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-782) AS AMENDED BY HOUSE AMENDMENT "D" (H-809) AND SENATE AMENDMENT "A" (S-494)** thereto in **NON-CONCURRENCE**)

The President requested the Sergeant-At-Arms escort the Senator from York, Senator **COLLINS**, to the rostrum where he assumed the duties as President Pro Tempore.

The President took a seat on the floor.

The Senate was called to order by President Pro Tempore **RONALD COLLINS** of York County.

THE PRESIDENT PRO TEMPORE: The Chair recognizes the Senator from Waldo, Senator Thibodeau. Would the Sergeant-At-Arms please escort Senator Thibodeau to the rostrum.

Senator **THIBODEAU:** The Chair thanks the President Pro Tem for recognizing me and looks forward to an opportunity.....

THE PRESIDENT PRO TEMPORE: The Chair recognizes the Senator from Waldo, Senator Thibodeau.

Senator **THIBODEAU:** Thank you, Mr. President. Ladies and gentlemen of the Senate, you know, there's a lighter moment and maybe that's a good way to start because you know we are talking about a lot of heavy issues today and, you know, Supplement 7 is no exception to that rule. The fact of the matter is, in large part the reason that the Senate and the House of Representatives is in session at the end of August, probably the latest date in the history of our State, is because of this particular bill and our inability to come together and find a solution for what has traditionally been the most non-partisan piece of legislation to go through this building and, make no mistake, there are people that are very, very disappointed that we find ourselves here, and I am one of them. I have no desire at all to celebrate the fact that we're going to finish up our work today and that in 10 days we can come back for a Veto Day and finally adjourn the 128th Legislature. I'm disappointed. This work should have been done in April, yet we found a way to make the most non-partisan bill a partisan bill, something that was to be negotiated for. The fact of the matter is it goes back to the question of Clean Election Funding. Everybody in this room knows that. I personally believe that the part that we negotiated in the budget, that we passed together in a bi-partisan way, signed by the Chief Executive more than a year ago, we settled the question of funding for Clean Elections. I am disappointed, just like many of my colleagues on both sides of the aisle, that we ended up in a situation where we were trying to renegotiate on a settled matter. It's not the way to

do business. That's what I believe. I don't want, in any way, for people to think that my vote in favor of the Recede and Concur motion is somehow a vote to validate what's gone on in any way. I agree with people that are going to vote no on this, that the negotiation of a partisan issue shouldn't happen in a bill like this and that the language for the Clean Election Funding probably should be in the Errors Bill because it belongs in there. But I also recognize the box we find ourselves in. I think everybody in this Chamber recognizes that box. That we have a group that won't vote for it, the Errors Bill, if it even references Clean Elections. If we put it in there, which it probably belongs there, we can be here until Election Day. A lot of really good bills will be impacted if we don't pass the Errors Bill, the stuff that needs to be cleaned up. There is not one thing in the Errors Bill that anybody in this Chamber has raised a voice against and really the only debate is whether or not there's an omission. I actually do think that there's an omission. Most people in this Chamber believe that there's an omission. But right now, today, we can pass the Errors Bill without that language about Clean Elections. We can get it passed through both Chambers and we can get adjourned Sine Die and, because of decisions that have been made outside of the four walls of this State House, the money for campaigns is flowing. So I just want to make clear to everybody and put it on the record that the Errors Bill not having the Clean Elections fix is not as clean or as good or as accurate as it could be and I wish it were there, but I'm willing to vote for it without it. Thank you, Mr. Chair.

The President Pro Tempore requested the Sergeant-At-Arms escort the Senator from Waldo, Senator **THIBODEAU**, to the rostrum where he resumed his duties as President.

The Sergeant-At-Arms escorted the Senator from York, Senator **COLLINS**, to his seat on the floor.

The Senate was called to order by the President.

Off Record Remarks

THE PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Brakey.

Senator **BRAKEY:** Thank you, Mr. President. I'll say upfront, I intend to vote in favor of the Recede and Concur motion in front of us. But I just want to take the occasion to remark a little bit on some of the controversy that has, you know, led us to being here today, here on the - in the final days of August. Over the last several months, you know, we've heard a lot about the shortfall, or the wait list, of taxpayer funding for the upcoming public financing of political campaigns and we've been told that, you know, it's a crisis. A crisis so big that it merited holding hostage of tax conformity legislation, threatening the already over taxed Maine people with higher taxes. I just want to say, you know, over the last four years I've really had the distinct honor to serve as the Senate Chairman for the Health and Human Services Committee - it really has been an honor - and during my time I've

loudly advocated to the best ways that I know how for reprioritizing our limited resources to fund the wait list that still exists this very day for Maine's most vulnerable: for our seniors and those with severe intellectual disabilities and Autism. Over these last four years, in dismay, I've watched other priorities continue to come first: from welfare for the able bodied, welfare for non-citizens, and in this session welfare for politicians. You know, we're told that ...

Senator **CHENETTE:** Point of Order, Mr. President.

THE PRESIDENT: The Chair recognizes the Senator from York, Senator Chenette.

Senator **CHENETTE:** Thank you, Mr. President. Relevance to the topic at hand and the bill at hand?

THE PRESIDENT: The Chair would advise the Senator from York, Senator Chenette, that we are trying to stay on topic and I believe that the Senator is going to circle back to that very soon.

Senator **BRAKEY:** Thank you, Mr. President. Considering that, the subject of this program is at the heart of the debate around this bill. I'll just say this, we're told that funding - ensuring that there are no wait lists in the Welfare for Politicians Program is an emergency. But I've never seen funding the wait list for Maine's seniors and intellectually disabled treated as an emergency on the same level. I've never seen us be dragged out into late August for those wait lists. Our most vulnerable citizens are still waiting for us to make them a priority and now it seems that I will not be in this Chamber to witness it. I look forward to the day when we treat our seniors and the disabled as well as we treat our politicians. Thank you very much, Mr. President.

THE PRESIDENT: The Chair recognizes the Senator from Arrostook, Senator Carpenter.

Senator **CARPENTER:** Thank you, Mr. President. I don't want to debate trains that have already left the station. I want to talk about the remarks from the good Senator from Waldo, and I thank him for that. As somebody who, over the years and many years that I've served in this Chamber, has regarded myself as a traditionalist and, if you will, a small protector of the process. I really do appreciate what the Senator from Waldo had to say. He's absolutely right. The many years I've served here I can count on my two hands the number of people that I could not come to an agreement with and shake hands with and be done with it. Never had to worry about them changing their position or double crossing me, and the reason we're here today has absolutely nothing to do with anybody in this Chamber. We all know that. It has to do with people outside of this Chamber and I'm not going to talk any more about that. But suffice it to say that even though I am a traditionalist in this and really, really, really want to preserve the integrity of the process that we go through here, including the Errors Bills, it seems to me that this is a fix that needs to be - that needs to take place so we can move forward. It's removing something. It's not adding something. I think it's something necessary because of the political situation we find ourselves in, because of the actions of people that we have no control over. I thank the President for his remarks and I'm going to also support the motion to Recede and Concur. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Cushing.

Senator **CUSHING:** Thank you, Mr. President. Mr. President, ladies and gentlemen of the Senate, I don't want to belabor the point but as this is, to me, a fundamental vote as to the process, I do, respectfully, disagree with the pending motion. I respect the passion and the common sense that has been presented here in many of the arguments to support the pending motion, but to me it's a fundamental question of whether the Legislature advocates its role and requires the courts to intercede in actions that really are, in my opinion, in the purview of the Legislature, Mr. President. While it sometimes is odd for me to be on the same side as my good friend from Kennebec County, Senator Katz, I respect highly his intellect and his commitment to the law and I concur with him that we are setting a precedent here that is troubling. Now I say that recognizing the peril of us sending this bill to the other Body without acting upon it, but sometimes it's important to do what's right rather than what's expedient. In this case, Mr. President, I regret that I will not be able to follow your light when it comes to the vote. Thank you, sir.

THE PRESIDENT: The Chair recognizes the Senator from Washington, Senator Maker.

Senator **MAKER:** Mr. President, ladies and gentlemen of the Senate, unfortunately, we find ourselves in this predicament. There wouldn't have been a court decision had there been this bill passed the way it should have been passed, and we all know what happened with that. There's also a lot of things in this bill that's helping other people and to ignore it is wrong, just like it was wrong when we didn't pass the bill originally, the way it was. It's a sad day for government. I think it's a sad day that we're going to be hearing more of this happening throughout the State of Maine and the United States, that we can't be truthful and fair and work together. In this particular case, I agree with everyone that says that this is not the right thing to do but I will be supporting this for all the other bills that we're correcting and I would hope that anybody, again I give you a little advice, when you come back, that we prevent this from happening again. Somehow we need to determine when we put something together someone can't play a game with it and can't decide that they want something bigger so they're going to hold us in here. We've been having a little debate in our caucus. My husband has been very animate about when we're going to finally get done, and the sad part of it is he's been right all along. So if we don't pass this, and I don't think that we should be passing this because he says we're going to come back a day before the Swearing-In Ceremony and that's what his prediction is, but because it's the right thing to do. We've already had the wrong thing - we've done the wrong thing. We now need to do the right thing. We didn't do the wrong thing, others did. But we can prevent that from happening again. Thank you very much.

THE PRESIDENT: The pending question before the Senate is Acceptance of the Recede and Concur motion. If you are in favor of Receding and Concurring you will be voting yes. If you are opposed you will be voting no. A roll call is in order. Is the Senate ready for the question?

The Chair noted the absence of the Senator from Penobscot, Senator **DILL** and further excused him from today's Roll Call votes.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#737)

YEAS: Senators: BRAKEY, BREEN, CARPENTER, CHENETTE, CHIPMAN, CYRWAY, DAVIS, DESCHAMBAULT, DIAMOND, DION, DOW, GRATWICK, HAMPER, LIBBY, MAKER, MASON, MILLETT, MIRAMANT, ROSEN, VITELLI, VOLK, WHITTEMORE, PRESIDENT THIBODEAU

NAYS: Senators: BELLOWS, COLLINS, CUSHING, KATZ, KEIM, SAVIELLO, WOODSOME

EXCUSED: Senators: CARSON, DILL, HILL, JACKSON, LANGLEY

23 Senators having voted in the affirmative and 7 Senators having voted in the negative, with 5 Senators being excused, the motion by Senator **KEIM** of Oxford to **RECEDE AND CONCUR PREVAILED**.

Ordered sent down forthwith.

Senate at Ease.

The Senate was called to order by the President.

RECESSED until the sound of the bell.

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

ORDERS OF THE DAY

The Chair laid before the Senate the following Tabled and Later Assigned matter:

Bill "An Act To Amend the Child and Family Services and Child Protection Act"

S.P. 756 L.D. 1922

Majority - **Ought Not to Pass** (6 members)

Minority - **Ought to Pass** (5 members)

Tabled -August 30, 2018 by Senator **MASON** of Androscoggin

Pending- motion by Senator **BRAKEY** of Androscoggin to **ACCEPT** the Minority **OUGHT TO PASS** Report (Roll Call Ordered)

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#738)

YEAS: Senators: BELLOWS, BRAKEY, BREEN, CARPENTER, CHENETTE, COLLINS, CUSHING, CYRWAY, DAVIS, DIAMOND, DION, DOW, GRATWICK, HAMPER, KEIM, LIBBY, MAKER, MASON, MILLETT, MIRAMANT, ROSEN, SAVIELLO, VITELLI, VOLK, WHITEMORE, WOODSOME

NAYS: Senators: CHIPMAN, DESCHAMBAULT, KATZ, PRESIDENT THIBODEAU

EXCUSED: Senators: CARSON, DILL, HILL, JACKSON, LANGLEY

26 Senators having voted in the affirmative and 4 Senators having voted in the negative, with 5 Senators being excused, the motion by Senator **BRAKEY** of Androscoggin to **ACCEPT** the Minority **OUGHT TO PASS** Report **PREVAILED**.

Under suspension of the Rules, Bill **READ TWICE** and **PASSED TO BE ENGROSSED**.

Ordered sent down forthwith for concurrence.

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

Off Record Remarks

RECESSED until the sound of the bell.

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

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

PAPERS FROM THE HOUSE

Non-Concurrent Matter

SENATE REPORTS - from the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Improve the Child Welfare System" (EMERGENCY)

S.P. 758 L.D. 1923
(C "A" S-548)

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-548)** (8 members)

Minority - **Ought to Pass as Amended by Committee Amendment "B" (S-549)** (3 members)

(In Senate, August 30, 2018, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-548)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-548)**).

(Comes from the House, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-548)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-548) AS AMENDED BY HOUSE AMENDMENT "A" (H-811)** thereto in **NON-CONCURRENCE**.)

On motion by Senator **KATZ** of Kennebec, the Senate **RECEDED** and **CONCURRED**.

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

ENACTORS

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

Emergency Measure

An Act To Correct Errors and Inconsistencies in the Laws of Maine

H.P. 1327 L.D. 1894
(H "D" H-809; S "A" S-494
to C "A" H-782)

The Chair noted the absence of the Senator from Franklin, Senator **SAVIELLO**, and the Senator from Androscoggin, Senator **BRAKEY**, and further excused the same Senators from today's Roll Call votes.

This being an Emergency Measure and having received the affirmative vote of 25 Members of the Senate, with 3 Senators having voted in the negative, and 25 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and, having been signed by the President, was presented by the Secretary to the Governor for his approval.

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

Act

An Act To Grant the Department of Health and Human Services Access to Criminal History Information To Achieve the Purposes of the Child and Family Services and Child Protection Act
S.P. 755 L.D. 1921
(C "A" S-547)

PASSED TO BE ENACTED and, having been signed by the President, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

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

ENACTORS

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

Acts

An Act To Modify the Expungement Requirements for Records under the Child and Family Services and Child Protection Act
S.P. 754 L.D. 1920
(C "A" S-546)

An Act To Amend the Child and Family Services and Child Protection Act
S.P. 756 L.D. 1922

PASSED TO BE ENACTED and, having been signed by the President, were presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

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

ORDERS

Joint Order

On motion by Senator **MASON** of Androscoggin, the following Joint Order:
S.P. 760

Ordered, the House concurring, that when the Senate and House adjourn, they do so today, August 30, 2018, until the call of the President of the Senate and the Speaker of the House, respectively, when there is a need to conduct business or consider objections of the Governor.

READ and PASSED.

Sent down for concurrence.

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

Off Record Remarks

RECESSED until the sound of the bell.

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

On motion by Senator **HAMPER** of Oxford, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act To Fund Enhanced Data Sharing between the Department of Public Safety, Bureau of State Police and the Maine Judicial Branch
S.P. 740 L.D. 1910

Placed on Special Appropriations Table - June 26, 2018 by Senator **HAMPER** of Oxford

Pending - **ENACTMENT**

(In Senate, **PASSED TO BE ENGROSSED**, in concurrence.)

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

PASSED TO BE ENACTED and, having been signed by the President, was presented by the Secretary to the Governor for his approval.

On motion by Senator **HAMPER** of Oxford, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Emergency Measure

An Act To Conform to the United States Internal Revenue Code of 1986 and Provide Tax Relief to Maine Families
S.P. 612 L.D. 1655
(S "A" S-496 to C "B" S-477)

Placed on Special Appropriations Table - August 30, 2018 by Senator **HAMPER** of Oxford

Pending - **ENACTMENT**

(In Senate, **PASSED TO BE ENGROSSED**, in concurrence.)

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

This being an Emergency Measure and having received the affirmative vote of 28 Members of the Senate, with no Senator having voted in the negative, and 28 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and, having been signed by the President, was presented by the Secretary to the Governor for his approval.

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

Off Record Remarks

RECESSED until the sound of the bell.

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

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

ENACTORS

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

Emergency Measure

An Act To Improve the Child Welfare System
S.P. 758 L.D. 1923
(H "A" H-811 to C "A" S-548)

This being an Emergency Measure and having received the affirmative vote of 28 Members of the Senate, with no Senator having voted in the negative, and 28 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and, having been signed by the President, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

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

REPORTS OF COMMITTEES

House

Divided Report

The Majority of the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act To Provide Funding for the Conduct of Elections" (EMERGENCY)
H.P. 1368 L.D. 1925
(H "A" H-812)

Reported that the same **Ought to Pass**, pursuant to Joint Order 2017, H.P. 1367.

Signed:

Senators:
HAMPER of Oxford
KATZ of Kennebec
BREEN of Cumberland

Representatives:
GATTINE of Westbrook
FREY of Bangor
JORGENSEN of Portland
TEPLER of Topsham
HUBBELL of Bar Harbor
MARTIN of Eagle Lake
TIMBERLAKE of Turner

The Minority of the same Committee on the same subject reported that the same **Ought Not to Pass**, pursuant to Joint Order 2017, H.P. 1367.

Signed:

Representatives:
WINSOR of Norway
SEAVEY of Kennebunkport
SIROCKI of Scarborough

Comes from the House with the Majority **OUGHT TO PASS**, pursuant to Joint Order 2017, H.P. 1367, Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-812)**.

Reports **READ**.

On motion by Senator **HAMPER** of Oxford, the Majority **OUGHT TO PASS**, pursuant to Joint Order 2017, H.P. 1367, Report **ACCEPTED**, in concurrence.

Bill **READ ONCE**.

House Amendment "A" (H-812) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, Bill **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-812)**, in concurrence.

Ordered sent down forthwith.

Off Record Remarks

RECESSED until the sound of the bell.

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

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

ENACTORS

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

Act

An Act To Provide Funding for the Conduct of Elections
H.P. 1368 L.D. 1925
(H "A" H-812)

PASSED TO BE ENACTED and, having been signed by the President, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

Off Record Remarks

On motion by Senator **MASON** of Androscoggin, **ADJOURNED**, pursuant to the Joint Order, until the Call of the President in memory and lasting tribute to Thomas J. Davis, Jr., of Kenduskeag; Francis Edward Ackerman of Augusta; Christopher Andrew Cousins of South Paris; and Senator John McCain of Sedona, Arizona.