



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

**Advance Journal and Calendar**

**6th Legislative Day**

In Senate Chamber, Tuesday, January 17, 2017.

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

Prayer by Pastor Tom Dubois, Western Mountains Baptist Church in New Portland.

Pledge of Allegiance led by Senator David R. Miramant of Knox County.

Reading of the Journal of Wednesday, January 11, 2017.

Doctor of the day, Barbara Moss, D.O., of Manchester.

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

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

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

PAPERS FROM THE HOUSE

Joint Orders

Expressions of Legislative Sentiment recognizing:

(1-1) Batchelder Sales, Inc., of Lebanon, which has received the PREMIER 5-Paw Dealer award from KIOTI Tractor at the 2016 dealer's conference. We extend to Batchelder Sales, Inc. our congratulations and best wishes;

HLS 18

(1-2) Tucker Barber, of Wilton, who won the Class A Boys Cross Country state championship. Tucker was also named the Boys Cross Country Runner of the Year by the *Morning Sentinel*. We congratulate him on his receiving these awards;

HLS 19

(1-3) Ethan Belanger, of Sanford, who has been selected for the Telegram 2016 All-State Football Team by the *Portland Press Herald*. Ethan is a senior wide receiver at Sanford High School. We congratulate him and send him our best wishes;

HLS 20

(1-4) St. Francis of Assisi Church, of Belfast, on the occasion of its 125th Anniversary. The church structure was dedicated on Thanksgiving Day in 1891. We congratulate everyone at St. Francis of Assisi Church and send our best wishes;

HLS 21

(1-5) Woodrow Cross, of Brewer, who has celebrated his 100th birthday. Mr. Cross is the founder and chairman of Cross Insurance. We send him our congratulations and best wishes;

HLS 22

(1-6) Jacob Foye, of Lewiston, a member of Boy Scout Troop No. 307, who has attained the high rank and distinction of Eagle Scout. This is the highest award in Boy Scouting and is given for excellence in skills development, leadership, personal growth and community service. For his Eagle Scout project, Jacob worked with the Kittery Little League, leading a group of scouts in painting a storage shed, repainting and lettering the DeWolf scoreboard and building 3 picnic tables for the snack shack. We extend our congratulations to him on this achievement;

HLS 23

(1-7) Quie Siegfried, of Lee, who has won the Veterans of Foreign Wars Patriot's Pen essay contest for the 2nd District. We extend our congratulations and best wishes to Quie on this achievement;

HLS 24

(1-8) Joseph Rafferty, of Kennebunk, a teacher and coach at Kennebunk High School, who has been named the Class B Football Coach of the Year. We extend to Mr. Rafferty our congratulations and best wishes;

HLS 25

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

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**COMMUNICATIONS**

(2-1) The Following Communication:

S.C. 34

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

January 10, 2017

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

Dear President Thibodeau:

This is to inform you that I am today nominating Judge Beth Dobson of Falmouth for reappointment as a District Court Judge.

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

Sincerely,

S/Paul R. LePage  
Governor

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(2-2) The Following Communication:

S.C. 35

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

January 10, 2017

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

Dear President Thibodeau:

This is to inform you that I am today nominating Judge Daniel F. Driscoll of Biddeford for reappointment as a District Court Judge.

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

Sincerely,

S/Paul R. LePage  
Governor

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(2-3) The Following Communication:

S.C. 36

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

January 10, 2017

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

Dear President Thibodeau:

This is to inform you that I am today nominating Michael A. Duddy, Esq. of Cape Elizabeth 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.

Sincerely,

S/Paul R. LePage  
Governor

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(2-4) The Following Communication:

S.C. 37

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

January 12, 2017

The Honorable Heather 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 rescinded the appointment of Representative Walter Kumiega of Deer Isle from the Joint Standing Committee on Transportation and I have appointed Representative Mark Bryant of Windham to the Joint Standing Committee on Transportation, effective immediately.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

S/Sara Gideon  
Speaker of the House

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(2-5) The Following Communication:

S.C. 38

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

January 11, 2017

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

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

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

Dear Speaker Gideon and President Thibodeau:

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

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

Very truly yours,

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

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**SENATE PAPERS**

(3-1) Bill "An Act To Prohibit Foraging on Private Land without Permission"

S.P. 47 L.D. 128

Presented by Senator SAVIELLO of Franklin.

Cosponsored by Senator: DAVIS of Piscataquis, Representative: HARLOW of Portland.

Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** suggested and ordered printed.

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(3-2) Bill "An Act To Provide Emergency Repair Funding for the Restoration of the Official State Vessel, the Schooner Bowdoin" (EMERGENCY)

S.P. 37 L.D. 89

Presented by Senator ROSEN of Hancock.

Cosponsored by Representative SHEATS of Auburn and Senators: BRAKEY of Androscoggin, COLLINS of York, WHITTEMORE of Somerset, Representatives: CEBRA of Naples, DILLINGHAM of Oxford, FARRIN of Norridgewock, LYFORD of Eddington, PIERCE of Dresden.

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

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(3-3) Bill "An Act To Require a Person Who Provides Illegal Drugs To Give Medical Aid to Another Person in Medical Distress Due to That Illegal Drug Transaction"

S.P. 40 L.D. 92

Presented by Senator CYRWAY of Kennebec.

Cosponsored by Representative ALLEY of Beals and Senators: CHENETTE of York, DAVIS of Piscataquis, DESCHAMBAULT of York, DOW of Lincoln, KEIM of Oxford, MAKER of Washington, President THIBODEAU of Waldo, Representative: HANINGTON of Lincoln.

(3-4) Bill "An Act To Provide a Source of Funding for Drug Abuse Resistance Education"

S.P. 42 L.D. 94

Presented by Senator CYRWAY of Kennebec.

Cosponsored by Representative NADEAU of Winslow and Senators: CHENETTE of York, DAVIS of Piscataquis, DESCHAMBAULT of York, KEIM of Oxford, MAKER of Washington, Representatives: HANINGTON of Lincoln, STROM of Pittsfield, TUELL of East Machias.

Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** suggested and ordered printed.

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(3-5) Bill "An Act To Provide a Method for a Student To Be Excused from Standardized Testing"

S.P. 43 L.D. 95

Presented by Senator LIBBY of Androscoggin.

Cosponsored by Representative ESPLING of New Gloucester and Senators: MASON of Androscoggin, WOODSOME of York, Representatives: DAUGHTRY of Brunswick, DUNPHY of Old Town.

(3-6) Bill "An Act To Improve Attendance at Public Elementary Schools"

S.P. 44 L.D. 96

Presented by Senator LIBBY of Androscoggin.

Cosponsored by Representative STEARNS of Guilford and Senators: LANGLEY of Hancock, MAKER of Washington, MILLETT of Cumberland, Representatives: HANDY of Lewiston, PIERCE of Falmouth.

(3-7) Bill "An Act To Include Locally Funded School Construction Projects in the School Funding Formula"

S.P. 48 L.D. 129

Presented by Senator VOLK of Cumberland.

Cosponsored by Representative SIROCKI of Scarborough and Senator: LIBBY of Androscoggin, Representative: VACHON of Scarborough.

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

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(3-8) Bill "An Act To Amend the Charter of the Rumford Water District" (EMERGENCY)

S.P. 38 L.D. 90

Presented by Senator KEIM of Oxford.

Cosponsored by Representative MADIGAN of Rumford and Senator: SAVIELLO of Franklin.

(3-9) Bill "An Act To Protect the Biomass Industry"

S.P. 50 L.D. 131

Presented by Senator SAVIELLO of Franklin.

Cosponsored by Representative DUCHESNE of Hudson and Senator: WOODSOME of York, Representatives: FAY of Raymond, HARLOW of Portland.

Committee on **ENERGY, UTILITIES AND TECHNOLOGY** suggested and ordered printed.

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(3-10) Bill "An Act To Eliminate Permits for Wild Turkey Hunting, Expand the Bag Limits and Expand Opportunities for Registering Wild Turkeys"

S.P. 46 L.D. 98

Presented by Senator DAVIS of Piscataquis.

Cosponsored by Representative BLACK of Wilton and Senators: CYRWAY of Kennebec, DIAMOND of Cumberland, DOW of Lincoln, SAVIELLO of Franklin, WOODSOME of York, Representative: STEARNS of Guilford.

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

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(3-11) Bill "An Act To Provide Funding for Costs Associated with Requiring the Licensing of Midwives"

S.P. 49 L.D. 130

Presented by Senator VOLK of Cumberland.

Cosponsored by Representative ESPLING of New Gloucester and Senators: KATZ of Kennebec, MIRAMANT of Knox, Representatives: CASÁS of Rockport, HERBIG of Belfast.

(3-12) Bill "An Act To Authorize Podiatrists To Perform Certain Routine Procedures"

S.P. 51 L.D. 132

Presented by Senator VOLK of Cumberland.

Cosponsored by Senators: GRATWICK of Penobscot, KATZ of Kennebec, LANGLEY of Hancock, Representatives: BATES of Westbrook, PERRY of Calais.

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

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(3-13) Bill "An Act To Reduce Fuel Costs to State and Local Government"

S.P. 41 L.D. 93

Presented by Senator MIRAMANT of Knox.

Cosponsored by Representative COOPER of Yarmouth and Senators: JACKSON of Aroostook, LIBBY of Androscoggin, Representatives: DEVIN of Newcastle, MARTIN of Eagle Lake, PARRY of Arundel.

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

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(3-14) Bill "An Act To Provide an Income Tax Credit for Retailers Collecting Sales Tax"

S.P. 39 L.D. 91

Presented by Senator DAVIS of Piscataquis.

Cosponsored by Representative BLACK of Wilton and Senators: COLLINS of York, DIAMOND of Cumberland, DOW of Lincoln, LANGLEY of Hancock, SAVIELLO of Franklin, Representative: HIGGINS of Dover-Foxcroft.

(3-15) Bill "An Act To Support Lower Property Taxes by Restoring State-Municipal Revenue Sharing"

S.P. 52 L.D. 133

Presented by Senator BELLOWS of Kennebec.

Cosponsored by Representative MADIGAN of Rumford and Senators: KATZ of Kennebec, MAKER of Washington, SAVIELLO of Franklin, Representatives: GILLWAY of Searsport, MAREAN of Hollis, NADEAU of Winslow, SHERMAN of Hodgdon, TEPLER of Topsham.

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

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(3-16) Bill "An Act To Establish Speed Limits at Loring Commerce Centre and Brunswick Landing" (EMERGENCY)

S.P. 45 L.D. 97

Presented by Senator JACKSON of Aroostook.

Cosponsored by Representative McCREA of Fort Fairfield and Senators: CARPENTER of Aroostook, CARSON of Cumberland, Representatives: BERRY of Bowdoinham, DAUGHTRY of Brunswick, GIDEON of Freeport, McCREIGHT of Harpswell, TEPLER of Topsham, TUCKER of Brunswick.

(3-17) Bill "An Act To Allow the Secretary of State To Issue Licenses Pending Receipt of Necessary Paperwork from the Driver Education and Evaluation Program" (EMERGENCY)

S.P. 53 L.D. 134

Presented by Senator MAKER of Washington.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

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## ORDERS

### Joint Order

An Expression of Legislative Sentiment recognizing:

(4-1) Tim Williams, of Skowhegan, an officer of the Skowhegan Police Department, who saved the lives of a mother and her young son. Officer Williams was the first on the scene of a mobile home fire. Battling thick smoke and intense heat, he crawled through the mobile home to find Andrea Curtis and her son, Tyler Curtis-Benson, motionless. He pulled them out of the burning home and performed cardiopulmonary resuscitation on them, saving their lives. We extend to Officer Williams our appreciation for his heroism and offer him our best wishes;

SLS 26

Sponsored by Senator WHITTEMORE of Somerset.

Cosponsored by Representatives: AUSTIN of Skowhegan, FARRIN of Norridgewock.

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**ORDERS OF THE DAY**

**Unfinished Business**

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

**1.**

**Tabled and Later Assigned**

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Exclude Wildlife Issues from Citizen Initiatives

H.P. 7 L.D. 5

Tabled - January 5, 2017, by Senator **MASON** of Androscoggin

Pending - **REFERENCE**

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

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**2.**

**Tabled and Later Assigned**

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

SLS 18

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

Pending - **PASSAGE**

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3.

**Tabled and Later Assigned**

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Establish the Right To Hunt and Fish

H.P. 12 L.D. 11

Tabled - January 10, 2017, by Senator **CYRWAY** of Kennebec

Pending - **REFERENCE**

(In House, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed.)

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4.

**Tabled and Later Assigned**

Bill "An Act To Strengthen the Maine Children's Growth Council"

S.P. 17 L.D. 38

Tabled - January 10, 2017, by Senator **BRAKEY** of Androscoggin

Pending - **REFERENCE**

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

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5.

**Tabled and Later Assigned**

JOINT ORDER - To Amend the Joint Rules Concerning Actions Relating to the United States Constitution

S.P. 19

Tabled - January 10, 2017, by Senator **MASON** of Androscoggin

Pending - **PASSAGE**

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6.

**Tabled and Later Assigned**

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Require That Signatures on a Direct Initiative of Legislation Come from Each Congressional District  
H.P. 32 L.D. 31

Tabled - January 11, 2017, by Senator **MASON** of Androscoggin

Pending - **REFERENCE**

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

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7.

**Tabled and Later Assigned**

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Prohibit Payment Per Signature for Citizen Petition Drives  
H.P. 39 L.D. 53

Tabled - January 11, 2017, by Senator **MASON** of Androscoggin

Pending - **REFERENCE**

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

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8.

**Tabled and Later Assigned**

Bill "An Act To Provide Funding for the Restoration of China Lake"  
H.P. 42 L.D. 55

Tabled - January 11, 2017, by Senator **WOODSOME** of York

Pending - **REFERENCE**

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

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