



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

Advance Journal and Calendar

64th Legislative Day

In Senate Chamber, Wednesday, June 28, 2017.

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

Prayer by Senator Catherine E. Breen of Cumberland County.

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

Reading of the Journal of Tuesday, June 27, 2017.

Michael D. Thibodeau
Senate President

Heather J.R. Priest
Secretary of the Senate

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

PAPERS FROM THE HOUSE

Non-Concurrent Matter

(1-1) SENATE REPORTS - from the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Ensure Maine Is in Compliance with Certain Federal Drug Laws" S.P. 588 L.D. 1637

Majority - **Ought Not to Pass** (7 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (S-310)** (6 members)

In Senate, June 27, 2017, on motion by Senator **ROSEN** of Hancock, the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-310)**.

Comes from the House, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED** in **NON-CONCURRENCE**.

Non-Concurrent Matter

(1-2) HOUSE REPORTS - from the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Implement the Recommendations of the Working Group To Study Background Checks for Child Care Facilities and Providers"

H.P. 207 L.D. 274

Report "A" - **Ought to Pass as Amended by Committee Amendment "A" (H-533)** (8 members)

Report "B" - **Ought to Pass as Amended by Committee Amendment "B" (H-534)** (3 members)

Report "C" - **Ought to Pass as Amended by Committee Amendment "C" (H-535)** (2 members)

In Senate, June 27, 2017, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-533)** in **NON-CONCURRENCE**.

Comes from the House, Bill **COMMITTED** to the Committee on **HEALTH AND HUMAN SERVICES** in **NON-CONCURRENCE**.

Non-Concurrent Matter

(1-3) SENATE REPORTS - from the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Repeal the Ranked-choice Voting Law"

S.P. 578 L.D. 1625

Report "A" - **Ought to Pass as Amended by Committee Amendment "A" (S-302)** (6 members)

Report "B" - **Ought to Pass as Amended by Committee Amendment "B" (S-303)** (6 members)

Report "C" - **Ought to Pass as Amended by Committee Amendment "C" (S-304)** (1 member)

In Senate, June 27, 2017, Report "A", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-302)**, **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-302)**.

Comes from the House, Report "B", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "B" (S-303)**, **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (S-303)** in **NON-CONCURRENCE**.

COMMUNICATIONS

(2-1) The Following Communication:

H.C. 289

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

June 27, 2017

The Honorable Heather J.R. Priest
Secretary of the Senate
128th Maine Legislature
Augusta, Maine 04333

Dear Secretary Priest:

Senate Paper 243, Legislative Document 731, "An Act To Require Mortgage Servicers To Act in Good Faith in Dealings with Homeowners," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

77 voted in favor and 65 against, with 1 being excused, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

Sincerely,

S/Robert B. Hunt
Clerk of the House

ORDERS

Joint Orders

Expressions of Legislative Sentiment recognizing:

(4-1) Christa Carr, of Pittsfield, a student at Maine Central Institute, who won the Girls Shot Put Title at the Class C Track and Field State Championships with a throw of 36-9.50. We extend to Christa our congratulations and best wishes;

SLS 522

Sponsored by Senator DAVIS of Piscataquis.

Cosponsored by Senator: WHITTEMORE of Somerset, Representative: STROM of Pittsfield.

(4-2) Jolene Littlehale, of Bryant Pond, who is retiring as Teaching Principal of Woodstock Elementary School after 38 years of service in School Administrative District #44. We extend to Ms. Littlehale our appreciation for her service and offer her our congratulations and best wishes;
SLS 523

Sponsored by Senator KEIM of Oxford.
Cosponsored by Representative: MADIGAN of Rumford.

(4-3) the Cape Elizabeth High School Boys Lacrosse Team, of Cape Elizabeth, which won the Class B State Championship. This is the team's fourth title in five years and its eleventh since 1998. We extend to all the members of the team our congratulations and best wishes;
SLS 524

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

ENACTORS

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

Emergency Measure

(7-1) An Act To Promote Workforce Participation
H.P. 344 L.D. 481
(H "A" H-548 to C "A" H-326)

Emergency Measure

(7-2) An Act To Clarify Licensing Provisions for the Manufacture and Sale of Liquor
H.P. 1133 L.D. 1642

Emergency Measure

(7-3) An Act To Provide Funding to the Loring Development Authority of Maine for Implementation Grants
H.P. 1134 L.D. 1643

Emergency Resolve

(7-4) Resolve, To Assess the Need for Mental Health Care Services for Veterans in Maine and To Establish a Pilot Program To Provide Case Management Services to Veterans for Mental Health Care

H.P. 853 L.D. 1231
(H "A" H-553 to C "A" H-407)

Acts

(7-5) An Act To Establish the Maine Buy America and Build Maine Act

S.P. 311 L.D. 956
(C "A" S-171; H "A" H-545;
S "A" S-291)

(7-6) An Act To Prevent Violence against Law Enforcement Officers, Emergency Medical Care Providers and Firefighters

S.P. 329 L.D. 990
(H "B" H-542 to C "A" S-265)

(7-7) An Act Regarding Driver's License Suspensions for Nondriving-related Violations

H.P. 827 L.D. 1190
(H "A" H-550 to C "A" H-532)

(7-8) An Act To Protect the Health and Safety of First Responders

H.P. 1036 L.D. 1512
(H "A" H-547 to C "B" H-512)

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

HOUSE REPORTS - from the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Ensure the Right To Work without Payment of Dues or Fees to a Labor Union as a Condition of Employment"

H.P. 52 L.D. 65

Majority - Ought Not to Pass (7 members)

Minority - Ought to Pass as Amended by Committee Amendment "A" (H-466) (6 members)

Tabled - June 16, 2017, by Senator **CUSHING** of Penobscot

Pending - motion by Senator **VOLK** of Cumberland to **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report in **NON-CONCURRENCE** (Roll Call Ordered)

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

2.

Tabled and Later Assigned

Bill "An Act To Encourage Development in the Logging Industry by Requiring State and Local Government Agencies To Give Preference to Lumber and Solid Wood Products Harvested in the State"

S.P. 551 L.D. 1573

Tabled - June 21, 2017, by Senator **MASON** of Androscoggin

Pending - **FURTHER CONSIDERATION**

(In Senate, June 14, 2017, on motion by Senator **DAVIS** of Piscataquis, Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-269).**)

(In House, Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-269) AS AMENDED BY HOUSE AMENDMENT "B" (H-520)** thereto in **NON-CONCURRENCE.**)

3.

Tabled and Later Assigned

HOUSE REPORTS - from the Committee on **JUDICIARY** on Bill "An Act To Allow a Wrongful Death Cause of Action for the Death of a Viable Fetus"

H.P. 241 L.D. 327

Majority - Ought Not to Pass (8 members)

Minority - Ought to Pass (5 members)

Tabled - June 27, 2017, by Senator **KEIM** of Oxford

Pending - **FURTHER CONSIDERATION**

(In Senate, June 20, 2017, Minority **OUGHT TO PASS** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED** in **NON-CONCURRENCE.**)

(In House, House **INSISTED** on its former action whereby Majority **OUGHT NOT TO PASS** Report was **READ** and **ACCEPTED.**)

SPECIAL STUDY TABLE

1.

Emergency

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

H.P. 723 L.D. 1021
(C "A" H-67)

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

Pending - **FINAL PASSAGE**

2.

Emergency

Resolve, To Establish the Task Force To Identify Special Education Cost Drivers and Innovative Approaches to Services

H.P. 456 L.D. 642
(C "A" H-106)

Tabled - May 25, 2017, by Senator **CUSHING** of Penobscot

Pending - **FINAL PASSAGE**

3.

Emergency

HOUSE REPORT - from the Committee on **VETERANS AND LEGAL AFFAIRS** on Resolve, To Establish the Commission To Streamline Veterans' Licensing and Certification (EMERGENCY)

H.P. 170 L.D. 214

Report - **Ought to Pass as Amended by Committee Amendment "A" (H-187)**

Tabled - May 30, 2017, by Senator **CUSHING** of Penobscot

Pending - **FINAL PASSAGE**, in concurrence

4.

Resolve, To Establish the Committee To Study the State's Response to the Commercial Sexual Exploitation of Youth

S.P. 173 L.D. 512
(C "A" S-131)

Tabled - May 31, 2017, by Senator **CUSHING** of Penobscot

Pending - **FINAL PASSAGE**, in concurrence

5.

Resolve, To Study the Student Transfer Process

H.P. 717 L.D. 1015
(C "A" H-198)

Tabled - May 31, 2017, by Senator **CUSHING** of Penobscot

Pending - **FINAL PASSAGE**, in concurrence

6.

Resolve, To Establish the Committee To Study the Processing of Evidence from Sexual Assault Test Kits

H.P. 791 L.D. 1128
(C "A" H-253)

Tabled - May 31, 2017, by Senator **CUSHING** of Penobscot

Pending - **FINAL PASSAGE**, in concurrence

7.

HOUSE REPORTS - from the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Resolve, To Establish the Commission To Review the Laws Governing Domestic Violence (EMERGENCY)

H.P. 367 L.D. 523
(C "A" H-362)

Majority - Ought to Pass as Amended by Committee Amendment "A" (H-362) (10 members)

Minority - Ought Not to Pass (3 members)

Tabled - June 8, 2017, by Senator **CUSHING** of Penobscot

Pending - **FINAL PASSAGE**, in **NON-CONCURRENCE**

(In House, FAILED Final Passage.)

8.

Resolve, To Establish the Working Group To Restore Judicial Discretion

S.P. 97 L.D. 309

Tabled - June 12, 2017, by Senator **CUSHING** of Penobscot

Pending - **FINAL PASSAGE**, in concurrence

9.

Resolve, To Establish the Commission To Create a Plan To Enhance the Efficiency and Effectiveness of the Probate Court System

S.P. 423 L.D. 1260

Tabled - June 21, 2017, by Senator **CUSHING** of Penobscot

Pending - **FINAL PASSAGE**, in concurrence

SPECIAL HIGHWAY TABLE

L.D. 99 - H.P. 67 (C "A" H-249)
L.D. 1150 - H.P. 813 (C "A" H-318)
L.D. 1249 - H.P. 872 (C "A" H-160)
L.D. 1318 - H.P. 915 (C "A" H-112)

SPECIAL APPROPRIATIONS TABLE

L.D. 8 - H.P. 9 (C "A" H-451)	L.D. 794 - H.P. 574 (C "A" H-472)
L.D. 20 - H.P. 21 (C "A" H-39)	L.D. 808 - S.P. 253
L.D. 27 - H.P. 28 (C "A" H-100)	L.D. 816 - S.P. 261 (C "A" S-150)
L.D. 31 - H.P. 32 (C "A" H-503)	L.D. 843 - H.P. 592 (C "A" H-217)
L.D. 38 - S.P. 17 (C "A" S-64)	L.D. 848 - H.P. 597 (C "A" H-448)
L.D. 49 - H.P. 35 (C "A" H-497)	L.D. 891 - S.P. 291 (C "A" S-237)
L.D. 59 - H.P. 46 (C "A" H-168)	L.D. 910 - H.P. 638 (C "A" H-420)
L.D. 79 - S.P. 28 (C "A" S-27)	L.D. 919 - H.P. 647 (C "A" H-113)
L.D. 82 - S.P. 31 (C "A" S-94)	L.D. 949 - S.P. 304 (C "A" S-187)
L.D. 85 - S.P. 34 (C "A" S-11)	L.D. 952 - S.P. 307 (C "A" S-106)
L.D. 89 - S.P. 37	L.D. 967 - H.P. 680 (C "A" H-342)
L.D. 100 - H.P. 68 (C "A" H-174)	L.D. 970 - H.P. 683 (C "A" H-209)
L.D. 106 - H.P. 74 (C "A" H-245)	L.D. 998 - H.P. 699 (C "A" H-296)
L.D. 111 - H.P. 79	L.D. 1000 - H.P. 701 (C "A" H-295)
L.D. 130 - S.P. 49 (C "A" S-9)	L.D. 1006 - H.P. 707 (C "A" H-210)
L.D. 162 - H.P. 120 (C "A" H-482)	L.D. 1008 - H.P. 709 (C "A" H-254)
L.D. 170 - H.P. 126 (C "A" H-274)	L.D. 1044 - S.P. 346 (C "A" S-89)
L.D. 173 - H.P. 129 (C "A" H-121)	L.D. 1070 - S.P. 352 (C "A" S-107)
L.D. 174 - H.P. 130 (C "A" H-374)	L.D. 1089 - S.P. 360 (C "A" S-272)
L.D. 182 - H.P. 138 (C "A" H-215)	L.D. 1091 - H.P. 765 (C "A" H-361)
L.D. 192 - H.P. 148 (C "A" H-177)	L.D. 1108 - S.P. 362 (C "A" S-155)
L.D. 197 - H.P. 153 (C "A" H-133)	L.D. 1127 - H.P. 790 (C "A" H-376)
L.D. 203 - H.P. 159 (C "A" H-76)	L.D. 1130 - H.P. 793
L.D. 206 - H.P. 162 (C "A" H-196)	L.D. 1143 - H.P. 806 (C "A" H-453)
L.D. 230 - S.P. 76 (C "A" S-66)	L.D. 1170 - S.P. 391
L.D. 243 - H.P. 176 (C "A" H-221)	L.D. 1188 - H.P. 825 (C "A" H-330)
L.D. 267 - H.P. 200 (C "A" H-21)	L.D. 1196 - H.P. 833 (C "A" H-236)
L.D. 285 - H.P. 218 (C "A" H-114)	L.D. 1204 - H.P. 840 (C "A" H-494)
L.D. 288 - H.P. 221 (C "A" H-242)	L.D. 1206 - H.P. 842 (C "A" H-304)
L.D. 289 - H.P. 222 (C "A" H-232)	L.D. 1208 - H.P. 844 (C "A" H-140)
L.D. 290 - H.P. 223 (C "A" H-282)	L.D. 1210 - H.P. 846 (C "A" H-185)
L.D. 320 - S.P. 94 (C "A" S-199)	L.D. 1212 - S.P. 406 (C "A" S-180)
L.D. 323 - H.P. 237 (C "A" H-257)	L.D. 1247 - H.P. 870 (C "A" H-194)
L.D. 328 - H.P. 242 (C "A" H-150)	L.D. 1248 - H.P. 871 (C "A" H-144)
L.D. 346 - S.P. 112 (C "A" S-111)	L.D. 1263 - S.P. 426 (C "A" S-109)
L.D. 358 - H.P. 264 (C "A" H-260)	L.D. 1280 - S.P. 432
L.D. 367 - H.P. 273 (C "A" H-493)	L.D. 1286 - S.P. 438 (C "A" S-221)
L.D. 377 - S.P. 118 (C "A" S-112)	L.D. 1287 - S.P. 439 (C "A" S-121)
L.D. 401 - H.P. 292 (C "A" H-109)	L.D. 1301 - H.P. 898 (C "A" H-248)
L.D. 423 - H.P. 303 (C "A" H-17; H "A" H-19)	L.D. 1308 - H.P. 905 (C "A" H-118)
L.D. 449 - S.P. 151 (C "A" S-79)	L.D. 1314 - H.P. 911 (C "A" H-202)
L.D. 456 - H.P. 323	L.D. 1317 - H.P. 914 (C "A" H-234)
L.D. 491 - H.P. 354 (C "A" H-65)	L.D. 1321 - S.P. 450 (C "A" S-128)
L.D. 503 - S.P. 164 (C "A" S-31)	L.D. 1322 - H.P. 916 (C "A" H-499)
L.D. 513 - S.P. 174 (C "B" S-119)	L.D. 1343 - S.P. 457 (C "A" S-152)
L.D. 517 - S.P. 178 (C "A" S-91)	L.D. 1388 - S.P. 475 (C "A" S-162)
L.D. 524 - H.P. 368 (C "A" H-138)	L.D. 1391 - H.P. 965 (C "A" H-321)
L.D. 525 - H.P. 369 (C "A" H-139)	L.D. 1396 - H.P. 970 (C "A" H-522)
L.D. 526 - H.P. 370	L.D. 1399 - S.P. 477 (C "A" S-223)
L.D. 563 - H.P. 405 (C "A" H-72)	L.D. 1407 - S.P. 485 (C "A" S-245)
L.D. 601 - H.P. 417 (C "A" H-73)	L.D. 1429 - H.P. 983 (C "A" H-510)
L.D. 643 - H.P. 457 (C "A" H-176)	L.D. 1433 - H.P. 988 (C "A" H-516)
L.D. 648 - H.P. 462	L.D. 1466 - S.P. 512
L.D. 654 - S.P. 216 (C "A" S-113)	L.D. 1485 - S.P. 515 (C "A" S-205)
L.D. 656 - S.P. 218 (C "A" S-43)	L.D. 1490 - S.P. 519 (C "A" S-268)
L.D. 681 - H.P. 472 (C "A" H-505)	L.D. 1494 - H.P. 1027 (C "A" H-396)
L.D. 687 - H.P. 478 (C "A" H-382)	L.D. 1517 - H.P. 1041 (C "A" H-491)
L.D. 720 - S.P. 237 (C "A" S-86)	L.D. 1520 - H.P. 1044 (C "A" H-288)
L.D. 721 - S.P. 238 (C "A" S-114)	L.D. 1554 - H.P. 1070 (C "A" H-365)
L.D. 723 - S.P. 240 (C "A" S-148)	L.D. 1597 - S.P. 561 (C "A" S-183)
L.D. 726 - H.P. 510 (C "A" H-250)	L.D. 1624 - S.P. 577 (C "A" S-300)
L.D. 766 - H.P. 546	L.D. 1626 - H.P. 1121 (C "A" H-524)
L.D. 781 - H.P. 561 (C "A" H-416)	L.D. 1639 - S.P. 591 (C "A" S-294)
L.D. 782 - H.P. 562 (C "A" H-193)	L.D. 1641 - H.P. 1132
L.D. 792 - H.P. 572 (C "A" H-58)	