



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

Advance Journal and Calendar

65th Legislative Day

In Senate Chamber, Thursday, June 29, 2017.

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

Prayer by Senator Ronald F. Collins of York County.

Pledge of Allegiance led by Senator David C. Woodsome of York County.

Reading of the Journal of Wednesday, June 28, 2017.

Michael D. Thibodeau
Senate President

Heather J.R. Priest
Secretary of the Senate

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

COMMUNICATIONS

(2-1) The Following Communication:

S.C. 557

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

June 28, 2017

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

Dear Secretary Priest:

In reference to the action of the Senate on June 28, 2017 in which it Insisted and Joined in a Committee of Conference on L.D. 390, "An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2018 and June 30, 2019" (H.P. 281) I am pleased to appoint the following as conferees on the part of the Senate:

Senator Michael D. Thibodeau of Waldo
Senator Roger J. Katz of Kennebec
Senator Cathy Breen of Cumberland

Please contact my office if you have any questions regarding these appointments.

Sincerely,

S/Michael D. Thibodeau
President of the Senate

ORDERS

Joint Orders

(4-1) On motion by Senator **MASON** of Androscoggin, the following Joint Order:
S.P. 596

STATE OF MAINE

ORDERED, the House concurring, that, in accordance with emergency authority granted under the Maine Revised Statutes, Title 3, section 2, the First Regular Session of the 128th Legislature is further extended for up to 5 legislative days.

Expressions of Legislative Sentiment recognizing:

(4-2) Unum, of South Portland, which is the recipient of the Education Commission of the States Corporate Award for sustained commitment to investing in and improving public education, especially in underserved communities. We extend to everyone at Unum our congratulations and best wishes;

SLS 525

Sponsored by Senator **MILLETT** of Cumberland.

Cosponsored by Senators: **CHIPMAN** of Cumberland, **DION** of Cumberland, Representatives: **BATTLE** of South Portland, **COLLINGS** of Portland, **FARNSWORTH** of Portland, **HAMANN** of South Portland, **HARLOW** of Portland, **JORGENSEN** of Portland, **MOONEN** of Portland, **RECKITT** of South Portland, **SANBORN** of Portland, **SYLVESTER** of Portland, **TALBOT ROSS** of Portland.

(4-3) the A1 Diner, in Gardiner, which has been named one of the 20 best diners in America by PureWow, a digital media company and publisher of women's lifestyle content. We extend to everyone at the A1 Diner our congratulations and best wishes;

SLS 527

Sponsored by Senator **BELLOWS** of Kennebec.

Cosponsored by Representative: **GRANT** of Gardiner.

(4-4) Arthur Bourget, of West Gardiner, who has received the Blood Services Award from the Southern Maine Chapter of the American Red Cross for organizing blood drives and inspiring others to donate blood. We extend to Mr. Bourget our congratulations and best wishes;

SLS 528

Sponsored by Senator **BELLOWS** of Kennebec.

Cosponsored by Representative: **WARREN** of Hallowell.

Joint Resolutions

Joint Resolutions in Memoriam:

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

(4-5) Edward Saxby, Jr., of Cape Elizabeth. Mr. Saxby was a prominent elder law attorney and a fierce advocate for social justice causes. He worked for equal rights for LGBTQ citizens and for affordable health care coverage for all. He was an active member of the First Congregational Church, United Church of Christ, in South Portland. Mr. Saxby will be long remembered and sadly missed by his wife of 30 years, Jill, and by his family and friends;

SLS 526

Sponsored by Senator MILLETT of Cumberland.

Cosponsored by Representatives: HAMANN of South Portland, MONAGHAN of Cape Elizabeth.

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

(4-6) Edward C. Feigenbaum, of Cape Elizabeth, a veteran of the United States Army Air Forces. Mr. Feigenbaum served in the Army Air Forces during World War II. He worked for Honeywell, Inc., and he was active in the Cape Elizabeth Lions Club for more than 50 years and received the club's highest award, the Melvin Jones Fellowship Award. He also volunteered at the Wayside Soup Kitchen and drove for the Independent Transportation Network. Mr. Feigenbaum will be long remembered and sadly missed by his family and friends;

SLS 529

Sponsored by Senator MILLETT of Cumberland.

Cosponsored by Representatives: HAMANN of South Portland, MONAGHAN of Cape Elizabeth.

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 APPROPRIATIONS TABLE

L.D. 8 - H.P. 9 (C "A" H-451)
 L.D. 20 - H.P. 21 (C "A" H-39)
 L.D. 27 - H.P. 28 (C "A" H-100)
 L.D. 31 - H.P. 32 (C "A" H-503)
 L.D. 38 - S.P. 17 (C "A" S-64)
 L.D. 49 - H.P. 35 (C "A" H-497)
 L.D. 59 - H.P. 46 (C "A" H-168)
 L.D. 79 - S.P. 28 (C "A" S-27)
 L.D. 82 - S.P. 31 (C "A" S-94)
 L.D. 85 - S.P. 34 (C "A" S-11)
 L.D. 89 - S.P. 37
 L.D. 100 - H.P. 68 (C "A" H-174)
 L.D. 106 - H.P. 74 (C "A" H-245)
 L.D. 111 - H.P. 79
 L.D. 130 - S.P. 49 (C "A" S-9)
 L.D. 162 - H.P. 120 (C "A" H-482)
 L.D. 170 - H.P. 126 (C "A" H-274)
 L.D. 173 - H.P. 129 (C "A" H-121)
 L.D. 174 - H.P. 130 (C "A" H-374)
 L.D. 182 - H.P. 138 (C "A" H-215)
 L.D. 192 - H.P. 148 (C "A" H-177)
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 L.D. 203 - H.P. 159 (C "A" H-76)
 L.D. 206 - H.P. 162 (C "A" H-196)
 L.D. 230 - S.P. 76 (C "A" S-66)
 L.D. 267 - H.P. 200 (C "A" H-21)
 L.D. 285 - H.P. 218 (C "A" H-114)
 L.D. 288 - H.P. 221 (C "A" H-242)
 L.D. 289 - H.P. 222 (C "A" H-232)
 L.D. 290 - H.P. 223 (C "A" H-282)
 L.D. 320 - S.P. 94 (C "A" S-199)
 L.D. 323 - H.P. 237 (C "A" H-257)
 L.D. 328 - H.P. 242 (C "A" H-150)
 L.D. 346 - S.P. 112 (C "A" S-111)
 L.D. 358 - H.P. 264 (C "A" H-260)
 L.D. 367 - H.P. 273 (C "A" H-493)
 L.D. 377 - S.P. 118 (C "A" S-112)
 L.D. 401 - H.P. 292 (C "A" H-109)
 L.D. 423 - H.P. 303 (C "A" H-17; H "A" H-19)
 L.D. 449 - S.P. 151 (C "A" S-79)
 L.D. 456 - H.P. 323
 L.D. 503 - S.P. 164 (C "A" S-31)
 L.D. 513 - S.P. 174 (C "B" S-119)
 L.D. 517 - S.P. 178 (C "A" S-91)
 L.D. 524 - H.P. 368 (C "A" H-138)
 L.D. 525 - H.P. 369 (C "A" H-139)
 L.D. 526 - H.P. 370
 L.D. 563 - H.P. 405 (C "A" H-72)
 L.D. 601 - H.P. 417 (C "A" H-73)
 L.D. 643 - H.P. 457 (C "A" H-176)
 L.D. 648 - H.P. 462
 L.D. 654 - S.P. 216 (C "A" S-113)
 L.D. 656 - S.P. 218 (C "A" S-43)
 L.D. 681 - H.P. 472 (C "A" H-505)
 L.D. 687 - H.P. 478 (C "A" H-382)
 L.D. 720 - S.P. 237 (C "A" S-86)
 L.D. 721 - S.P. 238 (C "A" S-114)
 L.D. 723 - S.P. 240 (C "A" S-148)
 L.D. 726 - H.P. 510 (C "A" H-250)
 L.D. 766 - H.P. 546
 L.D. 781 - H.P. 561 (C "A" H-416)
 L.D. 782 - H.P. 562 (C "A" H-193)
 L.D. 792 - H.P. 572 (C "A" H-58)
 L.D. 794 - H.P. 574 (C "A" H-472)
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 L.D. 816 - S.P. 261 (C "A" S-150)
 L.D. 843 - H.P. 592 (C "A" H-217)
 L.D. 848 - H.P. 597 (C "A" H-448)
 L.D. 891 - S.P. 291 (C "A" S-237)
 L.D. 910 - H.P. 638 (C "A" H-420)
 L.D. 919 - H.P. 647 (C "A" H-113)
 L.D. 949 - S.P. 304 (C "A" S-187)
 L.D. 952 - S.P. 307 (C "A" S-106)
 L.D. 956 - S.P. 311 (C "A" S-171; S "A" S-291)
 L.D. 967 - H.P. 680 (C "A" H-342)
 L.D. 970 - H.P. 683 (C "A" H-209)
 L.D. 990 - S.P. 329
 L.D. 998 - H.P. 699 (C "A" H-296)
 L.D. 1000 - H.P. 701 (C "A" H-295)
 L.D. 1006 - H.P. 707 (C "A" H-210)
 L.D. 1008 - H.P. 709 (C "A" H-254)
 L.D. 1044 - S.P. 346 (C "A" S-89)
 L.D. 1070 - S.P. 352 (C "A" S-107)
 L.D. 1089 - S.P. 360 (C "A" S-272)
 L.D. 1091 - H.P. 765 (C "A" H-361)
 L.D. 1108 - S.P. 362 (C "A" S-155)
 L.D. 1127 - H.P. 790 (C "A" H-376)
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 L.D. 1143 - H.P. 806 (C "A" H-453)
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 L.D. 1190 - H.P. 827
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 L.D. 1204 - H.P. 840 (C "A" H-494)
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 L.D. 1208 - H.P. 844 (C "A" H-140)
 L.D. 1210 - H.P. 846 (C "A" H-185)
 L.D. 1212 - S.P. 406 (C "A" S-180)
 L.D. 1231 - H.P. 853
 L.D. 1247 - H.P. 870 (C "A" H-194)
 L.D. 1248 - H.P. 871 (C "A" H-144)
 L.D. 1263 - S.P. 426 (C "A" S-109)
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 L.D. 1301 - H.P. 898 (C "A" H-248)
 L.D. 1308 - H.P. 905 (C "A" H-118)
 L.D. 1314 - H.P. 911 (C "A" H-202)
 L.D. 1317 - H.P. 914 (C "A" H-234)
 L.D. 1321 - S.P. 450 (C "A" S-128)
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 L.D. 1391 - H.P. 965 (C "A" H-321)
 L.D. 1396 - H.P. 970 (C "A" H-522)
 L.D. 1399 - S.P. 477 (C "A" S-223)
 L.D. 1407 - S.P. 485 (C "A" S-245)
 L.D. 1429 - H.P. 983 (C "A" H-510)
 L.D. 1433 - H.P. 988 (C "A" H-516)
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 L.D. 1485 - S.P. 515 (C "A" S-205)
 L.D. 1490 - S.P. 519 (C "A" S-268)
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L.D. 1624 - S.P. 577 (C "A" S-300)
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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)