

MAINE STATE LEGISLATURE

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Senate Legislative Record
One Hundred and Twenty-Eighth Legislature
State of Maine

Daily Edition

Second Special Session
beginning June 19, 2018

beginning at Page 2046

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