

# 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

On motion by Senator **LANGLEY** of Hancock, the following Joint Order:

S.P. 752

**ORDERED**, the House concurring, that Bill, "An Act To Establish the Total Cost of Education and the State and Local Contributions to Education for Fiscal Year 2018-19 and To Provide That Employees of School Management and Leadership Centers Are Eligible To Participate in the Maine Public Employees Retirement System," S.P. 712, L.D. 1869, and all its accompanying papers, be recalled from the Governor's desk to the Senate.

The Joint Order was **READ**.

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

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

\_\_\_\_\_  
The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#703)**

YEAS: Senators: BRAKEY, COLLINS, CUSHING, CYRWAY, DAVIS, DOW, HAMPER, HILL, KATZ, LANGLEY, MAKER, MASON, ROSEN, VOLK, WHITTEMORE, WOODSOME, PRESIDENT THIBODEAU

NAYS: Senators: BELLOWS, BREEN, CARPENTER, CHENETTE, CHIPMAN, DESCHAMBAULT, DILL, GRATWICK, JACKSON, LIBBY, MILLETT

EXCUSED: Senators: CARSON, DIAMOND, DION, KEIM, MIRAMANT, SAVIELLO, VITELLI

17 Senators having voted in the affirmative and 11 Senators having voted in the negative, with 7 Senators being excused, the Joint Order was **PASSED**.

Ordered sent down forthwith for concurrence.

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Senate at Ease.

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 (6/19/18) matter:

HOUSE REPORTS - from the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Amend Maine's Medical Marijuana Law"

H.P. 1060 L.D. 1539

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-765)** (11 members)

Minority - **Ought to Pass as Amended by Committee Amendment "B" (H-766)** (2 members)

Tabled - June 19, 2018 by Senator **MASON** of Androscoggin

Pending - **ADOPTION OF COMMITTEE AMENDMENT "A" (H-765)**

(In House, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-765)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-765).**)

(In Senate, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-765)** Report **READ** and **ACCEPTED**. Committee Amendment "A" (H-765) **READ.**)

On motion by Senator **LANGLEY** of Hancock, Senate Amendment "G" (S-539) to Committee Amendment "A" (H-765) **READ.**

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

Senator **BRAKEY:** Thank you, Mr. President. I rise in support of the amendment before us and I will say I did not initially support an earlier version of this, but this amendment that the Senator from Hancock has brought forward, I think with some clarity, does some things that added clarity that I'm a little bit more comfortable with. What this amendment would do is it would clarify in the law that when a child is a medical cannabis patient, currently under State law, based on legislation that was passed in the last Legislature, a caregiver or a parent can administer cannabis on school grounds to that child. There are some concerns raised and perhaps Senator Langley could speak to it. What this amendment would do is just, essentially, clarify that for a non-parent caregiver, so a caregiver who is not the parent or the legal guardian of the child, that there would have to be background check for that caregiver to be able to come and do this on school grounds. This would be consistent, as my understanding, this would be consistent with what the policy is for any other person who is coming onto school grounds to perform some kind of volunteer function and, because this amendment specifically exempts the parent or the legal guardian of the child, I think this is reasonable. So I will be supporting the amendment. Thank you.

On motion by Senator **LANGLEY** of Hancock, Senate Amendment "G" (S-539) to Committee Amendment "A" (H-765) **ADOPTED.**

On motion by Senator **BRAKEY** of Androscoggin, Senate Amendment "D" (S-530) to Committee Amendment "A" (H-765) **READ.**

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

Senator **BRAKEY:** Thank you, Mr. President. This is purely a technical amendment designed to fix some conflicts in language between this legislation and another bill that we passed earlier and enacted earlier today. So nothing of substance - nothing of substantive policy in this amendment. Just a purely technical change. Thank you.

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

Senator **CYRWAY:** Thank you, Mr. President. Ladies and gentlemen of the Senate, what kind of substance are you talking about? I didn't quite understand. Could you give the question of what substance he's talking about?

**THE PRESIDENT:** The Senator from Kennebec, Senator Cyrway, has posed a question through the Chair to anybody who cares to respond. The Chair recognizes the Senator from Androscoggin, Senator Brakey.

Senator **BRAKEY:** I don't have the language of the amendment right in front of me, but this is something that was specifically drafted and brought to me by the analysts' staff, just fixing some conflicts in language between this legislation and L.D., I believe it was 238, which we passed and enacted earlier today. No policy changes. So if we put this into place it's not changing anything of substantive policy in the bill, it's just language that is being made to be in alignment with other legislation so that there aren't conflicts in the law.

On motion by Senator **BRAKEY** of Androscoggin, Senate Amendment "D" (S-530) to Committee Amendment "A" (H-765) **ADOPTED.**

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Senate at Ease.

The Senate was called to order by the President.

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On motion by Senator **KATZ** of Kennebec, **TABLED** until Later in Today's Session, pending **ADOPTION OF COMMITTEE AMENDMENT "A" (H-765) AS AMENDED BY SENATE AMENDMENTS "G" (S-539) AND "D" (S-530)** thereto, in **NON-CONCURRENCE.**

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Senate at Ease.

The Senate was called to order by the President.

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

An Act To Simplify Nonresident Hunting and Fishing Licenses  
H.P. 548 L.D. 768

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.

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

An Act To Ensure the Successful Implementation of Proficiency-based Diplomas  
H.P. 1152 L.D. 1666  
(H "A" H-797 to C "A" H-777)

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.**)

On motion by Senator **LANGLEY** of Hancock, 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 Hancock, Senator Langley.

Senator **LANGLEY:** Thank you, Mr. President. Men and women of the Senate, you know, I think I owe an explanation, probably, to this Body for why I fought so hard against the passage of this bill. But it really stems from the fact that, you know, in all reality I probably shouldn't be here and probably shouldn't be in this Body because, you know, I was the, you know, the son of the town drunk in my town and when you grow up on the kind of the wrong side of the tracks school is a different place and you might not think, you know, that there's bias in schools against kids who may be a little less advantaged but it does exist in there. I remember that bias in my high school. In your junior year you would take American Literature and U.S. History. Those were junior level classes, and I wrote the same paper about Benjamin Franklin. He was kind of somebody I looked up to. English I got an A on that paper. In History I got a B-. It was a good, solid paper.