

MAINE STATE LEGISLATURE

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

Daily Edition

Second Regular Session
January 4, 2012 to May 31, 2012

Pages 1594 - 2357

**STATE OF MAINE
ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE
SECOND REGULAR SESSION
JOURNAL OF THE SENATE**

In Senate Chamber
Thursday
May 31, 2012

Senate called to order by President Kevin L. Raye of Washington County.

Prayer by Senator Dawn Hill of York County.

SENATOR HILL: Good morning. I thank you for this honor. Today is the final day of May 2012. Today is the final day of the 125th Legislature. Our journey and our work is almost done, so today let us pray that the eyes of our eyes be open, that we give life another glance, that we take the time to see, and by doing such, with grateful hearts for ourselves and others, we experience everyday epitomizes. God bless.

Pledge of Allegiance led by Senator David R. Hastings, III of Oxford County.

Reading of the Journal of Wednesday, May 16, 2012.

Off Record Remarks

COMMUNICATIONS

The Following Communication: S.C. 845

**STATE OF MAINE
125TH MAINE LEGISLATURE
OFFICE OF THE GOVERNOR**

25 May 2012

The 125th Legislature of the State of Maine State House
Augusta, ME

Dear Honorable Members of the 125th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 225, "An Act To Authorize a General Fund Bond Issue in the Amount of \$20,000,000 To Fund Research and Development."

Maine taxpayers are spending over \$100 million in debt service annually until 2015. While I have agreed to let some of the bonds go to the voters, their approval provides authorization to issue the

bonds at sometime in the future. As Governor, I will not agree to issue them until we get our spending problem fully under control.

However, there are two specific issues I have with this bond that have led me to veto it. First, we are using debt to pay operational costs. If the Legislature truly believes we should spend \$20 million on research and development, then we should reduce spending elsewhere in the budget and pay for it out of the General Fund. Second, the majority of the funds from these bonds in the past have gone to government programs and not-for-profits. Taxpayer dollars should go towards R&D only when we can demonstrate a specific return on that investment. That return must be measured in taxes and jobs. Both of those rightly come in the private sector.

For these reasons, I am returning LD 225 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The accompanying Bill:

An Act To Authorize a General Fund Bond Issue in the Amount of \$50,000,000 To Fund Research and Development
S.P. 76 L.D. 225

The President laid before the Senate the following: "Shall this Bill become a law notwithstanding the objections of the Governor?"

THE PRESIDENT: The Chair recognizes the Senator from Sagadahoc, Senator Goodall.

Senator **GOODALL:** Thank you Mr. President. Men and women of the Senate, I rise today just to encourage all of us to vote to override this veto. What we are voting on today is about the jobs of the future and the jobs that many of us see on our Main Streets are being created, and have been created over the years. We all received the postcards inviting us to go and visit the recipients of these awards from the Maine Technology Fund. These businesses start small and many have blossomed into large businesses; businesses that are employing our friends and neighbors, and businesses that will employ our children in the future. I strongly encourage you to vote to override because this is a key component to a job creation plan that extends long beyond the time of us being in this Body. This is about investing in the future and investing in our children. This is about creating jobs that pay a livable wage. I strongly encourage you today to vote to override. Thank you, Mr. President.

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

Senator **CRAVEN:** Thank you Mr. President. Men and women of the Senate, I want to stand very briefly to talk about Falcon Shoe, designers and manufacturers in Lewiston, Maine. They are listed as the "Best Boots in the World." The research done by the R&D Bond grants that they've received made them the "Best Boots in

the World." They sell firepeople's boots and mining boots all over the world. At this time when manufacturing has gone overseas, especially shoemakers and boot makers, Falcon Shoe in Lewiston, Maine reinvented themselves with innovative technology and research. They are now, and I'm so proud to say again, the best boot makers in the world. It is such a distinction to be on the map and for a small company like that to be able to sell and to advertise themselves to every industry, really. The biggest and the most unique are the firefighter's and mining boots that protect them from toxic chemicals, heat, cold, and other kinds of environmental stuff that hurts our industrial workers. Without their grant they would never have been able to do the research to innovate those kinds of products. I really, really hope that everybody will vote to override the veto. Thank you, Mr. President.

THE PRESIDENT: The Chair recognizes the Senator from Knox, Senator Rector.

Senator **RECTOR:** Thank you Mr. President. Men and women of the Senate, I would urge a vote to override the Governor's veto and I want to tell you why. First off, I want to remind members that approval of the bond sends them out to the people of Maine. It allows them to have a chance to have a voice in this discussion. I think it's critically important that the people of Maine have a chance to weigh in. As Co-Chair of the Maine Economic Growth Council, for the years that I've been on the council I think every single year we end up with a red flag by the R&D measure. We don't measure well, as I've said in the past, with our peer states around the nation. We don't measure up well with our others states in New England. It is something that must change. The states with significant investments in research and development are also those states with the fastest growing economies in the nation. They are growing quickly because they are recognizing the need for intellectual property and innovation in areas where the economy is changing. We find that in Maine the fastest growing companies are those that have benefited from our innovation grants. Investments in R&D lead to patents and licenses and really represent the seed corn of our growing economy. Every dollar invested is matched, at a very minimum, 1 to 1. In many cases we find that the general return is in excess of 10 to 1. Lest we be concerned, we are truly the envy of the nation in the way we award these grants in terms of the competitive process that we require and the rigorous review that any grant applications receive. In fact, we received a national award for the process that we have that competitively awards these grants that requires partnerships with private industries and with the private sector, in addition to public enterprises, to do that research and development. Also let's be certain that these dollars are invested in infrastructure. They are invested in long-term sustainable infrastructure for research and not used for operational expenses or day-to-day operations of any of the research processes that are ongoing. The partnerships are important. The innovation is important. This is an opportunity for Maine to continue to move its economy forward. I would urge everyone to vote to override this veto. Thank you, Mr. President.

THE PRESIDENT: The Chair recognizes the Senator from Lincoln, Senator Johnson.

Senator **JOHNSON:** Thank you Mr. President. Ladies and gentlemen, I want to speak to a few small examples in support of

those concepts. It's been said that this is spent too much on government programs and not-for-profits. I think I have some excellent examples of how this research creates for-profit businesses and opportunities. Biovation in Boothbay. Boothbay is a wonderful location. You wouldn't think of it as a manufacturing location in the state. It's got a lot of appeal for tourism and other great things about it. Biovation is building a business there. The technology that they are using for their manufacturing process, reducing biodegradable and medical quality polymers, is nanotechnology that they needed some research dollars to support; how to put these together with the polymers and produce a material that would prevent bacterial growth. On the operation side, they are handling the results. The research to make this process work, and figure out how to do it, the R&D dollars are enabling factor that made this possible for them. The product they are producing has applications in the medical industry and food packaging fields. There is a lot of opportunity for growth there. Our funding of research in the past has made this business opportunity possible. Another example is Green Comfort Safe. In this state there have been businesses producing cellulose based insulation for homes for a long time. We certainly need to improve the energy efficiency of our housing stock in this state. This is a business whereby the owners saw that there was a decline in the volume of recycled newsprint, newspapers. They saw that as an obstacle for the cellulose insulation industry. Their innovation was to look at other sources and streams and overcome problems in manufacturing cellulose insulation. They turned towards something that there is still a large supply of, which is corrugated cardboard. The challenge was that the glues in that would mess up the process and cause clumping instead of the quality of good cellulose fiber that they needed. They worked with the university on a process using enzymes and other treatments to overcome that and produce an excellent quality product. They are now working on getting manufacturing for that, going elsewhere in the state. These are opportunities that are very real. It is tax dollars that are targeted towards the research and innovation that needs to happen to make those manufacturing opportunities happen. I urge your support for doing more of this and moving our state forward and growing the economy. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Dill.

Senator **DILL:** Thank you Mr. President. Men and women of the Senate, today marks an exciting day for research and development on the national stage. The SpaceX Capsule is, hopefully, going to crash safely down into the Pacific Ocean. It's an incredibly, I think, exciting project. The first time ever for commercial space exploration and reaching the International Space Station. It all started with a government grant. Research and development and investing in the frontiers of science and exploration really does lead to progress. I urge you to consider that in your deliberations and support overriding the veto. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Brannigan.

Senator **BRANNIGAN:** Thank you Mr. President. Men and women of the Senate, I have some things to say about Senator Craven from Androscoggin. I think she should be very careful

OFFICE OF THE GOVERNOR

about saying that the best boots in the world are made in the Lewiston area. People will take umbrage at that. She should say the best special boots because, of course, L.L. Bean has the best boots in the world. Be very careful. Secondly, I'm wearing a purple tie and she is wearing a purple outfit. She was just honored yesterday as a champion of Alzheimer efforts. We should be pleased with that. One of the big things that were talked about was the lack of research. We put very little money, very little compared to Parkinson's or cancer, which are not the threat Alzheimer is and will be. If there is any way, a small amount of money so somebody in Maine can begin or continue to work on the whole issue of dementia would be worth millions to the people who are going to cost us millions in the future if we don't do something about this dreadful disease. Thank you, Mr. President.

29 May 2012

The 125th Legislature of the State of Maine State House
Augusta, ME

Dear Honorable Members of the 125th Legislature:

In accordance with Article 4, Part 3, Section 2, of the Constitution, the vote was taken by the Yeas and Nays.

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 1781, "An Act to Restructure the National Board Certification Program for Teachers."

A vote of yes was in favor of the Bill.

I am not vetoing this bill because I disagree with the benefits of National Board Certification. Rather, I am vetoing it because it is a band-aid to a problem - the need for highly qualified teachers—requiring a larger more coordinated state-wide solution. Moreover, this bill requires teachers to partially fund the program, while simultaneously paying union dues which are squandered on a host of activities not even remotely related to professional development.

A vote of no was in favor of sustaining the veto of the Governor.

The Doorkeepers secured the Chamber.

Research clearly demonstrates the single most important single factor in student progress is an effective teacher. Over the last year, I have repeatedly challenged the largest organization of teachers in the state - the Maine Education Association— to refocus its efforts on improving teacher effectiveness. Unfortunately, the union bosses have declined my offer matching dollar-for-dollar any union increase in funding towards improving the profession of teaching.

The Secretary opened the vote.

ROLL CALL (#509)

YEAS: Senators: ALFOND, BARTLETT, BRANNIGAN, COLLINS, COURTNEY, CRAVEN, DIAMOND, DILL, FARNHAM, GERZOFKY, GOODALL, HASTINGS, HILL, HOBBS, JACKSON, JOHNSON, KATZ, LANGLEY, MARTIN, MCCORMICK, PATRICK, RECTOR, ROSEN, SAVIELLO, SCHNEIDER, SHERMAN, SULLIVAN, WOODBURY, THE PRESIDENT - KEVIN L. RAYE

In fact, just days ago - the executive director of the union stated "[m]aking sure we have highly skilled work force is the job of the employer ... In this case, the people who fund this are the local school districts and the state." That is not an acceptable answer from the largest organization of teachers in the State.

NAYS: Senators: MASON, PLOWMAN, SNOWE-MELLO, THIBODEAU, THOMAS, WHITTEMORE

Yet, the union refuses to focus on improving teacher quality. Instead of better educating educators, the union is suing the State to block release of insurance data that would decrease the overhead cost of education. Instead of looking for new ways to inform teachers on the latest pedagogical techniques, the union is participating in political campaigns and lobbying efforts with nothing to do with education. Instead of working towards ensuring that every Maine student has a quality teacher in the front of the classroom, the union is focused on providing golf and skiing discounts.

29 Senators having voted in the affirmative and 6 Senators having voted in the negative, and 29 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

Under suspension of the Rules, ordered sent down forthwith for concurrence.

Worse yet, this program would require the teachers themselves to partially fund the program. Rather than fund this new program on the backs of teachers, I propose eliminating teacher certification fees and working with the MEA to refocus its efforts on professional development of teachers not the pet political projects of union bosses. Maine teachers are undercompensated. We should be lowering the cost of being a teacher while providing the best professional development opportunities possible.

Senate at Ease.

Senate called to order by the President.

The Following Communication: S.C. 846

Unfortunately, this bill would simply provide a false victory and an excuse to not take on real substantive reforms resulting in better teachers in the classroom. I believe that we - the state, the local

STATE OF MAINE
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districts, superintendents, parents, and yes, the teacher union — must all work together for what is best for the student.

For these reasons, I am returning LD 1781 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The accompanying Bill:

An Act To Restructure the National Board Certification Program for Teachers

S.P. 618 L.D. 1781

The President laid before the Senate the following: "Shall this Bill become a law notwithstanding the objections of the Governor?"

THE PRESIDENT: The Chair recognizes the Senator from Hancock, Senator Langley.

Senator **LANGLEY:** Thank you Mr. President. Men and women of the Senate, I rise today on this issue and would like to say that yesterday, and even as early as this morning, I was inclined to vote to sustain this veto. The ride down, an hour and forty minutes, gives you some time for legislators to process and fully work over the issues as we come into work every day. I started thinking about how we are going to be able to reach the common goal of increasing teacher quality in Maine. I know that in the letter from the Administration they have challenged the MEA to focus on teacher effectiveness. This bill that is before us is about the National Board Certification for teachers, which does improve teacher quality, and has done so. The issue has been whether we're all pulling in the same direction towards teacher quality. I feel at the moment we're kind of at loggerheads between what the Administration has for its goals and the MEA as well. The MEA has committed to me this morning to come to the table for honest discussions regarding the role of teacher effectiveness. It is my position that we do have to move forward, we have to work together, and we have to put the best interest of our children first. This means that all sides have to come to the table with an open mind to the possibilities. I like to think of things in a positive light. I understand the reason for the veto; that is to bring people to the table to continue these talks and to have people come for open and honest discussions. I would like to be on record today to encourage you to override this veto, at great personal loss to myself, and then continue to commit to the conversations, to continue to work at building those relationships between our teaching profession and administration, and to commit to look for common ground. I'd like to think we could do this in a positive way. I negotiated a couple of teachers' contracts myself in my district when I was teaching school. We worked very diligently in the last two that I sat on for win-win negotiating. Come to the table, put your thoughts out there, and look for that common ground in order to make things better. I know that conversations have occurred between the Administration and the MEA. I know that the second floor feels that there has been no progress. I'm not willing to give up yet and I know there is commitment from

others in here that serve on the Education Committee, as well as others who are very committed to improving education in the state of Maine. I think it's time that we maybe put aside some of our personal feelings that have come up along the way, as often happens in negotiations, and sit down and try to make this a better place. The vehicle by which this message has been delivered, I don't know if it's the right one with the National Board Certification. I'm committed wholeheartedly, as I have been throughout a 30 year career of teaching, to improving teacher effectiveness. I have been a mentor. I have been a steering committee chair for recertification in my school district. I'm proud to serve with a group of teachers that were very committed to helping improve teacher effectiveness and teacher quality in my district. This is a tough place to be. Yesterday I felt that we could sustain this veto. We could come back and talk about the National Board Certification. That is sort of the vehicle by which the real discussion has to happen here. That is about overall improving the teacher quality and doing it together, doing it between the Administration, the Department of Education, and our folks that work in the profession. It is a difficult position to be in, to vote to override a veto. I don't do it with any relish or any pleasure, and certainly a fair amount of criticism will come my way. I'd like to think we could do things in a positive way. I'd like to continue to help work on that and to be involved with that so that at the end of the day everybody is pulling the wagon in the same direction. Thank you very much for your patience.

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Alfond.

Senator **ALFOND:** Thank you Mr. President. Ladies and gentlemen of the Senate, I first want to thank the good Chair from Hancock, Senator Langley, not only for his support of L.D. 1781 and for the whole process, but also for his message today about having a positive outlook of a situation that I think most of us didn't think we'd be here talking about. I think when you look around this room, I don't see anyone in this room that doesn't believe that every child deserves the most effective teacher in the classroom. I think every single one in this room believes that wholeheartedly and wants that. Supporting the National Board Certificate Program today strengthens that desire, to have the most effective teachers in the classroom. The National Board is considered the gold standard of teaching professional development. We all know that the most effective teachers are lifelong learners. That, in itself as far as teachers going after something around the National Board, is something that I can support and I'm hoping that the Body can support today. The program, as you all know, is challenging. It's rigorous. It usually takes three years. It's hundreds of hours. Peer review. Every step of the way a teacher is putting themselves out there, asking the question, "How do I become a better and more effective teacher in the classroom for my students and for the community that I work for?" A piece that might not be known in this Body is that this stipend and this scholarship will be for public school teachers and our private town academies. We made sure that we included all teachers in this program because it's important. It's important that all teachers have this opportunity to strengthen their profession and to be the most effective teacher in the classroom. The good Chair of Education from Hancock talked about the differences between the MEA and the Chief Executive. I'm not going to get into that. I think the letter got into some of the issues. The bigger picture here is that the Commissioner of

Education has put forth a very, very ambitious strategic plan. If the teachers of the state of Maine don't feel that he has their back, that we don't have their back, I think that plan is going to be a lot harder to try to implement. I'm urging the Body to please override this veto and let's get back to ensuring that we have the best teachers in the classroom. Thank you, Mr. President.

THE PRESIDENT: The Chair recognizes the Senator from Oxford, Senator Hastings.

Senator **HASTINGS:** Thank you Mr. President. Ladies and gentlemen of the Senate, I'll be brief because my point has been made by the Cumberland, Senator Alfond. National Board Certification is, as the Senator indicates, the gold standard. We've only got about 215 of these in the state of Maine. It's a hugely rigorous program. I have been concerned, since the program was instituted, that it only allowed the stipend to be paid to those teachers who have the National Board Certification to teach in public schools. This has disqualified those teachers that teach in our town academies, the so-called publically supported secondary schools which have more than 60% of their enrollment made up of publically supported students. We have about 14 of them and they are some of our finest educational institutions in Maine. They do a fine job. I wholeheartedly support this bill for recognizing the importance of our National Board certified teachers at the town academies and I also urge that this Body vote to override the veto. Thank you.

In accordance with Article 4, Part 3, Section 2, of the Constitution, the vote was taken by the Yeas and Nays.

A vote of yes was in favor of the Bill.

A vote of no was in favor of sustaining the veto of the Governor.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#510)

YEAS: Senators: ALFOND, BARTLETT, BRANNIGAN, COLLINS, CRAVEN, DIAMOND, DILL, FARNHAM, GERZOFISKY, GOODALL, HASTINGS, HILL, HOBBSINS, JACKSON, JOHNSON, KATZ, LANGLEY, MCCORMICK, PATRICK, RECTOR, ROSEN, SAVIELLO, SCHNEIDER, SHERMAN, SULLIVAN, WOODBURY

NAYS: Senators: COURTNEY, MARTIN, MASON, PLOWMAN, SNOWE-MELLO, THIBODEAU, THOMAS, WHITTEMORE, THE PRESIDENT - KEVIN L. RAYE

26 Senators having voted in the affirmative and 9 Senators having voted in the negative, and 26 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

Under suspension of the Rules, ordered sent down forthwith for concurrence.

ORDERS

Joint Resolution

On motion by Senator **KATZ** of Kennebec (Cosponsored by Senators: ALFOND of Cumberland, BARTLETT of Cumberland, BRANNIGAN of Cumberland, COLLINS of York, COURTNEY of York, CRAVEN of Androscoggin, DIAMOND of Cumberland, DILL of Cumberland, FARNHAM of Penobscot, GERZOFISKY of Cumberland, GOODALL of Sagadahoc, HASTINGS of Oxford, HILL of York, HOBBSINS of York, JACKSON of Aroostook, JOHNSON of Lincoln, LANGLEY of Hancock, MARTIN of Kennebec, MASON of Androscoggin, McCORMICK of Kennebec, PATRICK of Oxford, PLOWMAN of Penobscot, President RAYE of Washington, RECTOR of Knox, ROSEN of Hancock, SAVIELLO of Franklin, SCHNEIDER of Penobscot, SHERMAN of Aroostook, SNOWE-MELLO of Androscoggin, SULLIVAN of York, THIBODEAU of Waldo, THOMAS of Somerset, WHITTEMORE of Somerset, WOODBURY of Cumberland, Representatives: AYOTTE of Caswell, BEAUDOIN of Biddeford, BEAULIEU of Auburn, BEAVERS of South Berwick, BECK of Waterville, BELIVEAU of Kittery, BENNETT of Kennebunk, BERRY of Bowdoinham, BICKFORD of Auburn, BLACK of Wilton, BLODGETT of Augusta, BOLAND of Sanford, BOLDUC of Auburn, BRIGGS of Mexico, BRYANT of Windham, BURNS of Whiting, CAIN of Orono, CAREY of Lewiston, CASAVANT of Biddeford, CEBRA of Naples, CELLI of Brewer, CHAPMAN of Brooksville, CHASE of Wells, CHIPMAN of Portland, CLARK of Millinocket, CLARK of Easton, CLARKE of Bath, CORNELL du HOUX of Brunswick, COTTA of China, CRAFTS of Lisbon, CRAY of Palmyra, CROCKETT of Bethel, CURTIS of Madison, CUSHING of Hampden, DAMON of Bangor, DAVIS of Sangerville, DILL of Old Town, DION of Portland, DOW of Waldoboro, DRISCOLL of Westbrook, DUCHESNE of Hudson, DUNPHY of Embden, EBERLE of South Portland, EDGECOMB of Caribou, ESPLING of New Gloucester, EVES of North Berwick, FITTS of Pittsfield, FITZPATRICK of Houlton, FLEMINGS of Bar Harbor, FLOOD of Winthrop, FOSSEL of Alna, FOSTER of Augusta, FREDETTE of Newport, GIFFORD of Lincoln, GILBERT of Jay, GILLWAY of Searsport, GOODE of Bangor, GRAHAM of North Yarmouth, GUERIN of Glenburn, HAMPER of Oxford, HANLEY of Gardiner, HARLOW of Portland, HARMON of Palermo, HARVELL of Farmington, HASKELL of Portland, HAYES of Buckfield, HERBIG of Belfast, HINCK of Portland, HOGAN of Old Orchard Beach, HUNT of Buxton, INNES of Yarmouth, JOHNSON of Eddington, JOHNSON of Greenville, KENT of Woolwich, KESCHL of Belgrade, KNAPP of Gorham, KNIGHT of Livermore Falls, KRUGER of Thomaston, KUMIEGA of Deer Isle, LAJOIE of Lewiston, LIBBY of Waterboro, LONG of Sherman, LONGSTAFF of Waterville, LOVEJOY of Portland, LUCHINI of Ellsworth, MacDONALD of Boothbay, MAKER of Calais, MALABY of Hancock, MALONEY of Augusta, MARTIN of Eagle Lake, MAZUREK of Rockland, McCABE of Skowhegan, McCLELLAN of Raymond, McFADDEN of Dennysville, McKANE of Newcastle, MITCHELL of the Penobscot Nation, MONAGHAN-DERRIG of Cape Elizabeth, MORISSETTE of Winslow, MORRISON of South Portland, MOULTON of York, NASS of Acton, NELSON of Falmouth, NEWENDYKE of Litchfield, Speaker NUTTING of Oakland, O'BRIEN of Lincolnville,

O'CONNOR of Berwick, OLSEN of Phippsburg, PARKER of Veazie, PARRY of Arundel, PEOPLES of Westbrook, PETERSON of Rumford, PICCHIOTTI of Fairfield, PILON of Saco, PLUMMER of Windham, PRESCOTT of Topsham, PRIEST of Brunswick, RANKIN of Hiram, RICHARDSON of Carmel, RIOUX of Winterport, ROCHELO of Biddeford, ROSEN of Bucksport, ROTUNDO of Lewiston, RUSSELL of Portland, SANBORN of Gorham, SANDERSON of Chelsea, SARTY of Denmark, SHAW of Standish, SIROCKI of Scarborough, SLAGGER of the Houlton Band of Maliseet Indians, SOCTOMAH of the Passamaquoddy Tribe, STEVENS of Bangor, STRANG BURGESS of Cumberland, STUCKEY of Portland, THERIAULT of Madawaska, TILTON of Harrington, TIMBERLAKE of Turner, TREAT of Hallowell, TURNER of Burlington, TUTTLE of Sanford, VALENTINO of Saco, VOLK of Scarborough, WAGNER of Lewiston, WALLACE of Dexter, WATERHOUSE of Bridgton, WEAVER of York, WEBSTER of Freeport, WELSH of Rockport, WILLETTE of Mapleton, WILLETTE of Presque Isle, WINSOR of Norway, WOOD of Sabattus), the following Joint Resolution:

S.P. 690

**JOINT RESOLUTION IN HONOR OF THE 90TH
ANNIVERSARY OF THE MAINE CHIROPRACTIC
ASSOCIATION**

WHEREAS, the Maine Chiropractic Association was formed on October 1, 1922 in Augusta, Maine; and

WHEREAS, on April 7, 1923, chiropractic licensure was signed into law, and on October 2, 1923 Dr. Isabelle Hieserick of Biddeford received the first Maine chiropractic license; and

WHEREAS, on October 4, 1925, Dr. Clinton Clauson of Waterville, who had been in practice since 1919, was elected President of the Maine Chiropractic Association, and in 1958 Dr. Clauson became Governor of Maine; and

WHEREAS, the Maine Chiropractic Association's mission is to preserve, protect, improve and promote the chiropractic profession and the services of doctors of chiropractic for the benefit of the patients they serve; and

WHEREAS, the purpose of the Maine Chiropractic Association is to provide leadership in health care and a positive vision for the chiropractic profession and its natural approach to health and wellness; and

WHEREAS, the Maine Chiropractic Association aims to affect public policy and legislation, promote high standards in professional ethics and quality of treatment and ensure the professional growth and success of doctors of chiropractic in the State; and

WHEREAS, after a grassroots effort by the chiropractic profession nationwide, in 1970 coverage of chiropractic was included in Medicare by the United States Congress and in 1971 workers' compensation legislation was passed in the State to include chiropractic coverage; and

WHEREAS, chiropractic medicine is now firmly established in the State of Maine and the Maine Chiropractic Association is preparing to celebrate its 90th anniversary; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-fifth Legislature now assembled in the Second Regular Session, on behalf of the people we represent, take this opportunity to recognize the Maine Chiropractic Association on its 90th anniversary and we extend our best wishes for future success; and be it further

RESOLVED: That a suitable copy of this resolution, duly authenticated by the Secretary of State, be transmitted to the Maine Chiropractic Association.

READ and ADOPTED.

Ordered sent down forthwith for concurrence.

Senate at Ease.

Senate called to order by the President.

Out of order and under suspension of the Rules, the Senate considered the following:

COMMUNICATIONS

The Following Communication: H.C. 399

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

May 31, 2012

The Honorable Joseph G. Carleton, Jr.
Secretary of the Senate
125th Maine Legislature
Augusta, Maine 04333

Dear Secretary Carleton:

House Paper 603, Legislative Document 807, "An Act To Limit the Bonding Authority of the Maine Governmental Facilities Authority to Court Facility Projects," 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?"

63 voted in favor and 77 against, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

Sincerely,

S/Heather J.R. Priest
Clerk of the House

READ and with accompanying papers **ORDERED PLACED ON FILE.**

The Following Communication: H.C. 400

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

May 31, 2012

The Honorable Joseph G. Carleton, Jr.
Secretary of the Senate
125th Maine Legislature
Augusta, Maine 04333

Dear Secretary Carleton:

House Paper 1078, Legislative Document 1469, "An Act To Increase Gaming Opportunities for Charitable Fraternal and Veterans' Organizations," 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?"

80 voted in favor and 61 against, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

Sincerely,

S/Heather J.R. Priest
Clerk of the House

READ and with accompanying papers **ORDERED PLACED ON FILE.**

Out of order and under suspension of the Rules, the Senate considered the following:

COMMUNICATIONS

The Following Communication: H.C. 401

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

May 31, 2012

The Honorable Joseph G. Carleton, Jr.
Secretary of the Senate
125th Maine Legislature
Augusta, Maine 04333

Dear Secretary Carleton:

Senate Paper 76, Legislative Document 225, "An Act To Authorize a General Fund Bond Issue in the Amount of \$20,000,000 To Fund Research and Development," 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?"

88 voted in favor and 53 against, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

Sincerely,

S/Heather J.R. Priest
Clerk of the House

READ and with accompanying papers **ORDERED PLACED ON FILE.**

At this point a message was received from the House of Representatives, borne by Representative CURTIS of Madison informing the Senate that the House had transacted all business before it and was ready to Adjourn Without Day.

Out of order and under suspension of the Rules, the Senate considered the following:

ORDERS

On motion by Senator **COURTNEY** of York, the following Senate Order:

S.O. 29

Ordered, that a message be sent to Governor Paul R. LePage informing him that the Senate is ready to Adjourn Without Day, and invite him to attend and make such communications as pleases him.

READ and **PASSED.**

The Chair appointed the Senator from York, Senator **COURTNEY** to deliver the message to the Governor. The Senator was escorted to the Governor's Office.

Senate at Ease.

Senate called to order by the President.

Subsequently, the Senator from York, Senator **COURTNEY** reported that he had delivered the message with which he was charged.

On motion by Senator **PLOWMAN** of Penobscot, the following Senate Order:

S.O. 28

Ordered, that a message be sent to the House of Representatives informing that Body that the Senate is ready to Adjourn Without Day.

READ and PASSED.

The Chair appointed the Senator from Penobscot, Senator **PLOWMAN** to deliver the message to the House. The Senator was escorted to the House of Representatives.

Senate at Ease.

Senate called to order by the President.

Subsequently, the Senator from Penobscot, Senator **PLOWMAN** reported that she had delivered the message with which she was charged.

Off Record Remarks

Senator **ROSEN** of Hancock was granted unanimous consent to address the Senate off the Record.

On motion by Senator **BRANNIGAN** of Cumberland, the Honorable **KEVIN L. RAYE**, President of the Senate, declared the Second Regular Session of the 125th Legislature, **ADJOURNED SINE DIE** at 1:02 in the afternoon, in memory of and lasting tribute to Captain Jay Brainard of Newport and to all those who have selflessly given their lives in service to our nation and the cause of freedom.