

MAINE STATE LEGISLATURE

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Senate Legislative Record
One Hundred and Twenty-Sixth Legislature

State of Maine

Daily Edition

Second Regular Session
beginning January 8, 2014

beginning at Page 1544

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

In Senate Chamber
Wednesday
January 8, 2014

Pursuant to the provisions of Article 5, Part 1, Section 1 of the Constitution and the laws of the State of Maine, the Senate convened in the Senate Chamber at ten o'clock in the morning and was called to order by President **JUSTIN L. ALFOND** of Cumberland County.

Prayer by Department Chaplain Pat Grant, American Legion Auxiliary of Maine.

CHAPLAIN GRANT: Good morning ladies and gentlemen and special guests. I'd like to lead us now in prayer. Heavenly Father, during this festive time of year we, as Your people, pause and reflect on Your abundant blessings. We thank You for our family and friends. We thank You for the gifts of this great nation and for the gift of our liberty. While we reflect on our many blessings, we also remember those who are separated from family and friends, especially the men and women of our Armed Forces. May they know our untiring support for them and their families for the sacrifices they make for us each day. Give us the strength to face challenges. Give us a loving spirit so that compassion for our fellow citizens and their deepest concerns may find a place in our deliberations. Give us wisdom, discernment, and good judgment so that we may serve what is to the best interest and common good of the nation and to the general welfare of all people. Do bless us today and every day as we begin this important work and may all that is done here be done for the greater honor and glory. We ask this in your holy name. Amen.

Posting of the Colors by American Legion Auxiliary of Maine.

National Anthem performed by Senator Emily Ann Cain of Penobscot County.

Pledge of Allegiance led by Senator James A. Boyle of Cumberland County.

Doctor of the day, Guy Raymond, MD of Wallagrass and Jack Forbush, DO of Hampden.

QUORUM CALL

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#385)

PRESENT: Senators: BOYLE, BURNS, CAIN, CLEVELAND, COLLINS, CRAVEN, CUSHING, DUTREMBLE, FLOOD, GERZOFKY, GRATWICK, HAMPER, HASKELL, HILL, JACKSON, JOHNSON, KATZ, LACHOWICZ, LANGLEY, MASON, MAZUREK, MILLETT, PATRICK, PLUMMER, SAVIELLO, SHERMAN, THIBODEAU, THOMAS, TUTTLE, VALENTINO, VITELLI, WHITEMORE, WOODBURY, YOUNGBLOOD, THE PRESIDENT - JUSTIN L. ALFOND

35 Senators having answered the Roll, the Chair declared a quorum present.

Out of order and under suspension of the Rules, on motion by Senator **JACKSON** of Aroostook, the following Senate Order:
S.O. 22

Ordered, that a message be sent to Governor Paul R. LePage, informing him that a quorum of Senators is assembled in the Senate Chamber for the consideration of such business as may come before the Senate.

READ and PASSED.

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

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

Out of order and under suspension of the Rules, on motion by Senator **HASKELL** of Cumberland, the following Senate Order:
S.O. 23

Ordered, that a message be sent to the House of Representatives informing that Body that a quorum of Senators is present for the consideration of such business as may come before the Senate.

READ and PASSED.

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

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

Senate at Ease.

Senate called to order by the President.

COMMUNICATIONS

The Following Communication: S.P. 670

December 23, 2013

Honorable Justin L. Alfond
President of the Senate
126th Legislature

Honorable Mark W. Eves
Speaker of the House
126th Legislature

Dear Mr. President and Mr. Speaker:

On December 23, 2013, 44 bills were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 308.2, these bills were referred to the Joint Standing Committees on December 23, 2013, as follows:

Agriculture, Conservation and Forestry

Bill "An Act To Clarify the Confidentiality of Wood Processor Report Information" (S.P. 660) (L.D. 1665) (Sponsored by Senator LANGLEY of Hancock) (Cosponsored by Representative WILSON of Augusta and Representatives: MAREAN of Hollis, GIFFORD of Lincoln) (Submitted by the Department of Agriculture, Conservation and Forestry pursuant to Joint Rule 204.)

Appropriations and Financial Affairs

Bill "An Act To Fund Merit and Longevity Pay for Executive, Judicial and Legislative Branch Employees Pursuant to a Collective Bargaining Agreement" (EMERGENCY) (S.P. 630) (L.D. 1639) (Sponsored by Senator SAVIELLO of Franklin) (Cosponsored by Representative WILSON of Augusta and Senators: JACKSON of Aroostook, CAIN of Penobscot, Representatives: MARKS of Pittston, GRANT of Gardiner) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Ensure Equity in Teacher Retirement Costs for Private Academies" (EMERGENCY) (S.P. 651) (L.D. 1657) (Sponsored by Senator LANGLEY of Hancock) (Cosponsored by Representative NELSON of Falmouth and Senator: JOHNSON of Lincoln, Representatives: JOHNSON of Greenville, RANKIN of Hiram, McCLELLAN of Raymond, WILLETTE of Mapleton, KORNFIELD of Bangor, HUBBELL of Bar Harbor, MacDONALD of Boothbay) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Criminal Justice and Public Safety

Bill "An Act To Increase Safety for Victims of Domestic Violence" (S.P. 649) (L.D. 1656) (Sponsored by Senator CAIN of Penobscot) (Cosponsored by Representative HERBIG of Belfast and Senators: VALENTINO of York, CRAVEN of Androscoggin, FLOOD of Kennebec, GERZOFISKY of Cumberland, President ALFOND of Cumberland, JACKSON of Aroostook, MILLETT of Cumberland, Representative: FREDETTE of Newport) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Education and Cultural Affairs

Bill "An Act To Increase Transparency of Administration Costs within the University of Maine System" (S.P. 621) (L.D. 1630) (Sponsored by Senator THOMAS of Somerset) (Cosponsored by Representative MAKER of Calais and Senators: CRAVEN of Androscoggin, COLLINS of York, LANGLEY of Hancock, Representatives: FREDETTE of Newport, GILL WAY of Searsport, GIFFORD of Lincoln, THERIAULT of Madawaska) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Clarify the School Budget Development Process in Certain Charter Municipalities" (EMERGENCY) (S.P. 626) (L.D. 1635) (Sponsored by Senator GRATWICK of Penobscot) (Cosponsored by Representative PRIEST of Brunswick and Senators: CRAVEN of Androscoggin, GERZOFISKY of Cumberland, BOYLE of Cumberland, HASKELL of Cumberland, PATRICK of Oxford, Representatives: GRAHAM of North Yarmouth, MacDONALD of Boothbay, THERIAULT of Madawaska) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Improve Educational Outcomes for Students in Poverty in Maine's Public Schools" (EMERGENCY) (S.P. 629) (L.D. 1638) (Sponsored by Senator GRATWICK of Penobscot) (Cosponsored by Representative BERRY of Bowdoinham and Senator: President ALFOND of Cumberland, Representatives: McCABE of Skowhegan, SAUCIER of Presque Isle, KORNFIELD of Bangor, GRANT of Gardiner, KUSIAK of Fairfield, COOPER of Yarmouth, JORGENSEN of Portland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Energy, Utilities and Technology

Bill "An Act To Require a Timely Response by a Gas Company to a Municipal Request for Service Expansion" (S.P. 619) (L.D. 1628) (Sponsored by Senator GRATWICK of Penobscot) (Cosponsored by Representative THERIAULT of Madawaska and Senators: VALENTINO of York, MILLETT of Cumberland, PATRICK of Oxford, Representatives: DILL of Old Town, GRAHAM of North Yarmouth, KUMIEGA of Deer Isle, BERRY of Bowdoinham, MacDONALD of Boothbay) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Make Changes to the So-called Dig Safe Law" (S.P. 638) (L.D. 1647) (Sponsored by Senator CLEVELAND of Androscoggin) (Cosponsored by Representative HOBBS of Saco) (Submitted by the Public Utilities Commission pursuant to Joint Rule 204.)

Bill "An Act To Support Solar Energy Development in Maine" (S.P. 644) (L.D. 1652) (Sponsored by Senator VITELLI of Sagadahoc) (Under suspension of the rules, cosponsored by Senator SAVIELLO of Franklin and Senators: President ALFOND of Cumberland, L ANGLE of Hancock, JACKSON of Aroostook, BOYLE of Cumberland, MILLETT of Cumberland, Representatives: HOBBS of Saco, Speaker EVES of North Berwick, McCABE of Skowhegan, MORRISON of South Portland, BEAVERS of South Berwick, HUBBELL of Bar Harbor, GRANT of Gardiner, DORNEY of Norridgewock, GIDEON of Freeport, McGOWAN of York, RYKERSON of Kittery, BERRY of Bowdoinham) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Environment and Natural Resources

Bill "An Act To Allow an Earlier Implementation Date for an Architectural Paint Stewardship Program" (S.P. 625) (L.D. 1634) (Sponsored by Senator SAVIELLO of Franklin) (Cosponsored by Representative GRANT of Gardiner and Senators: BOYLE of Cumberland, VITELLI of Sagadahoc, Representative: HUBBELL of Bar Harbor) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Allow Municipalities To Stabilize Sand Dunes Affected by Actions of the Federal Government" (S.P. 635) (L.D. 1644) (Sponsored by Senator VALENTINO of York) (Cosponsored by Representative CHENETTE of Saco and Senators: COLLINS of York, BOYLE of Cumberland, Representatives: HOBBS of Saco, ROCHELO of Biddeford) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Health and Human Services

Bill "An Act To Provide a More Efficient and Reliable System of Nonemergency Transportation for MaineCare Members" (EMERGENCY) (S.P. 627) (L.D. 1636) (Sponsored by Senator LACHOWICZ of Kennebec) (Cosponsored by Representative THERIAULT of Madawaska and Senators: CRAVEN of Androscoggin, JOHNSON of Lincoln, Representatives: BECK of Waterville, GILBERT of Jay, GRAHAM of North Yarmouth, GRANT of Gardiner, GATTINE of Westbrook, FARNSWORTH of Portland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Enhance the Stability and Predictability of Health Care Costs for Returning Veterans and Others by Addressing the Issues Associated with Hospital Charity Care and Bad Debt" (S.P. 631) (L.D. 1640) (Sponsored by Senator JACKSON of Aroostook) (Cosponsored by Speaker EVES of North Berwick and Senators: CRAVEN of Androscoggin, President ALFOND of Cumberland, SAVIELLO of Franklin, JOHNSON of Lincoln, GRATWICK of Penobscot, Representatives: McCABE of Skowhegan, FARNSWORTH of Portland, BERRY of Bowdoinham) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Clarify the Law Governing Public Disclosure of Health Care Prices" (S.P. 633) (L.D. 1642) (Sponsored by Senator WOODBURY of Cumberland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Resolve, To Terminate a MaineCare Transportation Contract (S.P. 658) (L.D. 1663) (Sponsored by Senator JACKSON of Aroostook) (Under suspension of the rules, cosponsored by Representative GATTINE of

Westbrook and Senators: CRAVEN of Androscoggin, President ALFOND of Cumberland, DUTREMBLE of York, BOYLE of Cumberland, MILLETT of Cumberland, LACHOWICZ of Kennebec, CAIN of Penobscot, HASKELL of Cumberland, Representatives: McCABE of Skowhegan, DORNEY of Norridgewock, HAMANN of South Portland, FARNS WORTH of Portland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.)

Inland Fisheries and Wildlife

Bill "An Act To Amend Certain Provisions of Inland Fisheries and Wildlife Laws" (S.P. 662) (L.D. 1667) (Sponsored by Senator DUTREMBLE of York) (Cosponsored by Senator: BURNS of Washington, Representative: DAVIS of Sangerville) (Submitted by the Department of Inland Fisheries and Wildlife pursuant to Joint Rule 204.)

Insurance and Financial Services

Bill "An Act To Amend the Laws Governing the Provider Profiling Program" (S.P. 620) (L.D. 1629) (Sponsored by Senator HILL of York) (Cosponsored by Speaker EVES of North Berwick and Senators: CRAVEN of Androscoggin, JACKSON of Aroostook, PATRICK of Oxford, Representatives: BEAVERS of South Berwick, VEROW of Brewer, McGOWAN of York, RYKERSON of Kittery, THERIAULT of Madawaska) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Update Citations of Recodified Federal Regulations in the Maine Consumer Credit Code" (S.P. 643) (L.D. 1651) (Sponsored by Senator WHITTEMORE of Somerset) (Cosponsored by Representative TREAT of Hallowell) (Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.)

Judiciary

Bill "An Act Regarding Bad Faith Assertions of Patent Infringement" (S.P. 654) (L.D. 1660) (Sponsored by Senator HASKELL of Cumberland) (Cosponsored by Representative DeCHANT of Bath and Representatives: McCABE of Skowhegan, FOWLE of Vassalboro, BEAULIEU of Auburn, BERRY of Bowdoinham) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Labor, Commerce, Research and Economic Development

Bill "An Act To Extend the Date for a Business in a Tier 2 Location To Qualify for Pine Tree Development Zone Benefits" (S.P. 624) (L.D. 1633) (Sponsored by Senator BOYLE of Cumberland) (Cosponsored by Senators: SAVIELLO of Franklin, PATRICK of Oxford, Representatives: KRUGER of Thomaston, GATTINE of Westbrook, FARNS WORTH of Portland, PEOPLES of Westbrook) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Amend the Workers' Compensation Laws as They Pertain to Employee Representation" (S.P. 632) (L.D. 1641) (Sponsored by Senator PATRICK of Oxford) (Cosponsored by Representative HERBIG of Belfast and Senators: GERZOFISKY of Cumberland, JACKSON of Aroostook, BOYLE of Cumberland, VITELLI of Sagadahoc, Representatives: BRIGGS of Mexico, GILBERT of Jay, THERIAULT of Madawaska, CAMPBELL of Newfield) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Enable the Bureau of Labor Standards To Access Federal Reimbursement by Amending State Law To Conform to Federal Law" (S.P. 634) (L.D. 1643) (Sponsored by Senator PATRICK of Oxford) (Cosponsored by Representative HERBIG of Belfast and Representatives: MALABY of Hancock, VOLK of Scarborough, LOCKMAN of Amherst, HAMANN of South Portland) (Submitted by the Department of Labor pursuant to Joint Rule 204.)

Bill "An Act To Protect Maine Consumers from Abusive and Deceptive Debt Collection Practices" (S.P. 639) (L.D. 1648) (Sponsored by Senator MAZUREK of Knox) (Cosponsored by Representative THERIAULT of Madawaska and Senators: VALENTINO of York, JACKSON of Aroostook, BOYLE of Cumberland, GRATWICK of Penobscot, PATRICK of Oxford, Representatives: McCABE of Skowhegan, BERRY of Bowdoinham) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Create a Program To Provide Training for Unemployed Workers" (S.P. 642) (L.D. 1650) (Sponsored by Senator JACKSON of Aroostook) (Cosponsored by Representative HERBIG of Belfast and Senator: PATRICK of Oxford, Representatives: BEAVERS of South Berwick, PLANTE of Berwick) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Expand and Improve Employment Opportunities in the State" (S.P. 652) (L.D. 1658) (Sponsored by Senator VITELLI of Sagadahoc) (Cosponsored by Representative BERRY of Bowdoinham and Senators: VALENTINO of York, LANGLEY of Hancock, JACKSON of Aroostook, PATRICK of Oxford, Representatives: GILBERT of Jay, BEAVERS of South Berwick, MAKER of Calais, GRANT of Gardiner) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Amend the Uniform Deceptive Trade Practices Act" (S.P. 653) (L.D. 1659) (Sponsored by Senator BOYLE of Cumberland) (Cosponsored by Representative FARNS WORTH of Portland and Senator: SAVIELLO of Franklin, Representatives: KRUGER of Thomaston, McCABE of Skowhegan, SANBORN of Gorham, HERBIG of Belfast, ROCHELO of Biddeford, GATTINE of Westbrook, THERIAULT of Madawaska) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Simplify the Audit Procedures of the Maine Rural Development Authority" (S.P. 661) (L.D. 1666) (Sponsored by Senator CUSHING of Penobscot) (Cosponsored by Representative HERBIG of Belfast and Senator: PATRICK of Oxford, Representatives: WILLETTE of Mapleton, LOCKMAN of Amherst, MASTRACCIO of Sanford) (Submitted by the Department of Economic and Community Development pursuant to Joint Rule 204.)

Bill "An Act To Expedite Training Waiver Decisions for Unemployment Claimants by Transferring Original Jurisdiction from the Unemployment Insurance Commission to the Bureau of Unemployment Compensation" (S.P. 663) (L.D. 1668) (Sponsored by Senator PATRICK of Oxford) (Cosponsored by Representative HERBIG of Belfast and Senator: LANGLEY of Hancock, Representatives: MALABY of Hancock, VOLK of Scarborough, LOCKMAN of Amherst, HAMANN of South Portland) (Submitted by the Department of Labor pursuant to Joint Rule 204.)

Bill "An Act To Standardize and Simplify the Process for Employers To Provide a Drug-free Workplace" (S.P. 664) (L.D. 1669) (Sponsored by Senator CUSHING of Penobscot) (Cosponsored by Representative MALABY of Hancock and Senator: LANGLEY of Hancock, Representatives: DAVIS of Sangerville, VOLK of Scarborough, LOCKMAN of Amherst) (Submitted by the Department of Labor pursuant to Joint Rule 204.)

Taxation

Bill "An Act To Amend the Reporting Requirements for the Business Equipment Tax Exemption" (EMERGENCY) (S.P. 618) (L.D. 1627) (Sponsored by Senator HASKELL of Cumberland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Provide Property Tax Relief to Seniors Residing in Maine" (S.P. 637) (L.D. 1646) (Sponsored by Senator DUTREMBLE of York) (Cosponsored by Representative GOODE of Bangor and Senators: VALENTINO of York, JACKSON of Aroostook, BOYLE of Cumberland, Representatives: BEAVERS of South Berwick, GRANT of Gardiner, KUSIAK of Fairfield) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Make Maine Mills More Competitive by Encouraging the Processing of Forest Products at Mills in the United States" (S.P. 640) (L.D. 1649) (Sponsored by Senator JACKSON of Aroostook) (Cosponsored by Representative HERBIG of Belfast and Senator: PATRICK of Oxford, Representatives: GILBERT of Jay, GOODE of Bangor, SHORT of Pittsfield, HAMANN of South Portland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Amend the Municipal Hardship or Poverty Tax Abatement Law To Reflect the Replacement of the Circuitbreaker Program" (EMERGENCY) (S.P. 647) (L.D. 1654) (Sponsored by Senator SAVIELLO of Franklin) (Cosponsored by Representative BEAVERS of South Berwick and Senator: BOYLE of Cumberland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Clarify the Provisions of a Historic Preservation Tax Credit" (S.P. 655) (L.D. 1661) (Sponsored by Senator CRAVEN of Androscoggin) (Cosponsored by Representative GOODE of Bangor and Senators: VALENTINO of York, GERZOFISKY of Cumberland, JOHNSON of Lincoln, Representatives: ROTUNDO of Lewiston, LAJOIE of Lewiston, WERTS of Auburn) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Encourage Charitable Contributions to Nonprofit Organizations" (S.P. 659) (L.D. 1664) (Sponsored by Senator BOYLE of Cumberland) (Cosponsored by Representative NELSON of Falmouth and Senator: SAVIELLO of Franklin, Representatives: KRUGER of Thomaston, CHIPMAN of Portland, HERBIG of Belfast, KUSIAK of Fairfield, FARNS WORTH of Portland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Transportation

Bill "An Act To Amend the Motor Vehicle Laws" (S.P. 636) (L.D. 1645) (Sponsored by Senator MAZUREK of Knox) (Cosponsored by Representative THERIAULT of Madawaska and Senators: VALENTINO of York, CRAVEN of Androscoggin, COLLINS of York, JACKSON of Aroostook, Representatives: HOBBS of Saco, WILLETTE of Mapleton, BERRY of Bowdoinham) (Submitted by the Secretary of State pursuant to Joint Rule 204.)

Veterans and Legal Affairs

Bill "An Act To Clarify What Constitutes a Contribution to a Candidate" (EMERGENCY) (S.P. 622) (L.D. 1631) (Sponsored by Senator SAVIELLO of Franklin) (Cosponsored by Senators: President ALFOND of Cumberland, LANGLEY of Hancock, YOUNGBLOOD of Penobscot, PATRICK of Oxford, Representatives: FOWLE of Vassalboro, KINNEY of Limington) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Resolve, Directing the Commissioner of Defense, Veterans and Emergency Management To Request the Federal Government To Recognize Environmental Hazards at the Military Training Center in Gagetown, New Brunswick and the Resulting Health Risks and Disabilities Suffered by Certain Members of the Maine National Guard (S.P. 623) (L.D. 1632) (Sponsored by Senator TUTTLE of York) (Cosponsored by Representative LONGSTAFF of Waterville and Representatives: SAUCIER of Presque Isle, SCHNECK of Bangor, KINNEY of Limington, MORIARTY of Cumberland, BEAULIEU of Auburn) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Amend the Laws Regarding Special Food and Beverage Taste-testing Event Licenses" (S.P. 628) (L.D. 1637) (Sponsored by President ALFOND of Cumberland) (Cosponsored by Representative MONAGHAN-DERRIG of Cape Elizabeth and Senators: SAVIELLO of Franklin, BOYLE of Cumberland, Representatives: McCABE of Skowhegan, CHIPMAN of Portland, HERBIG of Belfast, DEVIN of Newcastle, MARKS of Pittston) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Designate the Maine Armed Forces Museum Operated by the Maine Military Historical Society as the Official State Military History Museum" (S.P. 645) (L.D. 1653) (Sponsored by Senator MASON of Androscoggin) (Cosponsored by Representative LONGSTAFF of Waterville and Senators: LANGLEY of Hancock, PATRICK of Oxford, TUTTLE of York, Representatives: SAUCIER of Presque Isle, SCHNECK of Bangor, FOWLE of Vassalboro, KINNEY of Limington, BEAULIEU of Auburn) (Submitted by the Department of Defense, Veterans and Emergency Management pursuant to Joint Rule 204.)

Bill "An Act To Amend the Military Bureau Laws" (S.P. 648) (L.D. 1655) (Sponsored by Senator TUTTLE of York) (Cosponsored by Representative BEAULIEU of Auburn and Representatives: LONGSTAFF of Waterville, SAUCIER of Presque Isle, SCHNECK of Bangor, FOWLE of Vassalboro, KINNEY of Limington) (Submitted by the Department of Defense, Veterans and Emergency Management pursuant to Joint Rule 204.)

Bill "An Act To Clarify the Law Governing the Maintenance of Veterans' Grave Sites" (S.P. 656) (L.D. 1662) (Sponsored by

Senator JOHNSON of Lincoln) (Cosponsored by Representative LONGSTAFF of Waterville and Senators: CRAVEN of Androscoggin, SAVIELLO of Franklin, Representatives: BEAVERS of South Berwick, GRAHAM of North Yarmouth, NADEAU of Winslow) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Resolve, To Require the Director of the Bureau of Maine Veterans' Services To Report on the Administration of the Coordinated Veterans Assistance Fund (EMERGENCY) (S.P. 665) (L.D. 1670) (Sponsored by Senator PATRICK of Oxford) (Cosponsored by Representative BRIGGS of Mexico and Senator: JACKSON of Aroostook, Representatives: CHIPMAN of Portland, FOWLE of Vassalboro, KINNEY of Limington, THERIAULT of Madawaska) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Sincerely,

S/Darek M. Grant Secretary of the Senate

S/Millicent M. MacFarland
Clerk of the House

READ and ORDERED PLACED ON FILE.

Sent down for concurrence.

The Following Communication: S.C. 614

**STATE OF MAINE
126TH LEGISLATURE
OFFICE OF THE PRESIDENT**

September 13, 2013

Honorable Darek Grant
Secretary of the Senate
3 State House Station
Augusta, ME 04333

Dear Secretary Grant:

Pursuant to my authority under Senate Rule 201.3.1 have appointed Senator Eloise Vitelli as chair of the Joint Standing Committee on Agriculture, Conservation and Forestry. She will be replacing Senator Troy Jackson.

If you have any questions, please do not hesitate to contact me.

Sincerely,

S/Justin L. Alfond
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 615

**STATE OF MAINE
126TH LEGISLATURE
OFFICE OF THE PRESIDENT**

September 13, 2013

Honorable Darek Grant
Secretary of the Senate
3 State House Station
Augusta, ME 04333
Dear Secretary Grant:

Pursuant to my authority under Joint Rule 351, S.P. 27, I have appointed Senator Eloise Vitelli to the Joint Select Committee on Maine's Workforce and Economic Future. She will be replacing Senator Seth Goodall. Additionally, I have named Senator Linda Valentino as Senate Chair.

If you have any questions, please do not hesitate to contact me.

Sincerely,

S/Justin L. Alfond
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 617

**STATE OF MAINE
ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE
COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS**

October 17, 2013

Honorable Justin L. Alfond
Senate President
Honorable Mark W. Eves,
Speaker of the House
126th Maine State Legislature
State House
Augusta, Maine 04333

Dear President Alfond and Speaker Eves,

Pursuant to Joint Rule 310, we are writing to notify you that we have approved the request by the bill sponsor Rep. Beck of Waterville, to report the following bill Leave to Withdraw:

L.D. 300 An Act To Protect School Administrative Units
and Taxpayers

Sincerely,

S/Rebecca J. Millett
Senate Chair

S/Rep. W. Bruce MacDonald
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 616

**STATE OF MAINE
ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE
COMMITTEE ON INLAND FISHERIES AND WILDLIFE**

November 21, 2013

Honorable Justin L. Alfond
Senate President
Honorable Mark W. Eves
Speaker of the House
126th Maine State Legislature
State House
Augusta, Maine 04333

Dear President Alfond and Speaker Eves,

Pursuant to Joint Rule 310, we are writing to notify you that we have approved the request by the bill sponsor Rep. Shaw of Standish, to report the following bill Leave to Withdraw:

L.D. 931 An Act To Prevent Fish Kills and To Allow for
Recreational Use of Sebago Lake

Sincerely,

S/Sen. David E. Dutremble
Senate Chair

S/Rep. Michael A. Shaw
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 618

**MAINE STATE LEGISLATURE
OFFICE OF PROGRAM EVALUATION
AND GOVERNMENT ACCOUNTABILITY**

September 26, 2013

TO: Senator Justin Alfond, President of the Senate
Representative Mark Eves, Speaker of the House
and Republican and Democratic Leaders

From: S/Beth Ashcroft, Director

Re: Public Utilities Commission Report

Enclosed please find the final report from the Office of Program Evaluation and Government Accountability on the Public Utilities Commission. The report is also available on our website at <http://www.maine.gov/legis/opega/Reports.html>. The public comment period on this Report has been scheduled for October 28, 2013 at 9:00 a.m. in Room 206 Cross Building.

If you have any questions, please do not hesitate to give me a call.

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

The Following Communication: S.C. 619

**STATE OF MAINE
OFFICE OF TAX POLICY
MAINE REVENUE SERVICES**

October 1, 2013

Senate President Alford
Speaker of the House Eves
Members of the 126th Maine Legislature:

Pursuant to 5 M.R.S.A. §13070-J, Maine Revenue Services is required to submit a report to the Legislature identifying the revenue foregone as the result of the Jobs and Investment Tax Credit ("JITC"), the Research Expense Tax Credit ("R&D"), the Seed Capital Investment Tax Credit, the Shipbuilding Facility Credit, the Credit for Pollution-Reducing Boilers, and public funds spent on the Business Equipment Tax Reimbursement ("BETR") program. Attached are four reports that provide you with this information.

The first attachment shows the number of individual and corporate JITC, R&D, and Seed Capital credits for tax year 2011, as well as the value of those credits. Tax year 2011 is the last year for which we have full information on both corporate and individual filers. Statutes governing the release of confidential taxpayer information prevent us from reporting the names of the corporations or individuals that benefited from these tax credits. No taxpayer took advantage of the Credit for Pollution-Reducing Boilers for tax year 2011.

The second attachment explains the Shipbuilding Facility credit. As required by statute, the report provides information on the level of employment, yearly investment and the cumulative amount of investment. Since the inception of the credit, the level of employment has been such that the annual cost to the state treasury has exceeded the base credit amount of \$3 million per year.

The third attachment is a list of BETR recipients. For purposes of this report, businesses that filed for reimbursement during the fiscal year ending June 30, 2013 are listed. Recipients filed between August 1, 2012 and December 31, 2012 for eligible property taxes paid during calendar year 2011. For that period the state reimbursed \$48,847,400 to approximately 1.668 companies.

Public Law 2009, chapter 337 (LD 1468) amended the definition of "economic development incentive" in § 13070-J to include not only the incentives listed above, but "federal and state statutorily defined

programs that receive state funds, dedicated revenue funds and tax expenditures as defined by §1666 whose purposes are to create, attract or retain business entities related to business development in the State." The additional incentives identified in this new law can be found in the Maine State Tax Expenditure Report 2014 -2015 prepared for the Joint Standing Committee on Taxation.

If you have any questions on this report please do not hesitate to contact me.

Sincerely,

S/Michael J. Allen

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

The Following Communication: S.C. 620

**STATE OF MAINE
DEPARTMENT OF AUDIT**

October 3, 2013

The Honorable Paul R. LePage Governor of Maine
The Honorable Justin L. Alford President of the Senate
The Honorable Mark W. Eves Speaker of the House of Representatives

I am pleased to submit our *Report on State Agency Follow-up to Referrals from the State Auditor's Fraud Hotline*. The Department of Audit completed procedures to determine whether State agencies performed adequate follow-up, and to identify the outcome of follow-up activities.

A summary of our findings is attached.

Sincerely,

S/Pola A. Buckley, CPA, CISA
State Auditor

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

The Following Communication: S.C. 621

STATE WORKFORCE INVESTMENT BOARD

October 24, 2013

The Honorable Justin Alford
President of the Senate
Maine State Senate
3 State House Station
Augusta, ME 04333-0003

Dear President Alford:

Pursuant to 26 MRSA, Chapter 25, § 2006, Sub § 5-B enclosed are copies of the 2013 Annual Report prepared by the Commission on Disability and Employment.

We are very enthusiastic about the recent restructuring of the State Workforce Investment Board and as its Subcommittee on Disability and Employment and look forward to working with the Executive and Legislative Branches of State Government to increase employment of people with disabilities in Maine.

If you have any questions concerning this report, please feel free to contact me at 591-5300 or by email at mclarrage1@maine.rr.com.

Sincerely,

S/Mel Clarrage, Chair
Commission on Disability and Employment
State Workforce Investment Board

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

The Following Communication: S.C. 622

**MAINE STATE LEGISLATURE
OFFICE OF PROGRAM EVALUATION
AND GOVERNMENT ACCOUNTABILITY**

December 17, 2013

TO: Senator Justin Alford, President of the Senate
Representative Mark Eves, Speaker of the House
and Democratic and Republican Leaders

From: S/Beth Ashcroft, Director

Re: Healthy Maine Partnerships' FY13 Contracts and Funding Report

Enclosed please find the final report from the Office of Program Evaluation and Government Accountability on the Healthy Maine Partnerships' FY13 Contracts and Funding. The report is also available on our website at <http://www.vvav.maine.gov/legis/opega/Reports.htm>. The public comment period on this Report has been scheduled for January 10, 2014 at 9:00 a.m. in Room 220 Cross Building.

If you have any questions, please do not hesitate to give me a call.

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

The Following Communication: S.C. 623

**COMMISSION TO STUDY LONG-TERM CARE FACILITIES
126TH LEGISLATURE 1ST SESSION**

December 19, 2013

The Honorable Justin L. Alford
Maine State Senate
The Honorable Mark W. Eves,
Speaker Maine House of Representatives
State House
Augusta, Maine 04333

Dear President Alford and Speaker Eves:

Pursuant to Resolve 2013, Chapter 78, the Commission to Study Long-term Care Facilities is pleased to submit its final report. Copies of the full report have been distributed to committees and individuals as directed by law and copies have been placed on file with the Law and Legislative Reference Library. Others may access the full report on-line through the website of the Office of Policy and Legal Analysis at www.maine.gov/legis/opla.

Sincerely,

S/Sen. Margaret M. Craven
Senate Chair

S/Rep. Peter C. Stuckey
House Chair

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

SENATE PAPERS

Bill "An Act To Further Delegate Permit-granting Authority to the Bureau of Forestry"

S.P. 657 L.D. 1673

Presented by Senator BOYLE of Cumberland.
Cosponsored by Representative MAREAN of Hollis and Senator: LANGLEY of Hancock, Representatives: GIFFORD of Lincoln, WILSON of Augusta.
Submitted by the Department of Agriculture, Conservation and Forestry pursuant to Joint Rule 204.

Bill "An Act To Further Ensure the Provision of Safe Medical Marijuana to Maine Patients" (EMERGENCY)

S.P. 641 L.D. 1674

Presented by Senator SAVIELLO of Franklin.
Cosponsored by Representative DILL of Old Town and Senators: BOYLE of Cumberland, JACKSON of Aroostook, VITELLI of Sagadahoc, Representatives: CRAY of Palmyra, GATTINE of Westbrook, McCABE of Skowhegan, ROCHELO of Biddeford, WILLETTE of Mapleton.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

On motion by Senator **VITELLI** of Sagadahoc, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed.

Sent down for concurrence.

Bill "An Act To Authorize a General Fund Bond Issue To Provide Funds To Develop Lobster Processing Capacity in the State"
S.P. 675 L.D. 1709

Presented by Senator **JACKSON** of Aroostook.
Cosponsored by Representative **CASSIDY** of Lubec and Senators: President **ALFOND** of Cumberland, **BOYLE** of Cumberland, **CAIN** of Penobscot, **DUTREMBLE** of York, **GERZOFISKY** of Cumberland, **GRATWICK** of Penobscot, **HASKELL** of Cumberland, **HILL** of York, **JOHNSON** of Lincoln, **MAZUREK** of Knox, **VITELLI** of Sagadahoc, Representatives: **DEVIN** of Newcastle, **HAMANN** of South Portland, **HUBBELL** of Bar Harbor, **KUSIAK** of Fairfield.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** suggested and ordered printed.

On motion by Senator **HILL** of York, **TABLED** until Later in Today's Session, pending **REFERENCE**.

Bill "An Act To Amend Maine's Emergency Management Laws"
S.P. 650 L.D. 1672

Presented by Senator **PLUMMER** of Cumberland.
Cosponsored by Representative **WILSON** of Augusta and Senators: **BURNS** of Washington, **GERZOFISKY** of Cumberland, Representatives: **BEAULIEU** of Auburn, **MARKS** of Pittston.
Submitted by the Department of Defense, Veterans and Emergency Management pursuant to Joint Rule 204.

On motion by Senator **GERZOFISKY** of Cumberland, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed.

Sent down for concurrence.

Resolve, To Study the Feasibility of Allowing Dispatchers To Transfer E-9-1-1 Calls to Emergency Responders in Other States (EMERGENCY)

S.P. 680 L.D. 1714

Presented by Senator **FLOOD** of Kennebec.
Cosponsored by Speaker **EVES** of North Berwick and Senators: **KATZ** of Kennebec, **THIBODEAU** of Waldo, Representatives: **BEAVERS** of South Berwick, **FREDETTE** of Newport, **WILLETTE** of Mapleton.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** suggested and ordered printed.

On motion by Senator **GERZOFISKY** of Cumberland, **TABLED** until Later in Today's Session, pending **REFERENCE**.

Resolve, Directing the University of Maine System and the Maine Community College System To Study the Establishment of a Pilot Program Based on Oregon's 'Pay Forward, Pay Back' Model of Funding Public Postsecondary Education
S.P. 667 L.D. 1702

Presented by Senator **KATZ** of Kennebec.
Cosponsored by Representative **POULIOT** of Augusta and Representatives: **BEAVERS** of South Berwick, **HUBBELL** of Bar Harbor.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Bill "An Act To Increase College Affordability and the Rate of Degree Completion"

S.P. 668 L.D. 1703

Presented by President **ALFOND** of Cumberland.
Cosponsored by Representative **WILLETTE** of Mapleton and Senators: **BOYLE** of Cumberland, **BURNS** of Washington, **CAIN** of Penobscot, **COLLINS** of York, **CRAVEN** of Androscoggin, **FLOOD** of Kennebec, **GERZOFISKY** of Cumberland, **GRATWICK** of Penobscot, **HASKELL** of Cumberland, **JACKSON** of Aroostook, **JOHNSON** of Lincoln, **KATZ** of Kennebec, **LACHOWICZ** of Kennebec, **LANGLEY** of Hancock, **MAZUREK** of Knox, **MILLETT** of Cumberland, **PATRICK** of Oxford, **SAVIELLO** of Franklin, **VALENTINO** of York, **VITELLI** of Sagadahoc, Representatives: **BEAVERS** of South Berwick, **BERRY** of Bowdoinham, **CAREY** of Lewiston, **CHIPMAN** of Portland, **DEVIN** of Newcastle, **DILL** of Old Town, **EVANGELOS** of Friendship, Speaker **EVES** of North Berwick, **FARNSWORTH** of Portland, **FREDETTE** of Newport, **GOODE** of Bangor, **GRAHAM** of North Yarmouth, **GRANT** of Gardiner, **HAMANN** of South Portland, **HERBIG** of Belfast, **HICKMAN** of Winthrop, **HOBBINS** of Saco, **JOHNSON** of Greenville, **MARKS** of Pittston, **McCABE** of Skowhegan, **MOONEN** of Portland, **MORIARTY** of Cumberland, **MORRISON** of South Portland, **NELSON** of Falmouth, **POULIOT** of Augusta, **PRINGLE** of Windham, **RANKIN** of Hiram, **ROCHELO** of Biddeford, **RYKERSON** of Kittery, **SANBORN** of Gorham, **SAUCIER** of Presque Isle, **WILSON** of Augusta.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

On motion by Senator **MILLETT** of Cumberland, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.

Sent down for concurrence.

Off Record Remarks

Bill "An Act To Prohibit Motorized Recreational Gold Prospecting in Certain Atlantic Salmon and Brook Trout Spawning Habitats" (EMERGENCY)

S.P. 646 L.D. 1671

Presented by Senator BOYLE of Cumberland.
Cosponsored by Representative McCABE of Skowhegan and Senators: MAZUREK of Knox, PATRICK of Oxford, SAVIELLO of Franklin, Representatives: FARNSWORTH of Portland, GATTINE of Westbrook, ROCHELO of Biddeford, SANBORN of Gorham, THERIAULT of Madawaska.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

On motion by Senator **BOYLE** of Cumberland, **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and ordered printed.

Sent down for concurrence.

Bill "An Act To Increase the Use of Dental Services by MaineCare-eligible Children"

S.P. 669 L.D. 1704

Presented by Senator VITELLI of Sagadahoc.
Cosponsored by Senators: CRAVEN of Androscoggin, JOHNSON of Lincoln, LACHOWICZ of Kennebec, PATRICK of Oxford, Representatives: FARNSWORTH of Portland, VOLK of Scarborough.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

On motion by Senator **CRAVEN** of Androscoggin, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

Sent down for concurrence.

Bill "An Act To Make Technical Corrections to the Maine Consumer Credit Code To Facilitate the Multistate Licensing Process"

S.P. 678 L.D. 1712

Presented by Senator WHITTEMORE of Somerset.
Cosponsored by Representative: TREAT of Hallowell.
Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.

On motion by Senator **GRATWICK** of Penobscot, **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES** and ordered printed.

Sent down for concurrence.

Bill "An Act To Amend the Work-sharing Program To Conform with Federal Law" (EMERGENCY)

S.P. 666 L.D. 1701

Presented by Senator PATRICK of Oxford.
Cosponsored by Representative VOLK of Scarborough and Senator: CUSHING of Penobscot, Representatives: MASON of Topsham, RUSSELL of Portland.
Submitted by the Department of Labor pursuant to Joint Rule 204.

Bill "An Act To Retain Call Centers in Maine"

S.P. 676 L.D. 1710

Presented by Senator JACKSON of Aroostook.
Cosponsored by Representative HERBIG of Belfast and Senators: President ALFOND of Cumberland, HASKELL of Cumberland, PATRICK of Oxford, Representatives: Speaker EVES of North Berwick, McCABE of Skowhegan, PLANTE of Berwick.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

On motion by Senator **PATRICK** of Oxford, **REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed.

Sent down for concurrence.

Bill "An Act To Amend the Territory of the Bayville Village Corporation"

S.P. 677 L.D. 1711

Presented by Senator KATZ of Kennebec.
Cosponsored by Senator: JOHNSON of Lincoln, Representative: MacDONALD of Boothbay.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

On motion by Senator **LACHOWICZ** of Kennebec, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

Sent down for concurrence.

Bill "An Act To Conform the Maine Tax Laws to the United States Internal Revenue Code" (EMERGENCY)

S.P. 671 L.D. 1705

Presented by Senator HASKELL of Cumberland.
Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.

Resolve, Authorizing the State Tax Assessor To Convey the Interest of the State in Certain Real Estate in the Unorganized Territory

S.P. 672 L.D. 1706

Presented by Senator HASKELL of Cumberland.
Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.

Bill "An Act To Amend the State's Tax Laws"

S.P. 673 L.D. 1707

Presented by Senator HASKELL of Cumberland.
Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.

On motion by Senator **HASKELL** of Cumberland, **REFERRED** to the Committee on **TAXATION** and ordered printed.

Sent down for concurrence.

Bill "An Act To Permit the Sharing of Revenue from the Sale of Alcoholic Beverages at Sporting Events"

S.P. 679 L.D. 1713

Presented by President ALFOND of Cumberland.
Cosponsored by Representative GRAHAM of North Yarmouth and Senators: HASKELL of Cumberland, TUTTLE of York, Representatives: CHIPMAN of Portland, FARNSWORTH of Portland, GOODE of Bangor, LUCHINI of Ellsworth, MOONEN of Portland, MORIARTY of Cumberland, WILSON of Augusta.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

On motion by Senator **TUTTLE** of York, **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS** and ordered printed.

Sent down for concurrence.

**Pursuant to Statutes
Maine Turnpike Authority**

Senator MAZUREK for the **Maine Turnpike Authority**, pursuant to the Maine Revised Statutes, Title 23, section 1961, subsection 6 asked leave to report that the accompanying Bill "An Act To Make Allocations from Maine Turnpike Authority Funds for the Maine Turnpike Authority for the Calendar Year Ending December 31, 2015"

S.P. 674 L.D. 1708

Be **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed pursuant to Joint Rule 218.

Report **READ** and **ACCEPTED**.

REFERRED to the Committee on **TRANSPORTATION** and ordered printed pursuant to Joint Rule 218.

Sent down for concurrence.

All matters thus acted upon were ordered sent down forthwith for concurrence.

ORDERS

Joint Order

On motion by Senator **KATZ** of Kennebec, the following Joint Order:

S.P. 681

ORDERED, the House concurring, that the Joint Rules be amended by amending Joint Rule 208, last paragraph to read:

When directed by the sponsor, the Revisor of Statutes shall prepare a bill or resolve in concept form. The bill or resolve shall contain only an enacting clause and a summary of the proposed legislation and shall not be fully drafted by the Revisor of Statutes. The bill or resolve prepared in this form shall be printed and referred to a committee in the same manner as other legislation and may be reported in fully drafted form by that committee in the same manner as other legislation. This method of drafting legislation is not allowed for legislation submitted by the Governor, by agencies or departments of state government, by study commissions, or pursuant to statute. Any request for a bill or resolve submitted after cloture must state if it is a request for a concept draft. Any committee amendment must be germane to the detailed summary of the concept draft, be reported out of committee as "Ought to Pass in New Draft" pursuant to Joint Rule 310, subsection 4, and be referred back to the committee of jurisdiction for a public hearing and work session in the same manner as other fully drafted bill drafts.

; and be it further

ORDERED, the House concurring, that the Joint Rules be amended by amending Joint Rule 310, subsection 4 to read:

4. Ought to Pass in New Draft Report. When the changes voted by the committee are major, the committee may elect to report the bill out "Ought to Pass in New Draft," with authorization of the presiding officers; except that when a bill is referred to a committee in concept form, authorization of the presiding officers is not necessary to report the bill out "Ought to Pass in New Draft." When a plurality of the committee recommends this report, the chairs shall submit a request for authority to report the bill out in this fashion. New drafts printed pursuant to these rules must include the legislative document number that the new bill replaces and the names of the original sponsor and cosponsors. The Secretary of the Senate and the Clerk of the House shall determine the number of copies that must be printed of each new draft.

READ.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending **PASSAGE**.

Joint Resolution

Joint Resolution in Memoriam:

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

Andre Emerson Cushing, Jr., of Hermon, known as Buddy. Husband of Jane Purcell Cushing, he served 3 years in the United States Army during the Korean War, and then went on to work for the Penobscot County Sheriff's Office. Buddy received an Associate Degree in Forest Management from the University of New Brunswick, Canada and an Associate Degree in Food Management from Eastern Maine Technical Institution. He was a Registered Maine Guide and, with his wife and children, proudly operated Cushing's Allagash Gateway Campground on Ripogenus Lake. Buddy was a member of the Jaycees, Shriners, Masons, Kiwanis International, Bangor City Club and Peony Society of Maine. Gardening, traveling and spending time with his family and friends brought him abundant joy. Buddy will always be remembered for his kindness, patience and compassion. He will be dearly missed by his wife, Jane, his children, grandchildren and other family members and his many friends;

SLS 663

Sponsored by Senator CUSHING of Penobscot.
Cosponsored by Senators: GRATWICK of Penobscot,
THIBODEAU of Waldo, Representative: REED of Carmel.

READ.

THE PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Cushing.

Senator **CUSHING:** Thank you Mr. President. Ladies and gentlemen of the Senate, I'd like to express my appreciation to the Body for taking this opportunity to honor my father. He passed away last month. We all know that we're going to be faced with this situation in our lives, but you are never completely ready for it. I appreciate the many outpourings of support and the many kind messages I received from folks here in this Body and in the institution. I just wanted to take this opportunity to thank you for your kindness.

THE PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Cain.

Senator **CAIN:** Thank you Mr. President. Men and women of the Senate, I rise to express deep condolence and sympathy to the Senator from Penobscot and his family from so many of us. My take on Mr. Cushing, or Buddy, is that of a fan of Andre. Over the past several years, as the Senator and I have served in the Legislature together, we attend many events together. It is very common that Jane and Buddy would come to those events and ultimately introduce themselves as Andre's parents and smile with great pride and great admiration at the work of their son and, by

extention, their entire family. It has been my pleasure to know them and certainly we all send our deep sympathy and appreciation for all of those good times and all the community service that he did over the years. We send our best to Jane and to the entire family. Thank you, Mr. President.

THE PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator Jackson.

Senator **JACKSON:** Thank you Mr. President. Ladies and gentlemen of the Senate, I rise to try and offer words that I don't know exactly how to say them. At a time like this there is really nothing that I have never known to say other than I certainly know, as a son and a father, the bond. As a Senator and in this caucus, I am very sorry for your loss and hope that your heart heals.

THE PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Gratwick.

Senator **GRATWICK:** Thank you very much Mr. President. I, too, rise to express my sadness and condolences. Having known Buddy and his wife, Jane, actually a number of years before I knew Senator Cushing, he was an institution in our community. They were always there. They were present. They were very giving of themselves. They were really a role model for what I think people should be doing these days. My condolences and sadness.

ADOPTED.

Sent down for concurrence.

REPORTS OF COMMITTEES

Senate

Change of Committee

Senator JOHNSON for the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Support School Nutrition and Expand the Local Foods Economy" (EMERGENCY)
S.P. 517 L.D. 1431

Reported that the same be **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY**.

Report **READ** and **ACCEPTED**.

REFERRED to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY**.

Sent down for concurrence.

All matters thus acted upon were ordered sent down forthwith for concurrence.

At this point a message was received from the House of Representatives, borne by Representative BERRY of Bowdoinham, informing the Senate that a quorum of Representatives was assembled for the consideration of such business as may come before that Body.

On motion by Senator **JACKSON** of Aroostook, **ADJOURNED**, until Thursday, January 9, 2014, at 10:00 in the morning, in memory of and lasting tribute to Andre Emerson Cushing, Jr., of Hermon.

Senate at Ease.

Senate called to order by the President.

Senator **MILLETT** of Cumberland was granted unanimous consent to address the Senate off the Record.

Senator **JACKSON** of Aroostook was granted unanimous consent to address the Senate off the Record.

Senator **KATZ** of Kennebec was granted unanimous consent to address the Senate off the Record.

Senator **HILL** of York was granted unanimous consent to address the Senate off the Record.

Senator **YOUNGBLOOD** of Penobscot was granted unanimous consent to address the Senate off the Record.

Senator **JACKSON** of Aroostook was granted unanimous consent to address the Senate off the Record.

Senator **HASKELL** of Cumberland was granted unanimous consent to address the Senate off the Record.

Off Record Remarks

Senator **TUTTLE** of York was granted unanimous consent to address the Senate off the Record.

Senator **MAZUREK** of Knox was granted unanimous consent to address the Senate off the Record.