

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
Thursday
February 20, 2014

Senate called to order by President Justin L. Alford of Cumberland County.

Prayer by Doctor David Smith, First Congregational Church of Wilton.

DOCTOR SMITH: Eternal God, we are here today to listen, to discuss, to deliberate, to think carefully about that which is best for all of the people in the state of Maine, and then to vote. The decisions of all in this Chamber are very important. We all need Your strength and Your wisdom. May we respect all that You have made, O God, and we hope we learn from all Your creation. Maine is still a natural wonder. Help us to keep it as we know it should be kept. This winter the weather has been an interesting challenge and we pray that You will help us to come to You and to each other with honesty and hope and all of the best that is within each one of us that will help us prepare for not only this day but for the future as well. Amen.

Pledge of Allegiance led by Senator Thomas B. Saviello of Franklin County.

Reading of the Journal of Tuesday, February 18, 2014.

Doctor of the day, Sydney Sewall, MD of Hallowell.

Out of order and under suspension of the Rules, on motion by Senator **JACKSON** of Aroostook, the following Joint Order:
S.P. 712

Ordered, the House concurring, that when the Senate and House adjourn, they do so until Tuesday, February 25, 2014 at 10:00 in the morning.

READ and PASSED.

Ordered sent down forthwith for concurrence.

Off Record Remarks

COMMUNICATIONS

The Following Communication: S.C. 757

STATE OF MAINE
ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE
COMMITTEE ON MARINE RESOURCES

February 19, 2014

The Honorable Justin L. Alford
President of the Senate of Maine
126th Maine State Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Marine Resources has had under consideration the nomination of Michael J. Faulkingham of South Portland, for appointment to the Marine Resources Advisory Council.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	2	Johnson of Lincoln, Mazurek of Knox
	Representatives	8	Chapman of Brooksville, Devin of Newcastle, Doak of Columbia Falls, Kruger of Thomaston, Parry of Arundel, Saxton of Harpswell, Weaver of York, Winchenbach of Waldoboro

NAYS 0

ABSENT 3
Sen. Woodbury of Cumberland, Rep. Kumiega of Deer Isle, Rep. Dickerson of Rockland

Ten members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Michael J. Faulkingham of South Portland, for appointment to the Marine Resources Advisory Council be confirmed.

Signed,

S/Christopher K. Johnson
Senate Chair

S/Walter A. Kumiega
House Chair

READ and ORDERED PLACED ON FILE.

LEGISLATIVE RECORD - SENATE, THURSDAY, FEBRUARY 20, 2014

The President laid before the Senate the following: "Shall the recommendation of the Committee on **MARINE RESOURCES** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 126th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#420)

YEAS: Senators: None

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

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Michael J. Faulkingham** of South Portland for appointment to the Marine Resources Advisory Council was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

The Following Communication: S.C. 759

**STATE OF MAINE
ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE
COMMITTEE ON VETERANS AND LEGAL AFFAIRS**

February 19, 2014

The Honorable Justin L. Alfond
President of the Senate of Maine
126th Maine State Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Veterans and Legal Affairs has had under consideration the nomination of Barbara J. Dresser of Saco, for reappointment to the Gambling Control Board.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	2	Tuttle of York, Mason of Androscoggin
	Representatives	8	Luchini of Ellsworth, Beaulieu of Auburn, Fowle of Vassalboro, Kinney of Limington, Longstaff of Waterville, Saucier of Presque Isle, Schneck of Bangor, Turner of Burlington

NAYS 0

ABSENT 3 Sen. Patrick of Oxford, Rep. Gifford of Lincoln, Rep. Russell of Portland

Rep. Mitchell of Penobscot Nation was absent.

Ten members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Barbara J. Dresser of Saco, for reappointment to the Gambling Control Board be confirmed.

Signed,

S/John L. Tuttle
Senate Chair

S/Louis J. Luchini
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **VETERANS AND LEGAL AFFAIRS** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 126th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#421)

YEAS: Senators: None

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

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Barbara J. Dresser** of Saco for reappointment to the Gambling Control Board was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

The Following Communication: S.C. 760

**STATE OF MAINE
ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE
COMMITTEE ON VETERANS AND LEGAL AFFAIRS**

February 19, 2014

The Honorable Justin L. Alford
President of the Senate of Maine
126th Maine State Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Veterans and Legal Affairs has had under consideration the nomination of Joseph P. Laliberte of Lewiston, for reappointment to the Gambling Control Board.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	2	Tuttle of York, Mason of Androscoggin
	Representatives	8	Luchini of Ellsworth, Beaulieu of Auburn, Fowle of Vassalboro, Kinney of Limington, Longstaff of Waterville, Saucier of Presque Isle, Schneck of Bangor, Turner of Burlington
NAYS		0	
ABSENT		3	Sen. Patrick of Oxford, Rep. Gifford of Lincoln, Rep. Russell of Portland

Rep. Mitchell of Penobscot Nation was absent.

Ten members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Joseph P. Laliberte of Lewiston, for reappointment to the Gambling Control Board be confirmed.

Signed,

S/John L. Tuttle
Senate Chair

S/Louis J. Luchini
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **VETERANS AND LEGAL AFFAIRS** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 126th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#422)

YEAS: Senators: None

NAYS: 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, WHITTEMORE, WOODBURY, YOUNGBLOOD, THE PRESIDENT – JUSTIN L. ALFOND

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Joseph P. Laliberte** of Lewiston for reappointment to the Gambling Control Board was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

The Following Communication: S.C. 758

**STATE OF MAINE
ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE
COMMITTEE ON VETERANS AND LEGAL AFFAIRS**

February 19, 2014

LEGISLATIVE RECORD - SENATE, THURSDAY, FEBRUARY 20, 2014

The Honorable Justin L. Alfond
President of the Senate of Maine
126th Maine State Legislature
State House
Augusta, Maine 04333-0003
Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Veterans and Legal Affairs has had under consideration the nomination of Ralph W. Sarty, Jr. of Denmark, for appointment to the State Liquor and Lottery Commission.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	2	Tuttle of York, Mason of Androscoggin
	Representatives	8	Luchini of Ellsworth, Beaulieu of Auburn, Fowle of Vassalboro, Kinney of Limington, Longstaff of Waterville, Saucier of Presque Isle, Schneck of Bangor, Turner of Burlington
NAYS		0	
ABSENT		3	Sen. Patrick of Oxford, Rep. Gifford of Lincoln, Rep. Russell of Portland

Rep. Mitchell of Penobscot Nation was absent.

Ten members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Ralph W. Sarty, Jr. of Denmark, for appointment to the State Liquor and Lottery Commission be confirmed.

Signed,

S/John L. Tuttle
Senate Chair

S/Louis J. Luchini
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **VETERANS AND LEGAL AFFAIRS** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 126th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#423)

YEAS: Senators: None

NAYS: 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, WHITTEMORE, WOODBURY, YOUNGBLOOD, THE PRESIDENT – JUSTIN L. ALFOND

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Ralph W. Sarty, Jr.** of Denmark for appointment to the State Liquor and Lottery Commission was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

Off Record Remarks

The Following Communication: S.C. 750

**STATE OF MAINE
126TH LEGISLATURE**

January 22, 2014

Chief Justice Leigh I. Saufley
Maine Supreme Judicial Court
Cumberland County Courthouse
205 Newbury Street, Room 139
Portland, Maine 04101

Dear Chief Justice Saufley:

We are pleased to invite you to address a Joint Session of the 126th Maine Legislature on Tuesday, February 25, 2014 at 11:00 a.m. concerning the State of the Judiciary and any other matters that you may care to bring to our attention.

We look forward to seeing you then.

Sincerely,

S/Justin L. Alfond
President of the Senate

S/Mark W. Eves
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 751

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

February 14, 2014

The Honorable Justin L. Alford
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Alford,

This is to inform you that I am today nominating the following for appointment to the Efficiency Maine Trust Board:

Scott C. Dunning of Hampden
Lenora Burke of Brunswick
Kenneth C. Fletcher of Winslow

Pursuant to Title 35-A, MRSA §10103, these appointments are contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Energy, Utilities and Technology.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 752

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

February 14, 2014

The Honorable Justin L. Alford
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Alford,

This is to inform you that I am today nominating Carleton L. Barnes, Jr. of Calais for reappointment to the State Board of Corrections.

Pursuant to Title 34-A, MRSA §1802, this reappointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Criminal Justice and Public Safety.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 753

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

February 14, 2014

The Honorable Justin L. Alford
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Alford,

This is to inform you that I am today nominating Richard E. Stevenson, Jr. of Bath for reappointment to the Board of Pesticides Control.

Pursuant to Title 22, MRSA §1471-B, this reappointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Agriculture, Conservation and Forestry.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 754

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

February 14, 2014

The Honorable Justin L. Alford
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Alford,

This is to inform you that I am today nominating Stanley K. Millay of Appleton for appointment to the Maine Milk Commission.

Pursuant to Title 7, MRSA §2952, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Agriculture, Conservation and Forestry.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 755

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

February 14, 2014

The Honorable Justin L. Alfond
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Alfond,

This is to inform you that I am today nominating Neil G. Piper of Gorham for appointment to the Land for Maine's Future Board.

Pursuant to Title 5, MRSA §6204, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Agriculture, Conservation and Forestry.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 756

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

February 13, 2014

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

Dear President Alfond and Speaker Eves:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Education and Cultural Affairs has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 1630 An Act To Increase Transparency of Administration Costs within the University of Maine System

L.D. 1684 An Act Regarding Eligibility of Children Placed in Guardianship for the School Lunch and Milk Program

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,

S/Sen. Rebecca J. Millett
Senate Chair

S/Rep. W. Bruce MacDonald
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

Senate at Ease.

Senate called to order by the President.

ORDERS

Joint Resolution

On motion by Senator **JACKSON** of Aroostook (Cosponsored by Senators: President **ALFOND** of Cumberland, **BOYLE** of Cumberland, **BURNS** of Washington, **CAIN** of Penobscot, **CLEVELAND** of Androscoggin, **COLLINS** of York, **CRIVEN** of Androscoggin, **CUSHING** of Penobscot, **DUTREMBLE** of York, **FLOOD** of Kennebec, **GERZOFISKY** of Cumberland, **GRATWICK** of Penobscot, **HAMPER** of Oxford, **HASKELL** of Cumberland, **HILL** of York, **JOHNSON** of Lincoln, **KATZ** of Kennebec, **LACHOWICZ** of Kennebec, **LANGLEY** of Hancock, **MASON** of Androscoggin, **MAZUREK** of Knox, **MILLETT** of Cumberland, **PATRICK** of Oxford, **PLUMMER** of Cumberland, **SAVIELLO** of Franklin, **SHERMAN** of Aroostook, **THIBODEAU** of Waldo, **THOMAS** of Somerset, **TUTTLE** of York, **VALENTINO** of York, **VITELLI** of Sagadahoc, **WHITTEMORE** of Somerset, **WOODBURY** of Cumberland, **YOUNGBLOOD** of Penobscot, Representatives: **AYOTTE** of Caswell, **BEAR** of the Houlton Band of Maliseet Indians, **BEAUDOIN** of Biddeford, **BEAULIEU** of Auburn, **BEAVERS** of South Berwick, **BECK** of Waterville, **BENNETT** of Kennebunk, **BERRY** of Bowdoinham, **BLACK** of Wilton, **BOLAND** of Sanford, **BOLDUC** of Auburn, **BRIGGS** of Mexico, **BROOKS** of Winterport, **CAMPBELL** of Newfield, **CAMPBELL** of Orrington, **CAREY** of Lewiston, **CASAVANT** of Biddeford, **CASSIDY** of Lubec, **CHAPMAN** of Brooksville, **CHENETTE** of Saco, **CHIPMAN** of Portland, **CLARK** of Easton, **COOPER** of Yarmouth, **COTTA** of China, **CRAFTS** of Lisbon, **CRAY** of Palmyra, **CROCKETT** of Bethel, **DAUGHTRY** of

Brunswick, DAVIS of Sangerville, DeCHANT of Bath, DEVIN of Newcastle, DICKERSON of Rockland, DILL of Old Town, DION of Portland, DOAK of Columbia Falls, DORNEY of Norridgewock, DUNPHY of Embden, DUPREY of Hampden, ESPLING of New Gloucester, EVANGELOS of Friendship, Speaker EVES of North Berwick, FARNSWORTH of Portland, FITZPATRICK of Houlton, FOWLE of Vassalboro, FREDETTE of Newport, FREY of Bangor, GATTINE of Westbrook, GIDEON of Freeport, GIFFORD of Lincoln, GILBERT of Jay, GILLWAY of Searsport, GOODE of Bangor, GRAHAM of North Yarmouth, GRANT of Gardiner, GUERIN of Glenburn, HAMANN of South Portland, HARLOW of Portland, HARVELL of Farmington, HAYES of Buckfield, HERBIG of Belfast, HICKMAN of Winthrop, HOBBS of Saco, HUBBELL of Bar Harbor, JOHNSON of Eddington, JOHNSON of Greenville, JONES of Freedom, JORGENSEN of Portland, KAENRATH of South Portland, KENT of Woolwich, KESCHL of Belgrade, KINNEY of Limington, KNIGHT of Livermore Falls, KORNFIELD of Bangor, KRUGER of Thomaston, KUMIEGA of Deer Isle, KUSIAK of Fairfield, LAJOIE of Lewiston, LIBBY of Waterboro, LIBBY of Lewiston, LOCKMAN of Amherst, LONG of Sherman, LONGSTAFF of Waterville, LUCHINI of Ellsworth, MacDONALD of Old Orchard Beach, MacDONALD of Boothbay, MAKER of Calais, MALABY of Hancock, MAREAN of Hollis, MARKS of Pittston, MASON of Topsham, MASTRACCIO of Sanford, McCABE of Skowhegan, McCLELLAN of Raymond, McELWEE of Caribou, McGOWAN of York, McLEAN of Gorham, MITCHELL of the Penobscot Nation, MONAGHAN-DERRIG of Cape Elizabeth, MOONEN of Portland, MORIARTY of Cumberland, MORRISON of South Portland, NADEAU of Fort Kent, NADEAU of Winslow, NELSON of Falmouth, NEWENDYKE of Litchfield, NOON of Sanford, NUTTING of Oakland, PARRY of Arundel, PEASE of Morrill, PEAVEY HASKELL of Milford, PEOPLES of Westbrook, PETERSON of Rumford, PLANTE of Berwick, POULIOT of Augusta, POWERS of Naples, PRIEST of Brunswick, PRINGLE of Windham, RANKIN of Hiram, REED of Carmel, ROCHELO of Biddeford, ROTUNDO of Lewiston, RUSSELL of Portland, RYKERSON of Kittery, SANBORN of Gorham, SAUCIER of Presque Isle, SAXTON of Harpswell, SCHNECK of Bangor, SHAW of Standish, SHORT of Pittsfield, SIROCKI of Scarborough, SOCTOMAH of the Passamaquoddy Tribe, STANLEY of Medway, STUCKEY of Portland, THERIAULT of Madawaska, TIMBERLAKE of Turner, TIPPING-SPITZ of Orono, TREAT of Hallowell, TURNER of Burlington, TYLER of Windham, VEROW of Brewer, VILLA of Harrison, VOLK of Scarborough, WALLACE of Dexter, WEAVER of York, WELSH of Rockport, WERTS of Auburn, WILLETTE of Mapleton, WILSON of Augusta, WINCHENBACH of Waldoboro, WINSOR of Norway, WOOD of Sabattus), the following Joint Resolution:

S.P. 713

**JOINT RESOLUTION
CONGRATULATING THE BOSTON RED SOX ON THEIR
WINNING THE 2013 WORLD SERIES**

WHEREAS, on October 30, 2013, the Boston Red Sox won the 2013 World Series by defeating the St. Louis Cardinals at Fenway Park, winning the series for the first time in Boston since 1918; and

WHEREAS, the people of Maine are overwhelmingly tried-and-true members of what is called Red Sox Nation, and the support

and loyalty of Red Sox fans in Maine were richly rewarded with this third World Championship in 10 years; and

WHEREAS, Maine fans of the Red Sox join with the rest of Red Sox Nation in celebrating this wonderful victory in the World Series, especially after the grievous and tragic events of the 2013 Boston Marathon; and

WHEREAS, Maine joined the world in feeling admiration and pride as the 2013 Red Sox exemplified the phrase "Boston Strong," which was coined after the 2013 Boston Marathon tragedy; and

WHEREAS, the Red Sox continue to inspire us all and are a shining example of Boston's courage and determination; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-sixth Legislature now assembled in the Second Regular Session, on behalf of the people we represent, extend our congratulations to all the members of the Boston Red Sox on their winning the 2013 World Series and bringing the championship title back to New England; and be it further

RESOLVED: That a suitable copy of this resolution, duly authenticated by the Secretary of State, be transmitted to the Boston Red Sox with the best wishes of the people of Maine for future victories.

READ.

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

Senator **JACKSON:** Thank you Mr. President. Ladies and gentlemen of the Senate, I really just wanted to quickly get up and say that I know that probably many of us in this Chamber are, but being a lifelong Red Sox fan, certainly way back in '86 and having the heartbreak of '86, 2003 waiting up until, I think, 2 o'clock in the morning, hoping for all hope that they were going to beat the Yankees and go to the World Series and being so ready to call all my Yankee friends as soon as that happened. Again, having that snatched away. Certainly over the last 10 years, having this being the third World Series title, I'm certainly someone that doesn't like to use their position of authority or position in the Legislature to make anything, but I've got to say to all my Yankee friends that I think today I got the last laugh. I'm very excited that the Red Sox again are World Series champions. Thank you.

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

Senator **KATZ:** Thank you Mr. President. Men and women of the Senate, we all just watched the ball go through Senator Jackson's legs but it could happen to anybody. I started going to see the Red Sox in April of 1955. I'll never forget that first day, as I'm sure most of you won't forget your first time at Fenway. Leaving Augusta, where the grass was brown, and going to Fenway and walking up through the tunnel. It was like the opening scene in Oz in the Wizard of Oz. The emerald green of the grass and the big wall. That was the beginning a real love affair for me, and I'm sure for many of us who have had similar experiences. Some of

us have lived longer than others and lived through years of Ted Williams and Jackie Jensen and Jim Lonborg and Carl Yastrzemski and suffered through year after year of not winning the World Series. Finally, this century has been good; 2004, 2007, and 2013. It's been a good run for the Red Sox and hopefully we'll add 2014 to it. I understand that Senator Jackson has taken money out of his PAC and chartering a bus and all of us can go with him down to deliver this Resolution to Boston.

THE PRESIDENT: The Chair recognizes the Senator from York, Senator Tuttle.

Senator **TUTTLE:** Thank you Mr. President. Members of the Senate, my brother is a Yankee fan and he still hasn't gotten over 2003 yet. I was surprised the first time I heard it said the Red Sox were going to win by Senator Katz last year. I said, "Roger, there's no way after the season before." Roger, I'll be listening to you more often in the near future. When I'm not up here I'm an emergency medical technician. I deal with a lot of patients and I had a patient by the name of Jean from Cumberland. He was a great Red Sox fan. In 2002, when they lost to the Yankees in the seventh game, he was very depressed. I said, "You know, Jean, we're lucky that they made it that far and we can say they had a good season." He said, "John, no way. They lost. They have to win." Jean passed away the following month, but I know that when they won in 2003 that he was happy. Also my father-in-law was a great Red Sox fan and he passed away in June. After they won the World Series I got a Red Sox banner and placed it on his grave. I think for a lot of us the Red Sox are our team and, Roger, I'll be listening to you more often.

On motion by Senator **JACKSON** of Aroostook, **ADOPTED.**

Sent down for concurrence.

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Change the Voting Requirements for the Withdrawal of a Municipality from a Regional School Unit" (EMERGENCY)

H.P. 534 L.D. 783

Reported that the same **Ought to Pass as Amended by Committee Amendment "B" (H-611).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-611).**

Report **READ** and **ACCEPTED**, in concurrence.

READ ONCE.

Committee Amendment "B" (H-611) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Amend the Process Controlling the Transfer of a Student between School Administrative Units"

H.P. 1162 L.D. 1591

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-612).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-612).**

Report **READ** and **ACCEPTED**, in concurrence.

READ ONCE.

Committee Amendment "A" (H-612) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Fund the Maine HIV Prevention Education Program within the Department of Education" (EMERGENCY)

H.P. 1223 L.D. 1699

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-613).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-613).**

Report **READ** and **ACCEPTED**, in concurrence.

READ ONCE.

Committee Amendment "A" (H-613) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Require a Mandatory Peer Review Process for the Restraint and Seclusion of Children in a Hospital or Children's Home"

H.P. 726 L.D. 1031

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-610).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-610)**.

Report **READ** and **ACCEPTED**, in concurrence.

READ ONCE.

Committee Amendment "A" (H-610) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

Divided Report

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Restrict the Sale, Purchase and Use of Fireworks in the State"

H.P. 93 L.D. 111

Reported that the same **Ought Not to Pass**.

Signed:

Senators:

DUTREMBLE of York
PLUMMER of Cumberland

Representatives:

DION of Portland
LONG of Sherman
MARKS of Pittston
PEASE of Morrill
TYLER of Windham
WILSON of Augusta

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-593)**.

Signed:

Senator:

GERZOFSKY of Cumberland

Representatives:

KAENRATH of South Portland
LAJOIE of Lewiston
PLANTE of Berwick

Comes from the House with the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

Reports **READ**.

On motion by Senator **GERZOFSKY** of Cumberland, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

Senate

Ought to Pass

Senator TUTTLE for the Committee on **VETERANS AND LEGAL AFFAIRS** on 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

Reported that the same **Ought to Pass**.

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

Under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, in concurrence.

Divided Report

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Resolve, To Create a State-run Virtual Academy Providing Maine Students with Access to Online Learning through Their Existing School Districts (EMERGENCY)

S.P. 689 L.D. 1736

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-392)**.

Signed:

Senators:

MILLETT of Cumberland
JOHNSON of Lincoln
LANGLEY of Hancock

Representatives:

MacDONALD of Boothbay
DAUGHTRY of Brunswick
HUBBELL of Bar Harbor
JOHNSON of Greenville
KORNFELD of Bangor
MAKER of Calais
NELSON of Falmouth
RANKIN of Hiram

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "B" (S-393)**.

Signed:

Representatives:

McCLELLAN of Raymond
POULIOT of Augusta

(Representative SOCTOMAH of the Passamaquoddy Tribe - of the House - supports the Majority **Ought To Pass as Amended by Committee Amendment "A" (S-392)** Report.)

Reports **READ**.

On motion by Senator **MILLETT** of Cumberland, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-392)** Report **ACCEPTED**.

READ ONCE.

Committee Amendment "A" (S-392) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

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

SECOND READERS

The Committee on **Bills in the Second Reading** reported the following:

Senate As Amended

Bill "An Act To Promote and Enhance State Policy To Preserve and Support Existing Methods of Disposal of Municipal Solid Waste"

S.P. 545 L.D. 1483
(S "A" S-389 to C "A" S-386)

READ A SECOND TIME and **PASSED TO BE ENGROSSED AS AMENDED**.

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:

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Allow the Sale of Unregulated Farm-produced Dairy Products at the Site of Production"

H.P. 1278 L.D. 1786

Comes from the House, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed.

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

**Pursuant to Statute
Criminal Law Advisory Commission**

The **Criminal Law Advisory Commission**, pursuant to the Maine Revised Statutes, Title 17-A, section 1354, subsection 2 asked leave to report that the accompanying Bill "An Act To Clarify the Enforcement Provisions Relating to Motor Carrier Registration"

H.P. 1279 L.D. 1787

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

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed pursuant to Joint Rule 218.

Report **READ** and **ACCEPTED**, in concurrence.

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

RECESSED until the sound of the bell.

After Recess

Senate called to order by the President.

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

ENACTORS

The Committee on **Engrossed Bills** reported as truly and strictly engrossed the following:

Emergency Measure

An Act To Amend the Work-sharing Program To Conform with Federal Law

S.P. 666 L.D. 1701
(C "A" S-391)

This being an Emergency Measure and having received the affirmative vote of 34 Members of the Senate, with no Senators having voted in the negative, and 34 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

LEGISLATIVE RECORD - SENATE, THURSDAY, FEBRUARY 20, 2014

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

Senator **CAIN** of Penobscot 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.

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

On motion by Senator **JACKSON** of Aroostook, **ADJOURNED**, pursuant to the Joint Order, to Tuesday, February 25, 2014, at 10:00 in the morning.