

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
February 26, 2014

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

Prayer by Rabbi Akiva Herzfeld, Congregation Shaarey Tphiloh in
Portland.

RABBI HERZFELD: Dear God, our Father in heaven. The Lord who redeemed Israel from the harshness of cruel Egyptian servitude and shined the bright light of His countenance on the Israelites in bringing them from distress in Egypt to liberation. May You shine Your new light of glory on us in the world today. May You help those in need and redeem us from every trouble, woe, and injury. May You bless the constituted officers of government in the state of Maine, our Governor, our Senators, and Representatives by giving them life and good health and protect them and put into their hearts compassion and love to do good with us, the citizens of Maine, so that we may dwell securely. May the goodness of Your light be a source of warmth and blessing for our lawmakers here and may Your light bring warmth and blessing throughout our entire state. May we merit to act in the ways of God with kindness, grace, and mercy to all of creation. We pray that You bless us today as one so that we will be inspired to work together on legislation for the health and benefit of Maine citizens, our friends and neighbors. May the light of God cause the work of our hands to give health to Maine and strengthen our state. Let us pray together that God may guide our ways so that we shall walk in ways of mercy and peace, in the way of God. May we walk humbly together in truth and justice, with a spirit of friendship and compromise. So may it be His will to protect our elected representatives and officers of government now and for the future. Let us respond, Amen.

Pledge of Allegiance led by Senator Roger L. Sherman of
Aroostook County.

Reading of the Journal of Tuesday, February 25, 2014.

Doctor of the day, Rodney Lahren, MD of Fort Kent.

Off Record Remarks

COMMUNICATIONS

The Following Communication: S.C. 767

STATE OF MAINE
126TH LEGISLATURE
OFFICE OF THE GOVERNOR

February 24, 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 Judge John B. Beliveau of Lewiston for appointment as an Active Retired Judge of the Maine District Court.

Pursuant to Title 4 MRSA §157-B this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Judiciary.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

Off Record Remarks

ORDERS

Joint Resolutions

On motion by Senator **KATZ** of Kennebec (Cosponsored by Senators: President ALFOND of Cumberland, BOYLE of Cumberland, BURNS of Washington, CAIN of Penobscot, CLEVELAND of Androscoggin, COLLINS of York, CRAVEN 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, JACKSON of Aroostook, JOHNSON of Lincoln, 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, CHASE of Wells, 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, JACKSON of Oxford, JOHNSON of Eddington, JOHNSON of Greenville, JONES of Freedom, JORGENSEN of 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 Carbou, 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, PEAVER 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, SANDERSON of Chelsea, 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. 715

**JOINT RESOLUTION
RECOGNIZING FEBRUARY AS 2-1-1 MAINE MONTH**

WHEREAS, 2-1-1 Maine is a comprehensive statewide directory of over 8,000 health and human services available in the State; and

WHEREAS, in order to promote the 2-1-1 Maine health and human services and emergency preparedness hotline, which helps Maine citizens get access to needed resources, we recognize February 2014 as 2-1-1 Maine Month; and

WHEREAS, 2-1-1 Maine helps to identify existing gaps in health and human services; and

WHEREAS, throughout the State, 2-1-1 Maine provides around-the-clock service through efficient and effective responses to questions arising from the growing complexities and needs in health, socioeconomic and human services; and

WHEREAS, 2-1-1 Maine provides emergency operations during times of natural and other disasters, including providing accurate and timely information for preparations and longer-term referrals for follow-up services, and valuable information for community planning and for future matching of resources and unmet needs; and

WHEREAS, over the course of this winter's storms, 2-1-1 Maine assisted the Maine Emergency Management Agency and the United States Small Business Administration with data collection for Preliminary Damage Assessments in 4 counties in Maine in order to request Federal Emergency Management Agency emergency funding; and

WHEREAS, since 2006, 2-1-1 Maine call specialists have assisted with more than 508,000 requests to locate health and human services information; and

WHEREAS, 2-1-1 Maine handles a number of specialized services, including assisting the Maine Center for Disease Control and Prevention with H1N1 influenza calls and the gambling helpline, and is also a resource to find information about such needs as heating assistance and tax preparation; 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, take this opportunity to recognize February 2014 as 2-1-1 Maine Month.

READ.

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

Senator **KATZ:** Thank you Mr. President. Men and women of the Senate, are you unsure of how to find services to help a family member or friend or yourself? Are you wondering where you can make a difference by volunteering? Whether you need to find after school care, counseling, elder care, or volunteer opportunities; if you are where do you look? For years now the place to look has been 2-1-1. Over the last years, Mr. President, over half a million Mainers have taken advantage of that, to call 2-1-1 or log onto 2-1-1Maine.org. In recognition of that, Mr. President, the Joint Resolution recognizes February as 2-1-1 Maine Month. This is a service that many folks have availed themselves of. It's a great example of a public/private partnership between the State and the United Ways around our state. We should all be proud of it. I note that this Resolution was

supported by every single member of the Legislature, unlike the one honoring the Red Sox. It's rare that everybody can agree on something and we all agree on the importance of 2-1-1. Thank you, Mr. President.

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

Senator **CLEVELAND:** Thank you Mr. President. Men and women of the Senate, I also wanted to recognize this as an important institution. I'm very honored that Androscoggin County United Way was one of the leaders, originally, in establishing this new service, recognizing that there were thousands, and as we can see over half a million served to date, of people who every day are looking for assistance with basic and critical needs in our society. This provides a 24 hour 7 day a week service. Often, if you look at their reports, what you'll see at the top of the reports are people who are looking for the basic necessities of life; the ability to heat themselves, they're looking for food, the ability to pay for utilities, and healthcare services. You have trained professionals available to direct individuals to the resources that will help them get the needs that they have served. They do a fantastic job and I think it's appropriate that we recognize the terrific work that this organization does, Mr. President. Thank you.

On motion by Senator **KATZ** of Kennebec, **ADOPTED.**

Sent down for concurrence.

THE PRESIDENT: The Chair is pleased to recognize in the rear of the chamber Karen Turgeon, the Maine Program Director of 2-1-1; Dan Coyne, the Senior Vice President of the United Way of Greater Portland; and Rob Gordon, with the United Way of Kennebec Valley. They are the guests today of the Senator from Kennebec, Senator Katz. Will they please rise and accept the warm greetings of the Maine State Senate.

On motion by Senator **JACKSON** of Aroostook (Cosponsored by Representative **THERIAULT** of Madawaska and Senator: **SHERMAN** of Aroostook, Representatives: **AYOTTE** of Caswell, **CLARK** of Easton, **FITZPATRICK** of Houlton, **McELWEE** of Caribou, **NADEAU** of Fort Kent, **SAUCIER** of Presque Isle, **WILLETTE** of Mapleton), the following Joint Resolution:
S.P. 716

**JOINT RESOLUTION
RECOGNIZING JUNE 7, 2014 AS AROOSTOOK
ASPIRATIONS
INITIATIVE DAY**

WHEREAS, the Aroostook Aspirations Initiative is a project established to support the pursuit of higher education for students in Aroostook County, thereby encouraging economic development in the region; and

WHEREAS, the Aroostook Aspirations Initiative was founded by Raynold and Sandra Gauvin and Jason Parent, and the Gauvins provided \$300,000 to establish a scholarship fund for students in

Aroostook County as an investment in the region's future prosperity; and

WHEREAS, the scholarship fund's purpose is to promote higher education by providing a \$1,000 scholarship each year for up to 4 years for a senior in each of the 16 high schools in Aroostook County, keeping Aroostook County students in Aroostook County; and

WHEREAS, each student will attend a higher education institution in the region, including Husson University, Northern Maine Community College, the University of Maine at Fort Kent and the University of Maine at Presque Isle, and these 4 institutions will provide matching funds in each student's 2nd year, further encouraging and supporting student success and promoting local higher education for local scholars; and

WHEREAS, the Aroostook Aspirations Initiative includes internship and entrepreneurial components and emphasizes the importance of encouraging the creativity, work ethic and solid citizenship of Aroostook County's young people; and

WHEREAS, the Aroostook Aspirations Initiative works with leading local businesses, nonprofit organizations and media partners in a collaborative approach to develop skills and networks of business and community connections; 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, join with the citizens in Aroostook County in recognizing June 7, 2014 as Aroostook Aspirations Initiative Day in Maine.

READ and ADOPTED.

Sent down for concurrence.

REPORTS OF COMMITTEES

House

Change of Committee

The Committee on **HEALTH AND HUMAN SERVICES** on Resolve, To Eliminate Financial Inequality in MaineCare Reimbursement for Community-based Behavioral Health Services
H.P. 1164 L.D. 1593

Reported that the same be **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS.**

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS.**

Report **READ.**

On motion by Senator **HASKELL** of Cumberland, **TABLED** until Later in Today's Session, pending **ACCEPTANCE OF THE REPORT**, in concurrence.

Senate

Change of Committee

Senator **PATRICK** for the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Expand and Improve Employment Opportunities in the State" S.P. 652 L.D. 1658

Reported that the same be **REFERRED** to the Joint Select Committee on **MAINE'S WORKFORCE AND ECONOMIC FUTURE**.

Report **READ**.

On motion by Senator **PATRICK** of Oxford, **TABLED** until Later in Today's Session, pending **ACCEPTANCE OF THE REPORT**.

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

Senate at Ease.

Senate called to order by the President.

ORDERS OF THE DAY

Unfinished Business

The following matters in the consideration of which the Senate was engaged at the time of Adjournment had preference in the Orders of the Day and continued with such preference until disposed of as provided by Senate Rule 516.

The Chair laid before the Senate the following Tabled and Later Assigned (2/13/14) matter:

JOINT ORDER - Expression of Legislative Sentiment
Recognizing Detective Kenneth Charles, of Farmington
HLS 728

Tabled - February 13, 2014, by Senator **KATZ** of Kennebec

Pending - **PASSAGE**, in concurrence

(In House, February 11, 2014, **READ** and **PASSED**.)

(In Senate, February 13, 2014, **READ**.)

THE PRESIDENT: The Chair recognizes the Senator from Franklin, Senator Saviello.

Senator **SAVIELLO:** Thank you Mr. President. Ladies and gentlemen of the Senate, it's my pleasure today to recognize a friend, a protector, and a hero. Ken has been a member of the Franklin County Sheriff's Department for 12 years. During his career he has demonstrated his ability as a team player again and again, first as a Deputy, Patrol Supervisor, and now a Senior Investigator for the Sheriff's Department. This team work approach to law enforcement has garnered great respect and admiration from his peers in the law enforcement community throughout Franklin County and Central Maine. During the course of any week you'll find Ken investigating sex crimes against children, recovering stolen property from burglaries, or setting up buys for drug cases. Ken does it all without complaint. It is especially moving when crime victims voice their appreciation to different organizations like Safe Voices and DHHS for the way Ken handles their individual cases. Ken is a retired member of the Army National Guard and served as a combat flight medic during Operation Desert Storm, Operation Iraqi Freedom, and during Hurricane Katrina. Ken is a devoted father and his wife, Anne, is wonderful because she puts up with him. We joked today that she does get \$5 in the mail from most of us, so she will stay with Ken and keep him under control. He is a true servant to Franklin County. I've known Ken for a number of years that I've served in the Legislature. There is an image I have of Ken. As you see him sitting in the back waiting to be recognized in a minute, he's wearing a suit and tie. I can remember him coming to a fundraiser for Keep Me Warm Dinner Dance. Here he was, dressed as the Mad Hatter with a big old top hat on. It's an image, I'm sorry Ken, that I can't get out of my head. I ask you to join me in congratulating him as the Franklin County Deputy of the Year for 2013.

At the request of same Senator, Joint Order **READ**.

THE PRESIDENT: The Chair recognizes the Senator from Washington, Senator Burns.

Senator **BURNS:** Thank you Mr. President. Ladies and gentlemen of the Senate, I just want to also add my congratulation to Detective Charles for this achievement. I know how important it is to be recognized for the hard work that you do by your peers and by your community. In order to get that recognition I know you really have to put yourself out there, you and your family. I want to congratulate him on this auspicious occasion and thank him for the great work that he's done, along with his peers, and wish him well. Thank you.

PASSED, in concurrence.

THE PRESIDENT: The Chair is pleased to recognize in the rear of the chamber Lieutenant David St. Laurent, Chief Deputy Steven Lowell, Lieutenant David Rackliffe, Sheriff Scott Nichols, Detective Stephen Charles, and Detective Kenneth Charles, who is joined today by his wife, Anne. They are all members of the Franklin County Sheriff's Department and they are the guests today of the Senator from Franklin, Senator Saviello. Will they please stand and accept the warm greetings of the Maine State Senate.

The Chair laid before the Senate the following Tabled and Later Assigned (2/18/14) matter:

An Act To Require Health Insurance Coverage for Hearing Aids for Young Adults

S.P. 213 L.D. 523
(C "A" S-378)

Tabled - February 18, 2014, by Senator **HASKELL** of Cumberland

Pending - **ENACTMENT**, in concurrence

(In Senate, February 6, 2014, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-378).**)

(In House, February 13, 2014, **PASSED TO BE ENACTED.**)

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

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

Senator **VALENTINO:** Thank you very much Mr. President. Men and women of the Senate, this bill that is before you, An Act to Require Health Insurance Coverage for Hearing Aids for Young Adults, is actually a bill that I put in at the request of a constituent. I feel very strongly about the bill. The bill has been changed and I will go through a little bit of the process. It was introduced last year. We had a very lengthy public hearing with very much support on this. The bill was carried over because the Insurance and Financial Affairs Committee wanted the Bureau of Insurance to do a report on this. The report was actually done to the Joint Standing Committee on Insurance and Financial Services to review the evaluation of L.D. 523, An Act to Require Health Insurance Coverage for Hearing Aids for Young Adults. It was a very comprehensive report that was done. In the report there was a suggestion that instead of extending the hearing age for all adults there was actually another suggestion in there to extend it only to those of 26 years of age. This is what the committee actually voted out. I want to call your attention that it was a majority report, 12 - 1. All three Senators voted Ought to Pass as Amended on the report. One of the things is that the study was done. There was no fiscal note on this. It does not have to go to the Appropriations. It does not create a new mandate. We already have that hearing aid coverage, it has to be given on insurances for people up to the age of 18. All we're doing is expanding this to age 26. That's it. No fiscal note. No Appropriations Table. No new mandate. This will only help the most severe cases. One thing that we found about hearing aids is that there is not going to be a rush. If anything, in the report it said very few people are going to come forward. Hearing aids are not fashionable. People are not going to run out, especially young adults, and say, "I want a hearing aid now because my insurance is covering it." I would almost imagine that there are many people in this room, probably including myself, that might benefit from a hearing aid, but we don't want a hearing aid and we don't get the hearing aids. I don't see a rush to this. The

fiscal cost to the insurance companies was almost negligible. What I do want to read to you is a letter. This letter was written by somebody who testified at the hearing. I will read, "I am 13 years old and I live in Orrington. I have a bone conduction hearing loss. I was diagnosed when I was 2 days old but didn't receive equipment until I was 9 months old. Needing hearing aids to me is like needing a wheelchair. If you took a wheelchair from a person, he wouldn't be able to walk. If you took hearing aids away from a deaf person, they wouldn't be able to hear. If you told me to take off my headset, my bone conductor aid, and were to start a conversation with me, you would not make very much progress. Why? Because I'm deaf without my headset and hearing aid. Now you would say, "Emma, go back home and go to school and get a job." How could I, because I would be deaf without this. My hearing is not going to change. I'm not going to wake up some day and it will be different. I will still need my hearing equipment when I am 18 years of age and older. Please consider us kids as succeeding in life and helping us continue on that path. Please pass this act. Thank you. Emma." I want to say we talked a lot. I Chair the Workforce Committee. We want to give young adults an opportunity to succeed in life. This is just extending something from 18 to 26 years to give them that opportunity. We've already done it for their health insurance. They are already allowed to stay on their parent's coverage until the age of 26 years old. This is something, as Emma says, that is as crucial to her as a wheelchair is to others. This is not a new mandate. This does not have a cost. This is the right thing to do for our young adults. I urge you to pass this. Thank you.

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

Senator **GRATWICK:** Thank you Mr. President. Ladies and gentlemen of the Senate, I, too, wish to speak for this. This came before the IFS Committee. I think you are all aware, and if you can hear me here you should be aware, that hearing loss in our population is a major issue. In Maine, with a population of 1.3 million, anywhere from 60,000 to 180,000 people are judged to have some variety of hearing loss. I have to say, on a personal note, I have no hearing loss whatsoever, except when I talk to my wife. She felt that I needed hearing aids and so I have hearing aids. It becomes something that people don't report. It's there. It's a round-about. I have to say that hearing aids are not bad at all. I would hate to deprive other people of that. With poor hearing, there are many consequences. We can all realize the social isolation, there are economic problems, and educational problems. It's something that we need; good eyes and good hearing are essential for us, I think, in this world. There are 20 states that have similar laws like we're talking about here today. There are actually three states, which are Arkansas, New Hampshire, and Rhode Island, which mandate it for individuals up to age 65. This is not at all rocket science we're talking about. We discussed it in detail in our committee. There was a very good report from the Bureau of Insurance. Of note, there is no fiscal note to this. Thank you, Mr. President.

THE PRESIDENT: The pending question before the Senate is Enactment, in concurrence. A Roll Call has been ordered. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#425)

YEAS: Senators: BOYLE, CAIN, CLEVELAND, CRAVEN, DUTREMBLE, FLOOD, GERZOFISKY, GRATWICK, HASKELL, HILL, JACKSON, JOHNSON, LACHOWICZ, LANGLEY, MAZUREK, MILLETT, PATRICK, SAVIELLO, TUTTLE, VALENTINO, VITELLI, WHITTEMORE, WOODBURY, THE PRESIDENT - JUSTIN L. ALFOND

NAYS: Senators: BURNS, COLLINS, CUSHING, HAMPER, KATZ, MASON, PLUMMER, SHERMAN, THIBODEAU, THOMAS, YOUNGBLOOD

24 Senators having voted in the affirmative and 11 Senators having voted in the negative, was **PASSED TO BE ENACTED** and having been signed by the President was presented by the Secretary to the Governor for his approval.

The Chair laid before the Senate the following Tabled and Later Assigned (2/11/14) matter:

Bill "An Act To Allow an Earlier Implementation Date for an Architectural Paint Stewardship Program"
S.P. 625 L.D. 1634

Tabled - February 11, 2014, by Senator **JACKSON** of Aroostook

Pending - **PASSAGE TO BE ENGROSSED**

(In Senate, February 11, 2014, **READ A SECOND TIME.**)

PASSED TO BE ENGROSSED.

Sent down for concurrence.

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

PAPERS FROM THE HOUSE

**Pursuant to Statute
Combat Sports Authority of Maine**

The **Combat Sports Authority of Maine**, pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Chapter 12: Rules for Mixed Martial Arts, a Late-filed Major Substantive Rule of the Combat Sports Authority of Maine (EMERGENCY)

H.P. 1285 L.D. 1793

Be **REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed pursuant to Joint Rule 218.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed pursuant to Joint Rule 218.

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

REFERRED to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed pursuant to Joint Rule 218, in concurrence.

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

PAPERS FROM THE HOUSE

Joint Order

The following Joint Order:

H.P. 1284

ORDERED, the Senate concurring, that the Joint Standing Committee on Appropriations and Financial Affairs shall report out, to the House, a bill to make supplemental appropriations and allocations for the expenditures of State Government and to change certain provisions of the law necessary to the proper operations of State Government to address supplemental funding needs projected for the fiscal year ending June 30, 2014.

Comes from the House, **READ** and **PASSED.**

READ and **PASSED**, in concurrence.

Senate at Ease.

Senate called to order by the President.

Senator **KATZ** of Kennebec 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.

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:

REPORTS OF COMMITTEES

House

Ought to Pass

The Committee on **TRANSPORTATION** on Resolve, Regarding Legislative Review of Portions of Chapter 4: Maine Motor Carrier Safety Regulation, a Major Substantive Rule of the Department of Public Safety, Bureau of State Police (EMERGENCY)
H.P. 1156 L.D. 1585

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

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED**.

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

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

The Committee on **TRANSPORTATION** on Bill "An Act To Clarify the Use of the Term 'Civil Violation' in the Motor Vehicle Statutes"
H.P. 1262 L.D. 1758

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

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.

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

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

Ought to Pass As Amended

The Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act To Expand the Number of Qualified Educators"
H.P. 34 L.D. 39

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-621)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-621)**.

Report **READ**.

On motion by Senator **HASKELL** of Cumberland, **TABLED** until Later in Today's Session, pending **ACCEPTANCE OF THE REPORT**, in concurrence.

The Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Appropriate Funds for the Ongoing Operation of the Maine Criminal Justice Academy"
H.P. 1202 L.D. 1679

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-617)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-617)**.

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

READ ONCE.

Committee Amendment "A" (H-617) **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 **TAXATION** on Bill "An Act To Extend the Veterans' Property Tax Exemption to Veterans Who Served in Iraq or Afghanistan"
H.P. 1220 L.D. 1696

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-623)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-623)**.

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

READ ONCE.

Committee Amendment "A" (H-623) **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 **TRANSPORTATION** on Bill "An Act To Provide Greater Options for Transportation of Public School Students for Cocurricular Activities"
H.P. 951 L.D. 1327

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-625)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-625)**.

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

READ ONCE.

Committee Amendment "A" (H-625) **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 **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Amend the Election Laws" (EMERGENCY)
H.P. 1187 L.D. 1615

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-620).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-620).**

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

READ ONCE.

Committee Amendment "A" (H-620) **READ** and **ADOPTED**, in concurrence.

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

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

ENACTORS

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

Emergency Measure

An Act To Change the Voting Requirements for the Withdrawal of a Municipality from a Regional School Unit
H.P. 534 L.D. 783
(C "B" H-611)

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.

Acts

An Act To Amend the Process Controlling the Transfer of a Student between School Administrative Units
H.P. 1162 L.D. 1591
(C "A" H-612)

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

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

PASSED TO BE ENACTED and having been signed by the President were presented by the Secretary to the Governor for his approval.

An Act To Fund the Maine HIV Prevention Education Program within the Department of Education
H.P. 1223 L.D. 1699
(C "A" H-613)

On motion by Senator **HILL** of York, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **ENACTMENT**, in concurrence.

Senate at Ease.

Senate called to order by the President.

Senator **KATZ** of Kennebec 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.

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

On motion by Senator **JACKSON** of Aroostook, **ADJOURNED** to Thursday, February 27, 2014, at 10:00 in the morning.