

# 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  
Friday  
March 21, 2014

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

Prayer by Most Reverend Robert P. Deeley, Roman Catholic  
Diocese in Portland.

**REVEREND DEELEY:** Lord, we give deep felt thanks for the great blessing that it is to be citizens of this great state of Maine and of the United States of America. The distinguished men and women of our State Senate, in their service to our country, daily confront difficult and even seemingly intractable public issues, a burden that must, at times, seem overwhelming. You, Lord God, never leave us to work alone. Teach us this day not to fear but to put our hand in Yours and resolutely seek Your guidance so that we might do Your will. Bring us together in civic harmony and in the common task of making real in our time the ideals and the dreams that makes us a great people. Fill our hearts with compassion for the sick, the poor, and the weak. Do not let us be distracted by mere selfish or partisan interests, but always be guided by the common good. As these men and women of the Maine Senate turn now to the work of this day, we ask for more than human wisdom. We ask for the wisdom You granted Solomon so that their work here might be for Your greater glory. Amen.

Pledge of Allegiance led by Senator Stan J. Gerzofsky of  
Cumberland County.

Reading of the Journal of Thursday, March 20, 2014.

Doctor of the day, Christine James, DO of Portland.

Off Record Remarks

**PAPERS FROM THE HOUSE**

**Non-Concurrent Matter**

HOUSE REPORTS - from the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act Concerning High-stakes Beano"  
H.P. 188 L.D. 227

Majority - **Ought Not to Pass** (7 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (H-627)** (5 members)

In House, March 6, 2014, the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-627)**.

In Senate, March 19, 2014, Reports **READ** and the Bill and accompanying papers **INDEFINITELY POSTPONED**, in **NON-CONCURRENCE**.

Comes from the House, that Body **INSISTED**.

On motion by Senator **JACKSON** of Aroostook, **TABLED** until Later in Today's Session, pending **FURTHER CONSIDERATION**.

**Non-Concurrent Matter**

HOUSE REPORTS - from the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Allow Maine's Harness Racing Industry To Compete with Casino Gaming"  
H.P. 780 L.D. 1111

Majority - **Ought Not to Pass** (7 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (H-628)** (5 members)

In House, March 12, 2014, the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-628) AS AMENDED BY HOUSE AMENDMENT "B" (H-671)** thereto.

In Senate, March 19, 2014, Reports **READ** and the Bill and accompanying papers **INDEFINITELY POSTPONED**, in **NON-CONCURRENCE**.

Comes from the House, that Body **INSISTED**.

On motion by Senator **JACKSON** of Aroostook, **TABLED** until Later in Today's Session, pending **FURTHER CONSIDERATION**.

**Non-Concurrent Matter**

HOUSE REPORTS - from the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Authorize the Houlton Band of Maliseet Indians To Operate a Casino in Aroostook County"  
H.P. 925 L.D. 1298

Majority - **Ought Not to Pass** (7 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (H-629)** (5 members)

In House, March 6, 2014, the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-629)**.

In Senate, March 19, 2014, Reports **READ** and the Bill and accompanying papers **INDEFINITELY POSTPONED**, in **NON-CONCURRENCE**.

Comes from the House, that Body **INSISTED**.

On motion by Senator **JACKSON** of Aroostook, **TABLED** until Later in Today's Session, pending **FURTHER CONSIDERATION**.

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**Non-Concurrent Matter**

SENATE REPORTS - from the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Increase Gaming Opportunities for Charitable Fraternal and Veterans' Organizations"

S.P. 20 L.D. 31

Report **"A" - Ought to Pass as Amended by Committee Amendment "A" (S-399)** (7 members)

Report **"B" - Ought Not to Pass** (4 members)

Report **"C" - Ought to Pass as Amended by Committee Amendment "B" (S-400)** (1 member)

In Senate, March 19, 2014, on motion by Senator **PATRICK** of Oxford, Report **"B"**, **OUGHT NOT TO PASS READ** and **ACCEPTED**.

Comes from the House, Report **"A"**, **OUGHT TO PASS AS AMENDED READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-399)**, in **NON-CONCURRENCE**.

On motion by Senator **JACKSON** of Aroostook, **TABLED** until Later in Today's Session, pending **FURTHER CONSIDERATION**.

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**Joint Resolution**

The following Joint Resolution:

H.P. 1313

**JOINT RESOLUTION RECOGNIZING SURVEYORS WEEK, MARCH 16-22, 2014**

WHEREAS, there are more than 45,000 professional surveyors in the United States; and

WHEREAS, since the colonial days of our Nation, surveyors have been leaders in the community; and

WHEREAS, the nature of surveying has changed dramatically since colonial times, when the profession was defined by the description and location of land boundaries; and

WHEREAS, surveying today has expanded to include hydrographic surveys, engineering surveys for the study and selection of engineering construction, geodetic surveys for precise global positioning for activities such as aircraft and missile navigation and cartographic surveys for mapping and charting; and

WHEREAS, professional surveyors provide important services through the use of sophisticated equipment and techniques, such as satellite-borne remote sensing devices and automated positioning, measuring, recording and plotting equipment; and

WHEREAS, the role of the surveyor has been, and continues to be, integral and of vital importance in the development and advancement of our State and Nation; 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, recognize the week of March 16 to March 22, 2014 as Surveyors Week and encourage the people of Maine to recognize professional surveyors and the important work they do for our communities and State and to reflect on the historical contributions of surveying and the new technologies that are constantly modernizing this honored profession.

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

**READ** and **ADOPTED**, in concurrence.

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Off Record Remarks

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**ORDERS**

**Joint Resolution**

On motion by Senator **VALENTINO** of York (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, **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, **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, 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, KAENRATH of South Portland, KENT of Woolwich, KESCHL of Belgrade, KINNEY of Limington, KNIGHT of Livermore Falls, KORNFELD 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, 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, 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. 744

**JOINT RESOLUTION  
RECOGNIZING SUNSHINE WEEK, MARCH 16-22, 2014**

WHEREAS, James Madison, generally regarded as the father of our federal Constitution, wrote that "a people who mean to be their own Governors, must arm themselves with the power which knowledge gives"; and

WHEREAS, every citizen in our participatory democracy has an inherent right of access to government meetings and public records; and

WHEREAS, an open and accessible government is vital to establishing and maintaining the people's trust and confidence in their government and in the government's ability to effectively serve its citizens; and

WHEREAS, the protection of every person's right of access to public records and government meetings is a high priority for the State of Maine; and

WHEREAS, Sunshine Week was established to spark a discussion about the importance of open government and public access to government documents and meetings; 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 Sunshine Week: Your Right to Know during the week of March 16-22, 2014 and confirm our commitment to openness and transparency in all aspects of our operations and to setting a standard in this regard; and be it further

RESOLVED: That we commemorate the anniversary of James Madison's birth during Sunshine Week and we commit to work diligently to enhance the public's access to government records and information, to increase information provided electronically and online and to ensure that all meetings of deliberative bodies in the State, and their committees, are fully noticed and open to the public.

**READ and ADOPTED.**

Sent down for concurrence.

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**REPORTS OF COMMITTEES**

**House**

**Divided Report**

The Majority of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** on Resolve, Regarding Legislative Review of Portions of Chapter 13: Metallic Mineral Exploration, Advanced Exploration and Mining, a Major Substantive Rule of the Maine Land Use Planning Commission (EMERGENCY)  
H.P. 1269 L.D. 1771

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

Signed:

Senators:

BOYLE of Cumberland  
GRATWICK of Penobscot

Representatives:

WELSH of Rockport  
CHIPMAN of Portland  
COOPER of Yarmouth  
GRANT of Gardiner  
HARLOW of Portland  
McGOWAN of York

The Minority of the same Committee on the same subject reported that the same **Ought To Pass**.

Signed:

Senator:

SAVIELLO of Franklin

Representatives:

AYOTTE of Caswell  
CAMPBELL of Orrington  
LONG of Sherman  
REED of Carmel

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

Reports **READ**.

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

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**Senate**

**Ought to Pass Pursuant to Joint Rule 353**

Senator **CRAVEN** for the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Implement the Recommendations of the Substance Abuse Services Commission with Regard to the Controlled Substances Prescription Monitoring Program" (EMERGENCY)

S.P. 743 L.D. 1840

Reported that the same **Ought to Pass**, pursuant to Joint Rule 353.

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

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

Sent down for concurrence.

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**Divided Report**

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Resolve, To Terminate a MaineCare Transportation Contract

S.P. 658 L.D. 1663

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-441)**.

Signed:

Senators:

CRAVEN of Androscoggin  
LACHOWICZ of Kennebec

Representatives:

FARNSWORTH of Portland  
CASSIDY of Lubec  
DORNEY of Norridgewock  
GATTINE of Westbrook  
PETERSON of Rumford  
STUCKEY of Portland

The Minority of the same Committee on the same subject reported that the same **Ought Not To Pass**.

Signed:

Senator:

HAMPER of Oxford

Representatives:

MALABY of Hancock  
McELWEE of Caribou  
SANDERSON of Chelsea  
SIROCKI of Scarborough

Reports **READ**.

Senator **CRAVEN** of Androscoggin moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

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**Divided Report**

The Majority of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Amend the Motor Vehicle Franchise Laws"

S.P. 544 L.D. 1482

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-439)**.

Signed:

Senators:

CLEVELAND of Androscoggin  
CUSHING of Penobscot

Representatives:

HERBIG of Belfast  
DUPREY of Hampden  
GILBERT of Jay  
HAMANN of South Portland  
LOCKMAN of Amherst  
MASON of Topsham  
MASTRACCIO of Sanford  
VOLK of Scarborough  
WINCHENBACH of Waldoboro

The Minority of the same Committee on the same subject reported that the same **Ought Not To Pass**.

Signed:

Senator:

PATRICK of Oxford

Representative:

CAMPBELL of Newfield

Reports **READ**.

Senator **PATRICK** of Oxford moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

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

On motion by Senator **JACKSON** of Aroostook, **TABLED** until Later in Today's Session, pending the motion by Senator **PATRICK** of Oxford to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report. (Roll Call Ordered)

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**Divided Report**

Six Members of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Standardize and Simplify the Process for Employers To Provide a Drug-free Workplace"

S.P. 664 L.D. 1669

Reported in Report "A" that the same **Ought to Pass as Amended by Committee Amendment "A" (S-440)**

Signed:

Senator:

CUSHING of Penobscot

Representatives:

DUPREY of Hampden  
LOCKMAN of Amherst  
MASON of Topsham

VOLK of Scarborough

WINCHENBACH of Waldoboro

Six Members of the same Committee on the same subject reported in Report "B" that the same **Ought Not to Pass**.

Signed:

Senator:

PATRICK of Oxford

Representatives:

HERBIG of Belfast  
CAMPBELL of Newfield  
GILBERT of Jay  
HAMANN of South Portland  
MASTRACCIO of Sanford

Reports **READ**.

Senator **PATRICK** of Oxford moved the Senate **ACCEPT** Report "B", **OUGHT NOT TO PASS**.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** Report "B", **OUGHT NOT TO PASS**.

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**ENACTORS**

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

**Emergency Measure**

An Act To Designate Maine State Housing Authority To Receive Funds from the National Housing Trust Fund  
S.P. 714 L.D. 1790

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.

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**Acts**

An Act To Require Forest Rangers To Be Trained in Order To Allow Them To Carry Firearms

H.P. 206 L.D. 297  
(C "A" H-608)

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

An Act To Establish the Maine Length of Service Award Program  
H.P. 819 L.D. 1154  
(C "B" H-644)

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

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**Act**

An Act To Create the Wireless Information Act  
H.P. 711 L.D. 1013  
(H "A" H-674 to C "A" H-618)

Comes from the House **FAILED ENACTMENT**.

On motion by Senator **CAIN** of Penobscot, **TABLED** until Later in  
Today's Session, pending **ENACTMENT**, in **NON-  
CONCURRENCE**.

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**Resolves**

Resolve, To Provide for an Analysis of MaineCare Rates for  
Facility-based Preschool Services for Children with Disabilities  
and a Report on the Analysis

H.P. 1119 L.D. 1552  
(C "A" H-668)

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  
(C "A" S-421)

**FINALLY PASSED** and having been signed by the President  
were presented by the Secretary to the Governor for his approval.

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Senate at Ease.

Senate called to order by the President.

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Off Record Remarks

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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.

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**RECESSED** until 3:00 in the afternoon.

After Recess

Senate called to order by the President.

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Senator **SAVIELLO** of Franklin requested and received leave of  
the Senate that members and staff be allowed to remove their  
jackets for the remainder of this Session.

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

**REPORTS OF COMMITTEES**

**House**

**Ought to Pass Pursuant to Joint Order**

The Committee on **APPROPRIATIONS AND FINANCIAL  
AFFAIRS** on Bill "An Act 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 and To Adjust Funding for the Fiscal Year Ending June 30,  
2015" (EMERGENCY)

H.P. 1325 L.D. 1843

Reported that the same **Ought to Pass**, pursuant to Joint Order  
2013, H.P. 1284.

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**.

On motion by Senator **HILL** of York, Senate Amendment "A" (S-  
445) **READ**.

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

Senator **HILL:** Thank you Mr. President. Dear colleagues of the  
Senate, we did yeoman's work on putting out the supplemental  
budget which we are presently dealing with. In doing so last night  
we recognized, by being contacted by one of Executive  
departments, that, in fact, money we had been told was available  
in the Department of Corrections was inaccurate. This  
amendment proposes to remove the appropriation of money that  
we were taking from the Department of Corrections and replace it



with a reduction in MaineCare money. I'd like you to know the Chairs and the Leads, we met on this quite a bit today to talk it through and make sure that we're very comfortable with this, that the caucuses were comfortable with this, and that, of course, the Executive Branch is comfortable with this. I hope you will allow it to go through. Thank you.

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Senate at Ease.

Senate called to order by the President.

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On motion by Senator **HILL** of York, Senate Amendment "A" (S-445) **ADOPTED**.

**PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-445), in NON-CONCURRENCE.**

Sent down for concurrence.

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

#### REPORTS OF COMMITTEES

##### House

##### Ought to Pass As Amended

The Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act To Restore Funding in the Maine Budget Stabilization Fund through Alternative Sources" (EMERGENCY)

H.P. 1298 L.D. 1807

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-720)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-720)**.

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

**READ ONCE.**

Committee Amendment "A" (H-720) **READ** and **ADOPTED**, in concurrence.

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

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

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

#### PAPERS FROM THE HOUSE

##### House Papers

Bill "An Act To Amend the Laws Governing the Temporary Assistance for Needy Families Program"

H.P. 1324 L.D. 1842

Comes from the House, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

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

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##### Pursuant to Statute Revisor of Statutes

Report of the **Revisor of Statutes**, pursuant to the Maine Revised Statutes, Title 1, section 94 asked leave to report that the accompanying Bill "An Act To Correct Errors and Inconsistencies in the Laws of Maine" (EMERGENCY)

H.P. 1323 L.D. 1841

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

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

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

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

#### PAPERS FROM THE HOUSE

##### Joint Resolution

The following Joint Resolution:

H.P. 1322

#### JOINT RESOLUTION RECOGNIZING MAINE'S CREDIT UNIONS

WHEREAS, Maine's credit unions are member-owned and member-governed financial cooperatives dedicated and committed to serving the needs of their members and communities. The nonprofit structure of credit unions provides

each member with an equal voice and representation in the operations of the credit union. Serving members in all 16 Maine counties and in every community, Maine's credit unions operate with the primary purpose of benefiting the more than 636,000 Maine consumers who use credit unions; and

WHEREAS, the economic benefit that Maine's credit unions provide to Maine consumers is approximately \$38,000,000 annually, as a result of lower and fewer fees on products and services, lower interest rates on loans and higher interest rates on savings; and

WHEREAS, Maine is once again ranked as the nation's 5th strongest credit union state based on the percentage of the population that uses a credit union, a position Maine has held for 11 consecutive years. With more than 636,000 members, credit unions serve nearly one in every 2 Maine residents; and

WHEREAS, the 2,150 full-time and part-time employees of Maine's credit unions and the more than 1,000 unpaid volunteers who serve on credit union boards and committees demonstrate the core credit union values, philosophy and mission of people helping people by contributing to the communities they serve; and

WHEREAS, since 1990 Maine's credit unions and their members have raised \$5,300,000 to help end hunger in Maine, including a record-setting \$513,309 in 2013. One hundred percent of all money that is raised through the Maine Credit Unions' Campaign for Ending Hunger stays in Maine and goes directly to assist thousands of Maine families and individuals who otherwise would go hungry. In addition to contributing thousands of dollars to food pantries in communities across the State, Maine's credit unions also help to provide funds for statewide initiatives to help end hunger, such as being the primary source of funding for the State's only Food Mobile. In partnership with the Good Shepherd Food Bank, the Food Mobile has delivered over 3,800,000 pounds of food to food pantries in every Maine county since it began in 2005, which equals nearly 3,200,000 meals for Mainers in need; and

WHEREAS, the Maine Credit Unions' Campaign for Ending Hunger has also recently announced its multiyear commitment to the Good Shepherd Food Bank's efforts to end childhood hunger in Maine with its support of the Good Shepherd Food Bank's BackPack and School Pantry programs, as well as other childhood hunger initiatives; and

WHEREAS, in 2013 Maine's credit unions contributed more than \$1,000,000 to a variety of causes and to a number of organizations, such as financial literacy programs, the American Red Cross and Special Olympics. In the past 11 years, members of Maine's credit unions contributed more than 293,000 hours, including more than 37,000 hours last year, volunteering for organizations and activities in communities throughout the State, making a significant and positive impact not only on the organizations that received this assistance but also on the people who were served by and benefited from the services and resources provided; and

WHEREAS, since 1921 Maine's credit unions have been enhancing the lives of thousands of Maine people, who have been helped to financial success and stability. Throughout

Maine, credit unions continue to play a vital economic and socially responsible role in the lives of individuals and remain a local, significant and stable presence in the communities they serve; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-sixth Legislature, now assembled in the Second Regular Session, take this opportunity to recognize the Maine Credit Union League and Maine's credit unions for their positive contributions and the significant role they have played in the lives of Maine citizens and their communities for more than 90 years. Their service and dedication to this State are a tribute to those values and principles that we all hold dear; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Maine Credit Union League and its 61 member credit unions.

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

**READ** and **ADOPTED**, in concurrence.

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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 Bill "An Act To Clarify the Enforcement Provisions Relating to Motor Carrier Registration"

H.P. 1279 L.D. 1787

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.

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##### Ought to Pass As Amended

The Committee on **MARINE RESOURCES** on Bill "An Act To Create Parity for Proprietary Information Submitted to the Department of Marine Resources"

H.P. 1210 L.D. 1687

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-715)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-715)**.

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

**READ ONCE.**

Committee Amendment "A" (H-715) **READ** and **ADOPTED**, in concurrence.

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

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The Committee on **TRANSPORTATION** on Bill "An Act To Make Changes to and Clarify Maine Traveler Information Services Laws"

H.P. 1231 L.D. 1721

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-716)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-716)**.

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

Committee Amendment "A" (H-716) **READ** and **ADOPTED**, in concurrence.

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

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Senate at Ease.

Senate called to order by the President.

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**RECESSED** until the sound of the bell.

After Recess

Senate called to order by the President.

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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 Make Technical Changes to Marine Resources Laws  
H.P. 1176 L.D. 1604  
(C "A" H-682)

This being an Emergency Measure and having received the affirmative vote of 30 Members of the Senate, with no Senators having voted in the negative, and 30 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.

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**Emergency Measure**

An Act To Further Protect Patient Access to Safe Medical Marijuana by Allowing Dispensaries To Purchase Excess Marijuana from Other Dispensaries

H.P. 1195 L.D. 1623  
(C "A" H-691)

This being an Emergency Measure and having received the affirmative vote of 26 Members of the Senate, with 5 Senators having voted in the negative, and 26 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.

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**Emergency Measure**

An Act To Make Available to the Public Certain Information Concerning the Alcohol Content of Malt Liquor, Wine and Spirits  
H.P. 1265 L.D. 1763  
(C "A" H-685)

This being an Emergency Measure and having received the affirmative vote of 31 Members of the Senate, with no Senators having voted in the negative, and 31 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.

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**Emergency Measure**

An Act To Allow All Current Members and Veterans of the United States Armed Forces To Be Eligible for In-state Tuition Rates  
H.P. 1267 L.D. 1768  
(C "A" H-695)

This being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with no Senators having voted in the negative, and 32 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.

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**Emergency Resolve**

Resolve, Regarding Legislative Review of Portions of Chapter 115: Certification, Authorization and Approval of Education Personnel, a Late-filed Major Substantive Rule of the Department of Education

H.P. 1272 L.D. 1774  
(C "A" H-688)

This being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with no Senators having voted in the negative, and 32 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

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**Emergency Resolve**

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

H.P. 1285 L.D. 1793

This being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with no Senators having voted in the negative, and 32 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

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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:

**Acts**

An Act To Clarify the Law Governing Public Disclosure of Health Care Prices

S.P. 633 L.D. 1642  
(C "A" S-431)

An Act To Amend the Anson and Madison Water District Charter

H.P. 1217 L.D. 1693  
(C "A" H-689)

An Act To Preserve Certain Rights Granted to Maine Public Service Company before Its Merger with Bangor Hydro Electric Company

S.P. 693 L.D. 1752  
(C "A" S-429)

An Act To Make Technical Amendments to the Criminal History Record Information Act and the Intelligence and Investigative Record Information Act and a Related Provision in the Maine Revised Statutes, Title 20-A

S.P. 709 L.D. 1782  
(C "A" S-427)

An Act To Implement the Recommendations of the Task Force Convened by the Maine Labor Relations Board Regarding Compensation for the Panel of Mediators

H.P. 1290 L.D. 1798  
(C "A" H-702)

An Act To Update Statutory Dates for the State Government Evaluation Act Review of Agencies

H.P. 1292 L.D. 1800  
(C "A" H-681)

An Act To Implement the Recommendations of the Review Committee Established To Examine the Impact of Unfunded Education Mandates and Other Regulatory Burdens

S.P. 720 L.D. 1805

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

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An Act To Amend the Laws Governing Retirement Benefits for Capitol Police Officers

S.P. 412 L.D. 1175  
(C "A" S-413)

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

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An Act To Amend the Veterans' Services Laws

H.P. 1184 L.D. 1612  
(C "A" H-694)

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

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An Act To Preserve Maine's Long-term Care Facilities

H.P. 1251 L.D. 1745  
(C "A" H-690)

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

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**Resolve**

Resolve, To Amend the Resolve To Promote the Expansion of the Maine Maple Sugar Industry

H.P. 1274 L.D. 1777

**FINALLY PASSED** and having been signed by the President was presented by the Secretary to the Governor for his approval.

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Senate at Ease.

Senate called to order by the President.

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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 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 and To Adjust Funding for the Fiscal Year Ending June 30, 2015

H.P. 1325 L.D. 1843  
(S "A" S-445)

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The Chair noted the absence of the Senator from Somerset, Senator **WHITTEMORE** and further excused the same Senator from today's Roll Call votes.

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

Senator **HILL:** Thank you Mr. President. I will be brief. Dear colleagues of the Senate, I just want to tell you here before us we have a supplemental budget. Getting there was sort of through uncharted waters, but I am so proud of the Appropriations Committee. Democrats and Republicans came together and crafted a wonderful budget bill. We took the Republican plan, we took the Democratic plan, and we merged them. We ended up with something that did this, got done on time, paid the bills, and kept our budget balanced. I hope you will support it.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#474)**

YEAS: 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, TUTTLE, VALENTINO, VITELLI, WOODBURY, YOUNGBLOOD, THE PRESIDENT - JUSTIN L. ALFOND

NAYS: Senator: THOMAS

EXCUSED: Senator: WHITTEMORE

This being an Emergency Measure and having received the affirmative vote of 33 Members of the Senate, with 1 Senator having voted in the negative, and 1 Senator being excused, and 33 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.

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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 Restore Funding in the Maine Budget Stabilization Fund through Alternative Sources

H.P. 1298 L.D. 1807  
(C "A" H-720)

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#475)**

YEAS: 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, WOODBURY, YOUNGBLOOD, THE PRESIDENT - JUSTIN L. ALFOND

NAYS: Senators: None

EXCUSED: Senator: WHITTEMORE

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 1 Senator being excused, 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.

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**ORDERS OF THE DAY**

The Chair laid before the Senate the following Tabled and Later Today Assigned matter:

SENATE REPORTS - from the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Amend the Motor Vehicle Franchise Laws" S.P. 544 L.D. 1482

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-439)** (11 members)

Minority - **Ought Not To Pass** (2 members)

Tabled - March 21, 2014, by Senator **JACKSON** of Aroostook

Pending - motion by Senator **PATRICK** of Oxford to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report (Roll Call Ordered)

(In Senate, March 21, 2014, Reports **READ**.)

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

Senator **PATRICK:** Thank you Mr. President. Ladies and gentlemen of the Senate, colleagues and friends, this is a bill that was brought before the Committee on Labor, Commerce, Research and Economic Development. The bill, as you may look at the report, I'm on the opposite side. It was probably my first initiation delving into franchise law, one that I found immensely interesting, immensely intense. It is an opportunity for us to try to

decide between a contract between two viable businesses and whether there's enough evidence based upon the testimony brought forward as to whether or not we should get involved. The reason I actually decided not to vote was two-fold. First one, it was a great presentation by all of the dealerships that came forward. I watched intently as each one of them came up and explained the issues that were before them. The issues that came before them I actually agreed with several of them. One of the presenters really struck my fancy because it was the first time I think someone in my committee actually brought forward a great big huge placard with a Chevy dealership logo on it. I was trying to figure out in my own mind during the testimony why did they need this. The testimony from most of the dealers was basically what I would call in my estimation a lot of whining. What were they whining about? They were whining about the Chevy corporation, which as we all know went bankrupt and came out of bankruptcy, made some changes. Do I agree with the changes? Do I agree with the bankruptcy? Probably I don't agree with either one of them. We had the picture of this beautiful Chevy dealership and the whining that, oh my goodness, you've got to do this and you've got to use our windows and you've got to use our glass and you've got to use our chairs, and you have to have the windows go all the way down to the ground and stuff. Do you realize how much that costs us? It was unbelievable. This is so expensive. It just blew my mind. They kept going on and on and on. That was one of the things that really amazed me because why would you expound upon something that bad and it not necessarily be true? As a matter of fact, one of the dealers, and I'm not going to use any name on the dealers, who complained the most actually got \$5.4 million from Chevy to help him redo his businesses. To me, if you're going to whine then whine about having to do it 100% on your dime. That's not the case. This person actually had 10 or 15 dealerships, so \$5.4 million divided by 10 would be about \$540,000 per dealership. I guess, to me, from my estimation, that's like getting 80% or 85% or 90% of your money to redo your business to the way they want. The one thing that I know is I do buy new cars. I like to keep the economy going. I'm due to buy another one. I probably won't get a lot of support from the dealers in the state of Maine. To me it's just like the same thing, if someone came up to every homeowner in the state of Maine and said, "Look, your house doesn't look very good. It's not keeping up the resale value of your property in Maine, or the property of your town, or the property of your street. We will give you 85% or 90% to redo your house every 7 to 10 years." I don't know anyone who wouldn't want to have their exterior done, windows changed, the doors changed, and have new furniture, even if somebody told them what it was going to look like.

The second reason was a friend of mine, former Senate President Charlie Pray, always told me along the way, you've got to look underneath the rocks, look between the twigs, and try to filter out what you can actually figure out from what these things are like and what they do and how they are coming across. He said you've always got to trace the money. The neat thing about bills that I never really understood or paid much attention to is these dealers actually were so excited about having the bill before them that they actually were the kind of people that are generously making a lot of donations. To me, that is a little unconscionable. It kind of reminds me of Washington style politics. That being said, the actual other thing, there are probably three things that bother me, one of the things we always ask our sides to do is go out and try to work out an agreement.

This was done also. Actually it was actually done probably without a lot of chiding. The bill came before they actually reached an agreement on three different points. The sides got together. One of the things that I've learned through the negotiations process, at least in the paper industry and a lot of other industries, is kind of like that this is our last offer, this is our final offer, and then, basically, you come together and the one who has the power will say, "What we want to do here is you either take it all or we will replace you or shut the plant down." The negotiations that were brought forward in this light, one side that had the power actually over exerted what the other side really wanted to do. What I will say is, being big boys, they actually agreed to it. I can't complain any more than that. What I look at is things that may be injustice. I'm going to speak up and give my reasoning. What the inevitable outcome of the bill is, I will say, that both sides agreed to the different things within the bill. With that, I will probably even support the bill myself. Along the way I've learned one thing in my life, you always want to make sure that you get out what you want to say and I'm hoping that this bill, if it passes, does not throw off the balance between two cooperations and that the ones that win, which I don't think will, will be the customers in the state of Maine. It's pretty good because the franchise, the dealers, and the manufacturers were dealing between two financial groups, one that may be millionaires and one that may be billionaires. All things said, Mr. President, with all my reeling and understanding, I want to say that this is actually probably a pretty good bill and I hope someone else explains the other side. Thank you very much for your time, Mr. President.

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

Senator **CAIN:** Thank you Mr. President. Men and women of the Senate, I, too, as the sponsor of this bill, dealt for the first time with franchise law. In fact, for me, this was an incredible opportunity because you sort of assume, I assumed, in private industry that the State does not actually always, or often even, get involved in the negotiations between individual dealerships, in this case, and national manufacturers. It was quite an education. For me, I went back to the beginning. In fact, Maine's regulation of the new car dealer manufacturer franchise relationship, which is found in Title 10, chapter 204, section 1182, actually goes back to the mid-1970's. When that statute was created in 1975 it's because there were problems around the state because dealers were having trouble across the board with these negotiations and the State Legislature at the time when they created the statute overseeing the franchise law actually put in place a public policy statement that laid out some principles that I believe still apply today. "The manufacturer, distribution, and sale of motor vehicles in the state vitally affects the general economy of the state and the public interest and public welfare. The manufacturers of motor vehicles, whose physical manufacturing facilities are not located within the state, and distributors are doing business in the state through their control over relationship and transactions with their dealers in the state. The geographical location of the state makes it necessary to ensure the availability of motor vehicles and parts and dependable service for motor vehicles through the state to protect and preserve the transportation system, the public safety and welfare of the investments of its residents." At the time the Legislature declared in that statement, "That it is necessary to regulate and to license motor vehicle manufacturers

and distributors and their branches and representatives, motor vehicle dealers, and any other person engaged in the business of selling or purchasing vehicles in the state in order to prevent frauds, impositions, and other abuses against residents and to protect and preserve the economy, the investments of residents, the public safety, and the transportation system of the state." The bill, as presented but more so the bill today, which was agreed upon unanimously by the parties involved, is about ensuring that that original public policy statement is not only upheld but particularly updated to reflect modern upgrades in technology and in business. I appreciate the framing of the issue by the good Chair of this committee. It is certainly a big area of law, but ultimately this bill is about making sure we do protect the consumers in Maine. The bottom line is that that's where, a pun is certainly intended, the rubber meets the road, Mr. President. Thank you very much.

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

Senator **CUSHING:** Thank you Mr. President. Ladies and gentlemen of the Senate, I rise today in support of the Majority Report. It pains me at times when I find myself separated by a deep chasm from my good friend from Oxford because these are important issues that we should be able to find consensus on because I believe we may have left the Body somewhat confused as to what direction they may want to go on this issue. Briefly, let me try to clarify things. These are individuals, Mr. President, who are our neighbors and friends. They work in these dealerships. They are not big corporate America. What they are asking for is some changes to law that bring them closer to some of the technology changes that take place in businesses today. I think it's very clear from the amended language that was crafted and by the very fact that those representing Maine auto dealers and those representing the national franchisers that sat in our committee room and agreed that these changes were both important and probably timely. With that, Mr. President, on a Friday afternoon at 5:06, I would respectfully encourage my colleagues to follow my light and the Majority Report on this bill.

**THE PRESIDENT:** The pending question before the Senate is the motion by the Senator from Oxford, Senator Patrick to Accept the Majority Ought to Pass as Amended Report. 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 (#476)**

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

**NAYS:** Senators: None

ABSENT: Senators: PLUMMER, SHERMAN

EXCUSED: Senator: WHITTEMORE

32 Senators having voted in the affirmative and No Senator having voted in the negative, with 2 Senators being absent and 1 Senator being excused, the motion by Senator **PATRICK** of Oxford to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, **PREVAILED**.

**READ ONCE.**

Committee Amendment "A" (S-439) **READ** and **ADOPTED**.

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

Sent down for concurrence.

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The Chair laid before the Senate the following Tabled and Later Today Assigned matter:

An Act To Create the Wireless Information Act  
H.P. 711 L.D. 1013  
(H "A" H-674 to C "A" H-618)

Tabled - March 21, 2014, by Senator **CAIN** of Penobscot

Pending - **ENACTMENT**, in **NON-CONCURRENCE**

(In Senate, March 18, 2014, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-618) AS AMENDED BY HOUSE AMENDMENT "A" (H-674)** thereto, in concurrence.)

(In House, March 20, 2014, **FAILED ENACTMENT**.)

On motion by Senator **CAIN** of Penobscot, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **ENACTMENT**, in **NON-CONCURRENCE**.

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The Chair laid before the Senate the following Tabled and Later Assigned (3/20/14) matter:

SENATE REPORTS - from the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Amend the Workers' Compensation Laws as They Pertain to Employee Representation"

S.P. 632 L.D. 1641

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-433)** (7 members)

Minority - **Ought Not to Pass** (4 members)

Tabled - March 20, 2014, by Senator **PATRICK** of Oxford

Pending - motion by same Senator to **RECONSIDER** whereby the Senate **FAILED** to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report

(In Senate, March 20, 2014, Reports **READ**. Motion by Senator **PATRICK** of Oxford to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report **FAILED**.)

On motion by Senator **PATRICK** of Oxford, the Senate **RECONSIDERED** whereby it **FAILED** to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

On motion by Senator **JACKSON** of Aroostook, **TABLED** until Later in Today's Session, pending the motion by Senator **PATRICK** of Oxford to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

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

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Senator **PATRICK** of Oxford was granted unanimous consent to address the Senate off the Record.

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Senator **THIBODEAU** of Waldo was granted unanimous consent to address the Senate off the Record.

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

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Senator **CUSHING** of Penobscot was granted unanimous consent to address the Senate on the Record.

Senator **CUSHING**: Thank you Mr. President. I know how we, in this Chamber, honor industriousness and I think that on a Friday afternoon it would behoove us to give thanks to the young man who has stayed diligently with us. Mr. Ethan Baker, who has been very prodigious in delivering here. I would just ask my colleagues to join us in thanking him for his service.

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On motion by Senator **JACKSON** of Aroostook, **ADJOURNED** to Monday, March 24, 2014, at 10:00 in the morning.