

# 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  
March 26, 2014

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

Prayer by Pastor Neil Gastonguay, Bath United Methodist  
Church.

**PASTOR GASTONGUAY:** Thank you, Mr. President. Let us pray. God of grace and power, as we gather today to seek Your blessing and do the work to which You have called us, our thoughts go first to our neighbors and friends Downeast and the impending storm. Cover them with Your protective hand, that all will be safe and that all will be able to resume the erythema of their lives once the blizzard has passed. The storm is yet more evidence of Your creative might, and that all of Your creations is under Your active control and care. As the women and men of the Maine State Senate gather to seek Your presence and guidance, we acknowledge You as creator and guardian of all that is in our world. We see with gratitude the magnificence created order in which You have placed us from our world famous coastline to our mountains and to the wild places where the abundance and diversity of Your creation is so evident. We gather in gratitude for Your grace in giving us such a beautiful home. The Senate gathers today as they do during each day of the session to do the work to which the guidance of Your hand and the will of the people have called them. The people who have elected them are strong, hardworking, and optimistic, putting their hands to many tasks with determination and interest. In the forest and along the coast, in the broad fields of the county and the hills of the west that produce food for the table, materials for work and play, good and services for all the world. This Body is summoned here to affirm this world of work and productivity and determine how best government can be part of making all of these efforts more successful for Mainers and more useful to the world. There is much about which to be hopeful, much to celebrate and admire, but there is also much to care for and direct. A free peoples need to be turned loose to turn creative ideas into new and useful ways to improve life, yet government must decide when the common good requires direction and management. A vigorous and hardworking people need abundant energy, but still must have an environment that is conducive to the very best quality of life available. In the midst of the bustle and the productivity of our people, many cannot participate in the abundant life of our abundant state. Children by the thousands live in hunger, suffer abuse, or are denied opportunities. Men and women seek work to meet their families' needs and feel the dignity of being at work and meet frustrations when they cannot find work. The relentless tug-of-war between the needs of our beautiful natural world and the finding and using of sources of energy continues to baffle us and keep us in a tension of ideas about how this can come to resolution. Our people look here for this house and its partners in the Legislature,

Executive, and Judiciary to secure the environment in which people can live their lives in security and safety. Here in this Chamber, Lord, these persons accept Your call to confront these and so many other issues, bringing a range of knowledge and experience to the task and bringing also a wide diversity of ideas and opinions on the ways in which government can best serve all the needs of Maine's people. I thank You today, O God, for the willing minds and the voices that begin this day's work and action. These persons, called by the electorate, are also called by Your grace to these tasks and in this moment seek Your guidance. Pour out upon them Your spirit of wisdom for their decisions and Your reconciling spirit that in the vigor of debate there may always be the restraint that comes from mutual respect. Give them ears to hear what is offered and minds to sort and consider. Let them be firm in action, compassionate in decision, and open in discussion. They stand here now because they recognize and seek the higher power that is believed in and sought for in human hearts. Come to this place today, O God, and every day that this Body meets and fill it with grace and peace, hope and wisdom for the work of the Senate and the good of the people of Maine. We thank You for all the ways in which You are known and worshiped and I offer this prayer to You today in the name of Jesus Christ. Amen.

Pledge of Allegiance led by Senator Andre E. Cushing of  
Penobscot County.

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

Doctor of the day, Joel Kase, DO of North Yarmouth.

Off Record Remarks

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

**PAPERS FROM THE HOUSE**

**Non-Concurrent Matter**

HOUSE REPORTS - from the Committee on **VETERANS AND  
LEGAL AFFAIRS** on Bill "An Act To Allow the Passamaquoddy  
Tribe To Operate Slot Machines in Washington County in  
Conjunction with High-stakes Beano"

H.P. 1091 L.D. 1520

Majority - **Ought Not to Pass** (9 members)

Minority - **Ought to Pass as Amended by Committee  
Amendment "A" (H-630)** (3 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-630)**.

In Senate, March 19, 2014, Reports **READ**. On motion by Senator **KATZ** of Kennebec, 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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Off Record Remarks

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**COMMUNICATIONS**

The Following Communication: S.C. 835

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

March 24, 2014

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Education and Cultural Affairs has had under consideration the nomination of William H. Cassidy of Robbinston, for appointment to the Maine Community College System, Board of Trustees.

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

YEAS	Senators	2	Millett of Cumberland, Langley of Hancock
	Representatives	10	MacDonald of Boothbay, Daughtry of Brunswick, Hubbell of Bar Harbor, Johnson of Greenville, Kornfield of Bangor, Maker of Calais, McClellan of Raymond, Nelson of Falmouth, Pouliot of Augusta, Rankin of Hiram

NAYS 0  
ABSENT 1 Sen. Johnson of Lincoln

Rep. Soctomah of Passamaquoddy Tribe was absent.

Twelve members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of William H. Cassidy of Robbinston, for appointment to the Maine Community College System, Board of Trustees be confirmed.

Signed,

S/Rebecca J. Millett Senate Chair  
S/W. Bruce MacDonald House Chair

**READ and ORDERED PLACED ON FILE.**

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

Senator **BURNS:** Thank you Mr. President. Ladies and gentlemen of the Senate, I'm sorry to interrupt you in your discourse, but I just wanted to have an opportunity to say how pleased I was for the committee's response to Dr. Cassidy's nomination. He's a well-rounded educator and will be an excellent addition to this board. Thank you, Mr. President.

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#485)**

YEAS: Senators: None

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

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **William H. Cassidy** of Robbinston for appointment to the Maine Community College System, Board of Trustees was **CONFIRMED**.

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

The Following Communication: S.C. 836

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

March 24, 2014

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Education and Cultural Affairs has had under consideration the nomination of Robert P. Clark of Fort Fairfield, for reappointment to the Maine Community College System, Board of Trustees.

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

YEAS	Senators	2	Millett of Cumberland, Langley of Hancock
	Representatives	10	MacDonald of Boothbay, Daughtry of Brunswick, Hubbell of Bar Harbor, Johnson of Greenville, Kornfield of Bangor, Maker of Calais, McClellan of Raymond, Nelson of Falmouth, Pouliot of Augusta, Rankin of Hiram

NAYS 0

ABSENT 1 Sen. Johnson of Lincoln

Rep. Soctomah of Passamaquoddy Tribe was absent.

Twelve members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Robert P. Clark of Fort Fairfield, for reappointment to the Maine Community College System, Board of Trustees be confirmed.

Signed,

S/Rebecca J. Millett  
Senate Chair

S/W. Bruce MacDonald  
House Chair

**READ and ORDERED PLACED ON FILE.**

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#486)**

YEAS: Senators: None

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

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Robert P. Clark** of Fort Fairfield for reappointment to the Maine Community College System, Board of Trustees was **CONFIRMED**.

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

The Following Communication: S.C. 837

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

March 24, 2014

LEGISLATIVE RECORD - SENATE, WEDNESDAY, MARCH 26, 2014 (CORRECTED COPY)

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

**ROLL CALL (#487)**

YEAS: Senators: None

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Education and Cultural Affairs has had under consideration the nomination of Jane S. Knapp of Gorham, for appointment to the Maine Community College System, Board of Trustees.

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

YEAS	Senators	2	Millett of Cumberland, Langley of Hancock
	Representatives	10	MacDonald of Boothbay, Daughtry of Brunswick, Hubbell of Bar Harbor, Johnson of Greenville, Kornfield of Bangor, Maker of Calais, McClellan of Raymond, Nelson of Falmouth, Pouliot of Augusta, Rankin of Hiram
NAYS		0	
ABSENT		1	Sen. Johnson of Lincoln

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Jane S. Knapp** of Gorham for appointment to the Maine Community College System, Board of Trustees was **CONFIRMED**.

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

The Following Communication: S.C. 838

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

March 24, 2014

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Education and Cultural Affairs has had under consideration the nomination of Shawn H. Moody of Gorham, for appointment to the Maine Community College System, Board of Trustees.

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

YEAS	Senators	2	Millett of Cumberland, Langley of Hancock
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Rep. Soctomah of Passamaquoddy Tribe was absent.

Twelve members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Jane S. Knapp of Gorham, for appointment to the Maine Community College System, Board of Trustees be confirmed.

Signed,

S/Rebecca J. Millett Senate Chair	S/W. Bruce MacDonald House Chair
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**READ and ORDERED PLACED ON FILE.**

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

LEGISLATIVE RECORD - SENATE, WEDNESDAY, MARCH 26, 2014 (CORRECTED COPY)

Representatives 10 MacDonald of Boothbay,  
Daughtry of Brunswick,  
Hubbell of Bar Harbor,  
Johnson of Greenville,  
Kornfield of Bangor, Maker of  
Calais, McClellan of  
Raymond, Nelson of  
Falmouth, Pouliot of Augusta,  
Rankin of Hiram

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Shawn H. Moody** of Gorham, for appointment to the Maine Community College System, Board of Trustees was **CONFIRMED**.

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

NAYS 0

ABSENT 1 Sen. Johnson of Lincoln

Rep. Soctomah of Passamaquoddy Tribe was absent.

Twelve members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Shawn H. Moody of Gorham, for appointment to the Maine Community College System, Board of Trustees be confirmed.

Signed,

S/Rebecca J. Millett  
Senate Chair

S/W. Bruce MacDonald  
House Chair

**READ and ORDERED PLACED ON FILE.**

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#488)**

YEAS: Senators: None

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

The Following Communication: S.C. 839

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

March 24, 2014

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Education and Cultural Affairs has had under consideration the nomination of Shawn H. Moody of Gorham, for appointment to the University of Maine System, Board of Trustees.

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

YEAS	Senators	2	Millett of Cumberland, Langley of Hancock
	Representatives	8	MacDonald of Boothbay, Daughtry of Brunswick, Hubbell of Bar Harbor, Johnson of Greenville, Maker of Calais, McClellan of Raymond, Pouliot of Augusta, Rankin of Hiram
NAYS	Senators	0	
	Representatives	2	Kornfield of Bangor, Nelson of Falmouth
ABSENT		1	Sen. Johnson of Lincoln

Rep. Soctomah of Passamaquoddy Tribe was absent.

LEGISLATIVE RECORD - SENATE, WEDNESDAY, MARCH 26, 2014 (CORRECTED COPY)

Ten members of the Committee having voted in the affirmative and two in the negative, it was the vote of the Committee that the nomination of Shawn H. Moody of Gorham, for appointment to the University of Maine System, Board of Trustees be confirmed.

Signed,

S/Rebecca J. Millett  
Senate Chair

S/W. Bruce MacDonald  
House Chair

**READ and ORDERED PLACED ON FILE.**

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#489)**

YEAS: Senators: None

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

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Shawn H. Moody** of Gorham for appointment to the University of Maine System, Board of Trustees was **CONFIRMED**.

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

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The Following Communication: S.C. 840

**STATE OF MAINE  
126<sup>TH</sup> LEGISLATURE  
OFFICE OF THE GOVERNOR**

March 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 Joan M. Nass of Acton for appointment and Richard A. Gould of Greenville for appointment to the Maine Indian Tribal-State Commission.

Pursuant to Title 30, MRSA §6212, these appointments are 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.**

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The Following Communication: S.C. 841

**STATE OF MAINE  
126<sup>TH</sup> LEGISLATURE  
OFFICE OF THE GOVERNOR**

March 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 Beth Anne Lorigan of Brewer for appointment and Patricia A. Duran of Herman for appointment to the Maine Community College System Board of Trustees.

Pursuant to Title 20-A, MRSA §12705, these appointments are contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: S.C. 842

**STATE OF MAINE  
126<sup>TH</sup> LEGISLATURE  
OFFICE OF THE GOVERNOR**



24 March 2014

The 126<sup>th</sup> Legislature of the State of Maine  
State House  
Augusta, ME

Dear Honorable Members of the 126<sup>th</sup> Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 1449, "An Act To Amend the Composition and Duties of the Maine Children's Growth Council."

It seems that this bill was introduced just for the sake of passing a bill. I do not believe that this language will do anything to further help children in our communities. Simply adding more members and redefining the level of interest in childhood education a council candidate must demonstrate for appointment do not create change.

State agencies, communities and private businesses are already working together to improve the lives of children, including through this Council already. We all know that it is crucial to provide the best chances of success for our youth. This bill will not accomplish anything that Mainers are not doing already.

For these reasons, I return LD 1449 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Bill:

An Act To Amend the Composition and Duties of the Maine  
Children's Growth Council

S.P. 531 L.D. 1449

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

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

The Following Communication: H.C. 385

**STATE OF MAINE  
OFFICE OF THE GOVERNOR  
1 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0001**

March 24, 2014

The 126th Legislature of the State of Maine  
State House  
Augusta, Maine

Dear Honorable Members of the 126th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 1589, "Resolve, To Ensure Notification to the Public of the Location in Maine of Persons Convicted in Foreign Countries of Certain Crimes."

This bill comes to my desk in the form of a resolve that would mandate that the Commissioner of the Department of Public Safety convene a task force in order to develop a procedure for notifying members of the public of the presence in their community of someone who was convicted of a sex offense in a foreign country. While I see that the goals of this bill are laudable, my concern is that they simply are not reachable given the sparse resources that are assigned to the task. I do not veto this bill because of its intent. I veto this bill due to its lack of practicality. In order to notify communities of the presence of sex offenders who are convicted in foreign countries, law enforcement would have to verify the accuracy of the information they receive or seek out. This means that law enforcement would have to embark on a quest for information that would span a multitude of countries each with a unique criminal code. Many of these countries have justice systems that are completely different than that of Maine. Further many countries do not have publicly accessible databases that can be searched. It is likely that in order to accomplish the goal of gathering and verifying foreign information, law enforcement would need to hire interpreters before inquiries could be made. Many countries keep their sex registers confidential. It is hard to imagine how law enforcement would be able to get around these very real difficulties. The resolve mandates that the task force submit a report that would have to solve these issues. It is simply not practical to assume that such a task force could prepare such a report by December of this year.

I also have concerns about the constitutionality of this resolve as it relates to those convicted in countries that do not afford criminal defendants the same due process protections that are afforded in this country. In Maine a sex offender's name is only placed on the sex registry after a full criminal proceeding that affords a defendant all due process. It appears that similar protections would not be afforded to those who are convicted in foreign countries before police would begin telling their neighbors that they are sex offenders.

Rather than keeping our children safe, this bill to a large extent provides a sense of false security to the threat that is posed by would-be sex offenders. For these reasons, I return LD 1589 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Bill:

Resolve, To Ensure Notification to the Public of the Location in Maine of Persons Convicted in Foreign Countries of Certain Crimes

H.P. 1160 L.D. 1589

Comes from the House, 143 members having voted in the affirmative and none in the negative, the veto of the Governor was Overridden and it was the vote of the House that the Bill become law notwithstanding the objections of the Governor.

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

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

A vote of yes was in favor of the Bill.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#490)**

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, WHITTEMORE, WOODBURY, YOUNGBLOOD, THE PRESIDENT - JUSTIN L. ALFOND

NAYS: Senators: None

35 Senators having voted in the affirmative and No Senator having voted in the negative, and 35 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

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**REPORTS OF COMMITTEES**

**House**

**Ought to Pass As Amended**

The Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Enhance the Sustainability of the Corinna Water District"

H.P. 1190 L.D. 1618

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-736)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-736)**.

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

**READ ONCE.**

Committee Amendment "A" (H-736) **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 **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Create the Newport Natural Gas District"  
H.P. 1193 L.D. 1621

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-737)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-737)**.

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

**READ ONCE.**

Committee Amendment "A" (H-737) **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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**Divided Report**

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Amend Laws Relating to Health Care Data"

H.P. 1246 L.D. 1740

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-733)**.

Signed:

Senators:

CRAVEN of Androscoggin  
HAMPER of Oxford  
LACHOWICZ of Kennebec

Representatives:

FARNSWORTH of Portland  
CASSIDY of Lubec  
DORNEY of Norridgewock  
GATTINE of Westbrook  
MALABY of Hancock  
McELWEE of Caribou  
PETERSON of Rumford  
SANDERSON of Chelsea  
SIROCKI of Scarborough

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

Signed:

Representative:

STUCKEY of Portland

(Representative BEAR of the Houlton Band of Maliseet Indians - of the House - supports the Majority **Ought To Pass as Amended Report**.)

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED Report READ and ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-733)**.

Reports **READ**.

On motion by Senator **CRAVEN** of Androscoggin, the Majority **OUGHT TO PASS AS AMENDED Report ACCEPTED**, in concurrence.

**READ ONCE**.

Committee Amendment "A" (H-733) **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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**Divided Report**

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Cancel the No-bid Alexander Group Contract To Produce Savings in Fiscal Year 2013-14" (EMERGENCY)

H.P. 1286 L.D. 1794

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-684)**.

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

(Representative BEAR of the Houlton Band of Maliseet Indians - of the House - supports the Majority **Ought To Pass as Amended Report**.)

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED Report READ and ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-684)**.

Reports **READ**.

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

On further motion by same Senator, 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 Androscoggin, Senator Craven.

Senator **CRAVEN:** Thank you Mr. President. Men and women of the Senate, this contract with the Alexander Group was a mistake from the start and continuing to fund it only compounds the error. At a time when our state is desperately short of money it is shameful that we are wasting so much on this contract. This money did not come out of thin air. It was diverted from funds mostly that were designated to help families on TANF. There are lots of other productive uses it could have been put to as well. It could have been used to feed hungry families, restore funding to Head Start, or reduce budget shortfalls. If there are some benefits attached to this contract that would be one thing, but it's not so in this case. The only product we have to show so far is that the first report from the Alexander Group was a month late and so seriously flawed as to be useless, even containing a \$575 million math error. Since then we've received nothing. Despite the flawed error report and the lack of further information from the Alexander Group, the Chief Executive paid them an additional \$193,000 in February, bringing the total paid to this wasted effort

to \$378,000. If we continue paying for this contract we will be throwing good money after bad. If the State cuts its losses at this point we can still save \$547,000 in funds left in the contract. If we continue we will be out almost a million dollars with nothing to show for it. The Chief Executive speaks often enough about running the state like a business and demanding value for tax payer's money, but is it a poor business person who gives out a contract to an unqualified person without any competition and then doesn't demand a quality product? It's time to actually behave like a businessman and fire a contractor who's wasting our money. Please vote Ought to Pass on L.D. 1794. Thank you, Mr. President.

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

Senator **HAMPER:** Thank you Mr. President. Ladies and gentlemen of the Senate, I'll preface my remarks with the old saying, "No one loves the messenger who brings bad news." Regardless of whether you like the results in the report or not is irrelevant. That does not negate the fact that the Executive Branch has the ability to engage in sole source contracting independent of the Legislature and often does so for the procurement of specific services and products. Sole sourcing is appropriate where experience is unique. Alexander was the only commissioner to ever obtain a global waiver from CMS. A reminder, the Legislature does do sole sourcing and that has never been a problem. Five hundred thousand was spent on an education report and there was a multi-million dollar sole source contract with a company that is doing the high tech work on the Affordable Care Act. Sweetser has a sole source contract and as they implement more managed care programs they will need the flexibility to move forward with their cost saving initiatives, and the department may need to seek a global waiver. Who better to do so than the former head of the Rhode Island DHHS, and Rhode Island is the only state that successfully obtained a global waiver from the feds. When entering into a RFP process the criteria may require a service not provided by many, so you would tend to go towards the experienced, just as Sweetser provides services that are not performed by others. If the department will need a global waiver, who better than the only one who has successfully negotiated with CMS. We've had contractors who are not meeting expectations in the past. Case in point, a contractor that was in charge of the roll out of the new billing system. That was dealt with through non-payment until the services were delivered. This bill is a broad, over reaching of legislative power. We have three branches of government; the Executive, Legislative, and Judicial. This bill is a case of one branch of government interfering with another. This blurs the lines and we need to keep them crystal clear. The Legislature should not be interfering in this contractual agreement. The Executive Branch has the right to negotiate and enter into contracts independent of the Legislature, period. This bill is an over extension of our authority. Thank you, Mr. President.

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

Senator **LACHOWICZ:** Thank you Mr. President. Men and women of the Senate, I think the message of this bill most of all is that we all deserve a Department of Health and Human Services that functions well. That's what our tax payers, that's what our

constituents, expect of us. That's what I expect of us, no matter who's sitting in the Executive Branch, no matter who's sitting in this Body with us. What we have is a contract that hasn't met its deliverables and has a very large math error, and we're still paying for it. To me, that just seems to be the theme that I've seen going on in this Department of Health and Human Services. I know I'm not supposed to talk about those other problems we've had, so I won't. I'll just vaguely reference them. We deserve better than this. I know when I talk to my constituents they want to know that it works well. I, in good conscience, can't go home tonight and tell them that this is a department that's working well and that this is worth \$1 million of their money. Thank you very much.

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

Senator **JACKSON:** Thank you Mr. President. Ladies and gentlemen of the Senate, I rise because I really can't believe what a reoccurring theme seems to be in this department administration. There is contract after contract that has been shown to be not what the state is actually entered into. This would be one that had a \$575 million math error in it. We haven't had other reports come in on time. It's just a bad contract that no one would really, in any form of business, say, "Well, ya, let's continue to pour money into this." It seems to be something that has not worked at all and something that is a waste of tax payer's money. We heard earlier this week that in a time of such short state funding we shouldn't be doing things. Well this is certainly a time when such short state funding we shouldn't be wasting money on a contract that seems to be more campaign rhetoric than anything. I look at this and think to myself; what is it that makes any sense? On one hand we hear how the economy is getting better, jobs have been created, and things are starting to flourish here in the state. This report actually talks about how, in the future, there's going to be less and less jobs, and the economy is going to get worse. You can't have it both ways. There seems to be a certain hypocrisy with what's actually in this report. I don't understand why anyone taking tax payer money would actually want to continue funding something like this. We all know what the vote was going to be on the expansion. It ended up happening. This contract, at this point, is worthless. Let's not waste any more money on something that seems to be a "my way or the highway" type of approach. Let's just get rid of it, save money, and put it into programs that we know are struggling.

**THE PRESIDENT:** The Chair recognizes the Senator from Waldo, Senator Thibodeau.

Senator **THIBODEAU:** Thank you Mr. President. Ladies and gentlemen of the Senate, I think there may be just a little bit of confusion about this contract that we're discussing. There have been several references to a math error. I think that there are two sides of that discussion and many people think that the math error that was made was by the individual that was assessing what the publication said. I might want to remind this group that the contract is not simply for discussing whether or not Medicaid expansion is appropriate. As part of the contract there is going to be a baseline analysis in review of Maine's public welfare benefits, including long term care policies and programs, care management systems, pharmacy, purchasing strategies, school based therapy services, TANF benefits, SNAP benefits, childcare

programs, child support, and eligibility systems. There will be recommendations for system reforms and then they will provide recommendations for enhancing the welfare to work program. I think that all these things are important. I think our constituents would applaud us making sure that we have a Health and Human Services Department that is delivering programs in an efficient manner, a prudent manner, and I think that this report is going to pay great dividends in the future and look forward to hearing from the individuals once this report gets here and we all have a chance to assess what it says. Thank you.

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

Senator **CRAVEN:** Thank you Mr. President. I just wanted to add that, besides this being a bad contract, we have not received any deliverables since January. If we wanted to look at spending our money wisely, we could have hired somebody for \$100,000 a year, that would last us for 10 years, to do nothing else except manage our Medicaid programs. We would have kept that money in the state of Maine, employed a person, and had a great outcome. In this case, we are actually giving money to somebody from Rhode Island, that's going to spend it in Rhode Island, that has not been bringing us any product other than the first one, which was massively flawed. Here we are, still insisting that it's a good deal. I would also like to point out that this Administration put safeguards in place to make sure that all of the money would be a RFP, and we would have a competitive process. They went against their own policy. I just wanted to point those things out. Thank you.

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

Senator **JOHNSON:** Thank you Mr. President. Ladies and gentlemen of the Senate, I just wanted to point out a couple of things regarding the concerns with the report. The Maine Hospital Association agrees and the Maine Equal Justice Partners agree. I think there are two sides of this, but I would say that there is not a lot of standing on trying to claim that there isn't a significant math error and failings in that report. It is shoddy work. I'd also like to point out that as far as qualifications to do the work and the reference to the additional work still anticipated that the firm's director, Gary Alexander, served as director of Pennsylvania's Department of Public Welfare where his management and policies led to costing taxpayers \$7 million, while resulting in 89,000 children losing healthcare. I don't think that that's a qualification we want to look for in someone to evaluate how to improve cost effectiveness of our programs in this state. Thank you.

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

Senator **JACKSON:** Thank you Mr. President. Ladies and gentlemen of the Senate, math errors aside in this report, this report also projected that under this Administration there would be double digit unemployment. Again, I don't understand how we can talk both ways on these issues. This report is seriously flawed. I've heard actions speak louder than words and I definitely agree with the actions that this report has given us so far. I don't think it's anything that we should continue to go after.

**THE PRESIDENT:** The pending question before the Senate is the motion by the Senator from Androscoggin, Senator Craven to Accept the Majority Ought to Pass as Amended Report, 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 (#491)

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

**NAYS:** Senators: BURNS, COLLINS, CUSHING, FLOOD, HAMPER, KATZ, LANGLEY, MASON, PLUMMER, SHERMAN, THIBODEAU, THOMAS, WHITTEMORE, YOUNGBLOOD

21 Senators having voted in the affirmative and 14 Senators having voted in the negative, the motion by Senator **CRAVEN** of Androscoggin to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **PREVAILED**.

#### READ ONCE.

Committee Amendment "A" (H-684) **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

#### Ought to Pass As Amended

Senator VITELLI for the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act To Clarify the Confidentiality of Wood Processor Report Information"  
S.P. 660 L.D. 1665

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-452)**.

Report **READ**.

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

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Senator MILLETT for the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Resolve, To Create the Task Force To End Student Hunger in Maine

S.P. 729 L.D. 1819

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-454)**.

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

**READ ONCE**.

Committee Amendment "A" (S-454) **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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**Divided Report**

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Increase the Penalty for Failing To Carry Proof of Motor Vehicle Financial Responsibility" S.P. 724 L.D. 1810

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

Signed:

Senators:

GERZOFISKY of Cumberland  
DUTREMBLE of York

Representatives:

DION of Portland  
CASAVANT of Biddeford  
KAENRATH of South Portland  
LAJOIE of Lewiston  
LONG of Sherman  
MARKS of Pittston  
PLANTE of Berwick  
TYLER of Windham  
WILSON of Augusta

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-455)**.

Signed:

Senator:

PLUMMER of Cumberland

Reports **READ**.

Senator GERZOFISKY of Cumberland moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

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 Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#492)**

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

NAYS: Senators: BURNS, COLLINS, CUSHING, FLOOD, HAMPER, KATZ, LANGLEY, MASON, PLUMMER, SAVIELLO, SHERMAN, THIBODEAU, THOMAS, WHITTEMORE, YOUNGBLOOD

20 Senators having voted in the affirmative and 15 Senators having voted in the negative, the motion by Senator **GERZOFISKY** of Cumberland to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, **PREVAILED**.

Sent down for concurrence.

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**Divided Report**

The Majority of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Remove the 100-megawatt Limit on Renewable Sources of Energy" S.P. 237 L.D. 646

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

Signed:

Senators:

CLEVELAND of Androscoggin  
JACKSON of Aroostook  
YOUNGBLOOD of Penobscot

Representatives:

HOBBINS of Saco  
BEAVERS of South Berwick  
GIDEON of Freeport  
HARVELL of Farmington  
RUSSELL of Portland  
RYKERSON of Kittery  
TIPPING-SPITZ of Orono

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-453)**.

Signed:

Representatives:

DUNPHY of Embden  
LIBBY of Waterboro  
NEWENDYKE of Litchfield

Reports **READ**.

Senator **CLEVELAND** of Androscoggin moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

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 Androscoggin, Senator Cleveland.

Senator **CLEVELAND:** Thank you Mr. President. Women and men of the Senate, I'd like to share with you today the reasons why this committee has reported a Majority Ought Not to Pass Report, including all Senators in the Ought Not to Pass Report. I was here when the 100 megawatts limit was put into the law during restructuring. I understand the reasons why we did it then and I understand the reasons why we are doing it now. I also want to point out that this is not a partisan question, not a partisan question today and it wasn't a partisan question in the last couple of sessions. This is an issue that's been brought up by this Administration several times both while Democrats were controlling the Majority but also while the good Republicans were also in the Majority and had the full authority to change this. The Energy and Utilities Committee, even at that point, because of policy reasons, not for partisan reasons, recommended it not be done and it wasn't. The intent of this 100 megawatt bill is the notion that somehow by removing that we're going to have cheap electrical power coming from Canada and that's going to reduce electrical rates in Maine and make it better for the rate payers and the consumers and the businesses. The problem with that notion is there is absolutely no evidence to support it. This is a matter that I have discussed widely among energy experts, the Public Utilities Commission experts, ISO New England experts, and I've actually had a conversation with the Chief Executive about this as well, wanting to know how this would benefit the state of Maine. There is no contract. There were no discussions. There were no negotiations. There's no indication that the power from Canada would be any less expensive. In fact, in Vermont, where they are buying hydro power from Quebec, the price is essentially the same as the market price. Virtually no difference whatsoever. There is certainly no motivation for an independent country, this is a sovereign energy, it's not all private companies, to sell their resource at anything less than the market price at all. The notion that somehow this is going to lower energy prices and make it less expensive electricity simply doesn't exist.

Further, the need for this may not exist either. You need to remember, of course, that even if we remove the 100 megawatt there is actually no transmission connection between Canada and Maine or, except for a little section in Vermont, to New England. There isn't a transmission line to bring the electricity here. Fortunately, through the omnibus energy bill that we passed last session, this may be resolved. You may have read just recently, as a result of the Governors of the six New England states

signing an agreement both for natural gas expansion and for renewable hydro power expansion, that the New England states are going to cooperate in a way to build transmission lines, or support the construction of transmission lines, into New England. In fact, several are already proposed, including two in Maine, that would come into the area. There is currently no prohibition whatsoever for hydro power electricity generated by hydro power from Canada coming into the United States. There is none. That could happen today if there was a transmission line. You would just simply compete in the market place like everyone else does. With the proposals of these new transmission lines they will be able to do just that, not only in Maine but into New England where their preference is for their market, in Massachusetts and Connecticut.

However, if we pass this bill there could be some severe consequences about the economy of Maine, the businesses of Maine, and the renewable energy policies in Maine. There is a Class 1 renewable energy portfolio now. In that portfolio there are a number of generators, but one of the generating class groups in there are the large industrials, particularly the paper mills. They've renovated their facilities. They're doing co-generation. They are producing electricity. In fact, we know for a fact that some of those paper mills would not continue to be in business if they didn't have the ability to sell power from their co-generation in this Class 1 Rec. Hundreds, if not thousands, of jobs would be lost to the Maine economy. By removing this we threaten those in this region, those other renewable energy sources, with being priced out of the market because Hydro Quebec can just go one-tenth below everybody else, still higher than the market price, and totally consume that Class 1 Rec development. One of the reasons that we had it was to help Maine business, indigenous businesses in Maine. Billions of dollars have been invested in Maine as a result of that, dramatically improving the economy in the state of Maine and employing hundreds and thousands of people in this industry. It would be unwise to remove a policy that has been so effective in its economic impact on the state of Maine. Further, it would be unwise to do it because, once again, after telling the business community that this was a state policy, this was our energy policy, that we wanted to encourage some portion of renewable energy through the renewable resources and millions and millions of dollars have been spent by these companies based on our assertion and our public policy, that we now change the rules in the middle of the game. If businesses are looking for anything they are looking for consistency in state policy, consistency in our laws so that when they make investments they can rely on them. To change this at this time would totally reverse the policy direction that we have been going into. Because of all of those reasons, that this is not a partisan issue, this is a policy issue, that there is no evidence that it's going to benefit Maine in any way with lower energy costs, and that it would be reversing a very valuable important public policy for renewable energy, and the reliance that our industry and businesses have made on our public policy, I would urge you to support the Ought Not to Pass motion.

**THE PRESIDENT:** The pending question before the Senate is the motion by the Senator from Androscoggin, Senator Cleveland to Accept the Majority Ought Not to Pass 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 (#493)**

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

NAYS: Senators: BURNS, COLLINS, CUSHING, HAMPER, MASON, PLUMMER, THIBODEAU, THOMAS, WHITTEMORE

26 Senators having voted in the affirmative and 9 Senators having voted in the negative, the motion by Senator **CLEVELAND** of Androscoggin to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, **PREVAILED**.

Sent down for concurrence.

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**ENACTORS**

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

**Emergency Measure**

An Act To Prohibit Motorized Recreational Gold Prospecting in Class AA Waters and Certain Atlantic Salmon and Brook Trout Habitats

S.P. 646 L.D. 1671  
(C "A" S-424)

This being an Emergency Measure and having received the affirmative vote of 35 Members of the Senate, with no Senators having voted in the negative, and 35 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 Allocate a Portion of the Reed Act Distribution of 2002 To Use for the Administration of the Unemployment Insurance and Employment Services Programs

S.P. 719 L.D. 1802  
(C "A" S-437)

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 Create Parity for Proprietary Information Submitted to the Department of Marine Resources

H.P. 1210 L.D. 1687  
(C "A" H-715)

An Act To Make Changes to and Clarify Maine Traveler Information Services Laws

H.P. 1231 L.D. 1721  
(C "A" H-716)

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

H.P. 1279 L.D. 1787

**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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Senate at Ease.

Senate called to order by the President.

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**ORDERS OF THE DAY**

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

SENATE REPORT - from the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act To Clarify the Confidentiality of Wood Processor Report Information"  
S.P. 660 L.D. 1665

Report - **Ought to Pass as Amended by Committee Amendment "A" (S-452)**

Tabled - March 26, 2014, by Senator **HASKELL** of Cumberland

Pending - **ACCEPTANCE OF REPORT**

(In Senate, March 26, 2014, Report **READ**.)

Report **ACCEPTED**.

**READ ONCE**.

Committee Amendment "A" (S-452) **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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**HELD MATTER**

Bill "An Act To Improve Access to Oral Health Care"  
H.P. 870 L.D. 1230  
(H "B" H-658 to C "C" H-589)

(In Senate, February 6, 2014, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "C" (H-589)**, in concurrence.)

(In House, March 6, 2014, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "C" (H-589) AS AMENDED BY HOUSE AMENDMENT "B" (H-658)**, thereto, in **NON-CONCURRENCE**.)

(In Senate March 25, 2014, on motion by Senator **LACHOWICZ** of Kennebec, **RECEDED**. On motion by Senator **PATRICK** of Oxford, **CONCURRED**.)

Senator **CUSHING** of Penobscot moved the Senate **RECONSIDER** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED COMMITTEE AMENDMENT "C"(H-589) AS AMENDED BY HOUSE AMENDMENT "B" (H-658)**, thereto, in concurrence.

On motion by Senator **PATRICK** of Oxford, 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 (#494)**

YEAS: Senators: CAIN, CLEVELAND, COLLINS, CUSHING, FLOOD, HAMPER, HILL, LANGLEY, SAVIELLO, THIBODEAU, THOMAS

NAYS: Senators: BOYLE, BURNS, CRAVEN, DUTREMBLE, GERZOFISKY, GRATWICK, HASKELL, JACKSON, JOHNSON, KATZ, LACHOWICZ, MASON, MAZUREK, MILLETT, PATRICK, PLUMMER, SHERMAN, TUTTLE, VALENTINO, VITELLI, WHITTEMORE, WOODBURY, YOUNGBLOOD, THE PRESIDENT - JUSTIN L. ALFOND

11 Senators having voted in the affirmative and 24 Senators having voted in the negative, the motion by Senator **CUSHING** of Penobscot to **RECONSIDER** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED COMMITTEE AMENDMENT "C"(H-589) AS AMENDED BY HOUSE AMENDMENT "B" (H-658)**, thereto, in concurrence, **FAILED**.

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

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**ORDERS OF THE DAY**

The Chair laid before the Senate the following Tabled and Later Assigned (3/12/14) matter:

**Emergency Measure**

Resolve, Directing a Study of Social Media Privacy in School and in the Workplace

H.P. 838 L.D. 1194  
(C "A" H-640)

Tabled - March 12, 2014, by Senator **JACKSON** of Aroostook

Pending - **FINAL PASSAGE**, in concurrence

(In Senate, March 5, 2014, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-640)**, in concurrence.)

(In House, March 11, 2014, **FINALLY PASSED**.)

On motion by Senator **KATZ** of Kennebec, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-640)**, in concurrence.

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (H-640), in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-447) to Committee Amendment "A" (H-640) **READ**.

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

Senator **KATZ:** Thank you very much Mr. President. Men and women of the Senate, this L.D. 1194, Directing a Study of Social Media Privacy in School and in the Workplace, is an excellent bill. There was a related bill, Mr. President, also presented to the Education Committee, which I was the sponsor, which takes a look at a related issue, that is the privacy surrounding Cloud computing. Many of our schools and school districts put their student records, that you used to go out in the back room and it would be locked up out back, things about their term papers and their personal identifying information and maybe even their medical records, in storage in the back room. Now, with the computers and with electronic records, storage of those have

become a problem on school servers, and schools have started to contract with Cloud computing services to have those records stored in some other location. That's all well and good. The issue though is whether or not some of these Cloud computing companies are using that student data, to mine through them to find out things about the students that could then be used for commercial purposes. For instance, if your son has written a term paper talking about how much he loves the outdoors and hiking, the query whether the Cloud computing companies are mining that data, and now an ad for Cabela's or L.L. Beans may show up on your son's computer. There is some indication that that may be going on nationally. It's not entirely clear, but we ought to at least be taking a look at it. What this amendment does is add the subject of the privacy of Cloud computer records to the study which is already vetted in L.D. 1194. They are both terrific things to take a look at and the amendment also provides for the solicitation of outside funding to help actually fund this study so it will take place. Thank you very much, Mr. President.

On motion by Senator **KATZ** of Kennebec, Senate Amendment "A" (S-447) to Committee Amendment "A" (H-640) **READ** and **ADOPTED**.

Committee Amendment "A" (H-640) as Amended by Senate Amendment "A" (S-447) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

**PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-640) AS AMENDED BY SENATE AMENDMENT "A" (S-447)** thereto, in **NON-CONCURRENCE**.

Ordered sent down forthwith for concurrence.

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

HOUSE REPORTS - from the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Streamline the Work Permitting Process for Minors and To Conform Allowable Places That Minors May Work to Federal Law" (EMERGENCY)

H.P. 1222 L.D. 1698

Majority - **Ought Not to Pass** (6 members)

Minority - **Ought to Pass** (5 members)

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

Pending - motion by same Senator to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence

(In House, March 19, 2014, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.)

(In Senate, March 20, 2014, Reports **READ**.)

Senator **PATRICK** of Oxford requested and received leave of the Senate to withdraw his motion to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence.

On motion by same Senator, the Minority **OUGHT TO PASS** Report **ACCEPTED**, in **NON-CONCURRENCE**.

Under suspension of the Rules, **READ A SECOND TIME**.

On motion by Senator **JOHNSON** of Lincoln, Senate Amendment "A" (S-456) **READ**.

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

Senator **JOHNSON:** Thank you Mr. President. I just wanted a moment to speak to my motion. I wanted to point out that this is, I believe, a well-supported resolution for many people in this Chamber of the tensions involved here between the Superintendent knowing and having a say in whether a student, who may not be attending the summer school program, is working and if they need to have attention paid to the summer program that's important to their future, that the Superintendent has an opportunity to weigh in on that. The other side of it is that a student, in the summertime, may have job opportunities come along at short notice through relatives, friends, or however, and we don't want the amount of time it takes to respond to that stand in the way of that opportunity as well. This amendment would merely say that in the summertime and when out of session the Superintendent would have two business days to respond before the Department of Labor would be able to step in and issue a work permit.

On motion by Senator **JOHNSON** of Lincoln, Senate Amendment "A" (S-456) **ADOPTED**.

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

Senator **CUSHING:** Thank you Mr. President. I don't want to impede the smooth process of this bill, but I did want to just point out, and I appreciate the amendment offered by the Senator from Lincoln, if it gets us to a point where this summer we can be, perhaps, more able to help students I am grateful for his work on that and grateful for the committee chair in facilitating this.

**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, although I allowed this bill to move into this posture probably more for realism's hand, I was against the bill in committee. I have been against this bill for many years. I don't think, and I can say, that I'm not as against the bill as I was in the past. Last year we, in the committee, worked with the department to help streamline a process which actually, I think, helped by adding some internet services that allowed the problem to lessen from the standpoint of what the perceived problem was. The reason why I was actually still against it was that we had asked, statistically, was there any real problem. There hadn't been any numbers come to us as far as there was a problem. Numerically, I think I kind of figured out, with what I got for information as best could be derived, was that this could potentially help 20 to 24 students. I don't want to be in the way of that. There are a lot of times that bills that we might

not agree with, but to have the opportunity to allow the bill to go forward and having the Senators work on a bill was fine with me. Thank you, Mr. President.

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

Senator **CUSHING:** Thank you Mr. President. Ladies and gentlemen of the Senate, I just wanted to assure you that I'm not going to move to reconsider my comments about the good chair from Oxford.

**PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-456), in NON-CONCURRENCE.**

Sent down for concurrence.

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The Chair laid before the Senate the following Tabled and Later Assigned (3/21/14) 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 21, 2014, by Senator **JACKSON** of Aroostook

Pending - motion by Senator **PATRICK** of Oxford 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**.)

In Senate, March 21, 2014, motion by Senator **PATRICK** of Oxford, **RECONSIDERED**.)

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 Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#495)**

YEAS: Senators: **BOYLE, CAIN, CRAVEN, DUTREMBLE, GERZOFKY, GRATWICK, HASKELL, HILL, JACKSON, JOHNSON, LACHOWICZ, MAZUREK, MILLETT, PATRICK, TUTTLE, VALENTINO, VITELLI, THE PRESIDENT - JUSTIN L. ALFOND**

NAYS: Senators: **BURNS, CLEVELAND, COLLINS, CUSHING, FLOOD, HAMPER, KATZ, LANGLEY, MASON, PLUMMER, SAVIELLO, SHERMAN, THIBODEAU, THOMAS, WHITTEMORE, WOODBURY, YOUNGBLOOD**

18 Senators having voted in the affirmative and 17 Senators having voted in the negative, the motion by Senator **PATRICK** of Oxford to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, **PREVAILED**.

**READ ONCE.**

Committee Amendment "A" (S-433) **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 Assigned (3/24/14) matter:

SENATE REPORTS - from the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Clarify What Constitutes a Contribution to a Candidate" (EMERGENCY)  
S.P. 622 L.D. 1631

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-446)** (6 members)

Minority - **Ought Not to Pass** (5 members)

Tabled - March 24, 2014, by Senator **TUTTLE** of York

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

(In Senate, March 24, 2014, Reports **READ**.)

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 Tuttle.

Senator **TUTTLE:** Thank you Mr. President. Members of the Senate, I'd ask that you would support the pending motion. This bill amends the law regarding limitations on campaign contributions and expenditures. The Majority Report is an amendment that strikes the bill and amends the laws regarding limitations of campaign contributions. The amendment also strikes the Emergency Preamble from the bill. The organizations that were in support were the Maine Citizens for Clean Elections, and the League of Women Voters of Maine. There was no opposition that spoke against the bill. This bill is sponsored by the good Senator Saviello. It starts with the simple assumption that, you might even call it a no brainer, certain persons close to a candidate's campaign cannot, with a straight face, make an

independent expenditure on behalf of that candidate. With the increase, as we know, of independent expenditures, outside campaigns are spending more than the candidates themselves. This bill attempts to clarify when an expenditure is really a contribution to a candidate. It makes sure that contribution limits work. They must be accompanied by restrictions for coordinated spending. In my opinion, the public needs to be assured that candidates are not beholden to any one large contributor. As I said, clear rules are necessary about when an expenditure becomes coordinated and, hence, counted as a contribution subject to disclosure. In my opinion, the law needs to set a clear standard for proper enforcement. Once again, at the public hearing no one spoke in opposition. Thank you, Mr. President.

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

Senator **MASON:** Thank you Mr. President. Men and women of the Senate, I believe that this bill is a solution in search of a problem. The bill puts arbitrary and unnecessary definitions and deadlines on volunteers and personnel involved in political campaigns. As we all know, Mr. President, in the court of public opinion all one has to do is accuse a candidate of an ethics violation and the accused are then guilty. Unfortunately, the media's font four is much bigger for an accusation than it is for an exoneration. I think that this bill is a breeding ground for those kinds of accusations. In committee we asked questions about certain volunteers like; if someone was a Facebook administrator, what kind of effect would that be that for that person and that campaign? Would we have to assign a monetary value to people placing signs and doing volunteer work? After many questions like this were answered with an "I'm not sure" or "I'll have to get back to you on that" some of us were convinced that this create more problems than it would solve. I would urge the members of the Senate, Mr. President, to vote against the Ought to Pass Report. Thank you.

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

Senator **JACKSON:** Thank you Mr. President. Ladies and gentlemen of the Senate, I don't think that this bill is a solution looking for a problem. I think there definitely was a problem. I know that some of the things that this bill aims to correct were probably directly out of my area in the St. John Valley where we saw candidates that had people that were listed as their campaign manager or campaign treasurer that were doing things outside of it, bringing in newspaper advertisements, picking up signs and things that were paid for by third party people. It seemed to be there was nothing that wasn't going on. People that were filming for some candidates. What it all came down to it and arguments were made that that was a violation, everyone said "I'm not part of the campaign" even though they were listed as people that were treasurers and stuff. They said it was in name only. Come to find out there was really nothing that the current law allows you to even do about that. Most races don't have an awful lot of money to run them under the Clean Election system, but people go into that knowing full well what the amount they're going to be and if both sides, or all three sides, can stick to that amount at least it's a fair race. When people start pumping in extra money into it and then not being truthful about where it's coming from, especially if it's with people that are in your

campaign, I think that's a problem. I think this bill is addressing that. There's nothing worse than people trying to be dishonest in a campaign whenever you sign up to be a Clean Election candidate and have filed and wrote your name down that you're going to have the ability to run your campaign on just state money. In the end you find out that you want to go ahead and take some outside funds, well that's breaking the trust of the people of the state of Maine and what the Clean Election system is. That's certainly happened. I watched it first hand and was definitely dismayed and frustrated by the fact that the law that we have now allows some people to get off. I think this bill does have a solution to a real problem and that's why I'm supporting it today.

**THE PRESIDENT:** The pending question before the Senate is the motion by the Senator from York, Senator Tuttle 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 (#496)

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

**NAYS:** Senators: BURNS, CLEVELAND, COLLINS, CUSHING, HAMPER, KATZ, MASON, PLUMMER, THIBODEAU, THOMAS, WHITTEMORE

24 Senators having voted in the affirmative and 11 Senators having voted in the negative, the motion by Senator **TUTTLE** of York to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, **PREVAILED**.

#### READ ONCE.

Committee Amendment "A" (S-446) **READ** and **ADOPTED**.

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

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

#### SENATE PAPERS

Bill "An Act To Clarify Outcome-based Forestry"  
S.P. 746 L.D. 1847

Presented by Senator BOYLE of Cumberland.  
Cosponsored by Representative CRAY of Palmyra and Senators:  
SAVIELLO of Franklin, SHERMAN of Aroostook, VITELLI of  
Sagadahoc, Representatives: BLACK of Wilton, DILL of Old  
Town, NOON of Sanford, TIMBERLAKE of Turner.  
Approved for introduction by a majority of the Legislative Council  
pursuant to Joint Rule 205.

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

Sent down for concurrence.

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

**PAPERS FROM THE HOUSE**

**House Paper**

Bill "An Act To Require the Licensure of Scrap Metal Recyclers  
and Mobile Scrap Metal Dealers"  
H.P. 1329 L.D. 1846

Comes from the House, REFERRED to the Committee on  
**LABOR, COMMERCE, RESEARCH AND ECONOMIC  
DEVELOPMENT** and ordered printed.

On motion by Senator PATRICK of Oxford, REFERRED to the  
Committee on **LABOR, COMMERCE, RESEARCH AND  
ECONOMIC DEVELOPMENT** and ordered printed, 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 Implement the Recommendations of the Substance  
Abuse Services Commission with Regard to the Controlled  
Substances Prescription Monitoring Program  
S.P. 743 L.D. 1840

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

**Emergency Resolve**

Resolve, Directing the Department of Health and Human Services  
To Amend MaineCare Rules as They Pertain to the Delivery of  
Covered Services via Telecommunications Technology  
H.P. 1167 L.D. 1596  
(C "A" H-723)

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

**Emergency Resolve**

Resolve, Regarding Legislative Review of Portions of Chapter  
101: MaineCare Benefits Manual, Chapter III, Section 97, Private  
Non-Medical Institution Services, a Major Substantive Rule of the  
Department of Health and Human Services  
H.P. 1255 L.D. 1748  
(C "A" H-724)

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

**Emergency Resolve**

Resolve, To Establish the Blue Ribbon Commission on  
Independent Living and Disability  
H.P. 1261 L.D. 1757  
(C "A" H-705)

On motion by Senator JACKSON of Aroostook, placed on the  
**SPECIAL STUDY TABLE**, pending **FINAL PASSAGE**, 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:

**Act**

An Act To Lower Electrical Costs through Transmission  
Alternatives and Renewable Sources  
H.P. 753 L.D. 1060  
(C "A" H-646)

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

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Off Record Remarks

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

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

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

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

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