

MAINE STATE LEGISLATURE

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Senate Legislative Record

One Hundred and Twenty-Seventh Legislature

State of Maine

Daily Edition

First Regular Session
beginning December 3, 2014

beginning at Page 1

STATE OF MAINE
ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE
FIRST REGULAR SESSION
JOURNAL OF THE SENATE

In Senate Chamber
Wednesday
December 3, 2014

Pursuant to the Provisions of the Constitution and the laws of the State of Maine, the Senators-elect of the One Hundred and Twenty-Seventh Legislature convened in the Senate Chamber and were called to order by DAREK M. GRANT, Secretary of the Senate of the One Hundred and Twenty-Sixth Legislature.

Prayer by Honorable Philip A. Curtis of Madison.

MR. CURTIS: Good morning. As I look around the room I recognize a number of faces who took their legislative basic training down at the other end of the hall, so we expect great things from those of you who were trained real well down on the end of the hall. Let us pray.

Heavenly Father, we come to You this morning with humble hearts, realizing the awesome responsibility that You have laid upon each of these ladies and gentlemen in this Senate. As they take their oath of office today, Father, I ask that You would bless them. Bless them indeed. Enlarge their territories. Open their eyes that they may see the opportunities that You have placed before them. Expand their minds as they work their way through the issues ahead of them. Grant them the wisdom and the discernment from on high as they make decisions that impact all of us and remind each of them that it is for Your divine purpose that they are here in this Senate Chamber. I also ask, Father, that You would provide Your personal protection upon them and don't let the evil one overcome them so that at the end of the day they will know that they have accomplished Your perfect will for the people of this great state of Maine. So, Father, I ask that You grant each of them the serenity to accept the things that they cannot change, the courage to change the things they can, and the wisdom to know the difference. Remind them each day, Father, that in Your will and in Your strength all things are possible. God bless you, each one of you as Senators, as you work your way into the 127th Legislature. Amen.

Moment of Silence in remembrance of Honorable Joy J. O'Brien of Portland.

Posting of the Colors by American Legion, Department of Maine Color Guard.

National Anthem performed by Mount View Chamber Singers of Thorndike.

Pledge of Allegiance led by Senator-elect Peter E. Edgecomb of Arostook County.

Doctor of the day, Hani Jarawan, M.D. of Portland.

Off Record Remarks

The Following Senate Communication: S.C. 1

STATE OF MAINE
OFFICE OF THE SECRETARY OF STATE
DECEMBER 1, 2014

To Darek M. Grant, Secretary of the Senate in the One Hundred and Twenty-sixth Legislature:

I, **Matthew Dunlap**, Secretary of State, pursuant to the provisions of Title 3 MRSA, Section 1, hereby certify that the following are the names and residences of the Senators-elect to the One Hundred and Twenty-seventh Legislature, in accordance with the tabulation submitted to the Governor on November 24, 2014:

District 1	Edgecomb, Peter, Caribou
District 2	Willette, Michael James, Presque Isle
District 3	Whittemore, Rodney L., Skowhegan
District 4	Davis, Paul T., Sr., Sangerville
District 5	Dill, James F., Old Town
District 6	Burns, David C., Whiting
District 7	Langle, Brian D., Ellsworth
District 8	Rosen, Kimberley C., Bucksport
District 9	Gratwick, Geoffrey M., Bangor
District 10	Cushing, Andre E., III, Hampden
District 11	Thibodeau, Michael D., Winterport
District 12	Miramant, David R., Camden
District 13	Johnson, Christopher K., Somerville
District 14	McCormick, Earle L., West Gardiner
District 15	Katz, Roger J., Augusta
District 16	Cyrway, Scott W., Benton
District 17	Saviello, Thomas B., Wilton
District 18	Patrick, John L., Rumford
District 19	Hamper, James M., Oxford
District 20	Brakey, Eric L., Auburn
District 21	Libby, Nathan L., Lewiston
District 22	Mason, Garrett Paul, Lisbon
District 23	Baker, Linda L., Topsham
District 24	Gerzofsky, Stanley J., Brunswick
District 25	Breen, Catherine, Falmouth*

* On election night, Catherine Breen led Cathleen Manchester, 10,930 to 10,898. At the conclusion of the recount, the election remains in dispute.

District 26	Diamond, G. William, Windham
District 27	Alfond, Justin L., Portland

District 28	Haskell, Anne M., Portland
District 29	Millett, Rebecca J., Cape Elizabeth
District 30	Volk, Amy F., Scarborough
District 31	Valentino, Linda M., Saco
District 32	Dutremble, David E., Biddeford
District 33	Woodsome, David, Waterboro
District 34	Collins, Ronald F., Wells
District 35	Hill, Dawn, York

In Testimony Whereof, I have caused the Great Seal of the State to be affixed, given under my hand at Augusta this first day of December in the year Two Thousand and Fourteen.

S/MATTHEW DUNLAP
Secretary of State

READ and ORDERED PLACED ON FILE.

QUORUM CALL

The Doorkeepers secured the Chamber.

The Assistant Secretary called the roll with the following result:

ROLL CALL (#1)

PRESENT: Senators-elect: ALFOND, BAKER, BRAKEY, BURNS, COLLINS, CUSHING, CYRWAY, DAVIS, DIAMOND, DILL, DUTREMBLE, EDGECOMB, GERZOFISKY, GRATWICK, HAMPER, HASKELL, HILL, JOHNSON, KATZ, LANGLEY, LIBBY, MASON, MCCORMICK, MILLETT, MIRAMANT, PATRICK, ROSEN, THIBODEAU, VALENTINO, VOLK, WHITTEMORE, WILLETTE, WOODSOME

33 Senators-elect having answered the Call, the Secretary declared a quorum present.

Off Record Remarks

Out of order and under suspension of the Rules, on motion by Senator-elect HILL of York, the following Senate Order:
S.O. 11

WHEREAS, on November 4, 2014 Catherine Breen of Falmouth received a plurality of votes in the general election; and

WHEREAS, Cathleen Manchester of Gray formally requested a recount in writing, in accordance with Maine law, from the Secretary of State's office; and

WHEREAS, a recount was held on November 18, 2014; at this time 40 ballots remain in dispute, including 21 more ballots than the number of persons apparently voting in Long Island; and

WHEREAS, the Secretary of State has stated that, therefore, the outcome of the election is not yet determined; and

WHEREAS, because there are enough disputed ballots to affect the result of the election, the Constitution of Maine, Article IV, Part Second, Section 5 and Part Third, Section 3 provide that the Maine Senate is the ultimate judge of the election of its members; and

WHEREAS, pursuant to the Maine Revised Statutes, Title 21-A, section 737-A, subsection 10, the Senate shall establish procedures for appeals of disputed Senate elections; now, therefore, be it

ORDERED, that no Senator representing Senate District 25 be seated pending further action and determination by vote of the Senate after further consideration by the Senate, determination of the disputed election and declaration of the results thereof; and be it further

ORDERED, that the Committee on the Senatorial Vote shall convene in a full, fair and impartial manner at the call of the chair to examine thoroughly issues relevant to the general election, to propose resolution of such issues and to determine the properly elected candidate for Senate District 25, and that the committee shall make such recommendations to the full Senate as it considers appropriate.

READ.

On further motion by same Senator-elect, **TABLED** until Later in Today's Session, pending the motion by same Senator-elect to **PASS**.

Out of order and under suspension of the Rules, on motion by Senator-elect MASON of Androscoggin, the following Senate Order:

S.O. 12

WHEREAS, the November 18, 2014 recount of the election results in Senate District 25 reversed the apparent results of the election; and

WHEREAS, at the conclusion of the recount, the candidate with fewer votes following the recount did not agree to the recount results; and

WHEREAS, the office of the Secretary of State communicated to the Senate that, with the absence of agreement to the recount results, the election remains in dispute; and

WHEREAS, the Maine Constitution, Article IV, Part Second, Section 5 provides that the Maine Senate is the ultimate judge of the election of its members; and

WHEREAS, pursuant to the Maine Revised Statutes, Title 21-A, section 737-A, subsection 10, the Senate shall establish procedures for appeals of disputed Senate elections; and

WHEREAS, the Senate does not now declare this election and will not declare either candidate duly elected to the Senate seat in Senate District 25 until review by the Standing Committee on the Senatorial Vote; now, therefore, be it

ORDERED, that Cathleen Manchester of Gray be administered an oath of office and be permitted to provisionally assume a seat pending further action and determination and declaration of that determination by majority vote of the Senate, after further consideration by this Senate, determination of the election and declaration of the results thereof; and be it further

ORDERED, that the Standing Committee on the Senatorial Vote shall convene in an expeditious manner at the call of the chair to examine thoroughly issues relevant to the election, to propose resolution of such issues and to determine the properly elected candidate, and that the committee, by December 19, 2014, shall make such recommendations to the full Senate as it considers appropriate.

READ.

On further motion by same Senator-elect, **TABLED** until Later in Today's Session, pending the motion by same Senator-elect to **PASS**.

Senate at Ease.

Senate called to order by the Secretary.

Off Record Remarks

Senate at Ease.

Senate called to order by the President.

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

On motion by Senator-elect **MASON** of Androscoggin, the following Senate Order:

S.O. 14

WHEREAS, the November 18, 2014 recount of the election results in Senate District 25 reversed the apparent results of the election; and

WHEREAS, at the conclusion of the recount, the candidate with fewer votes following the recount did not agree to the recount results; and

WHEREAS, the office of the Secretary of State communicated to the Senate that, with the absence of agreement to the recount results, the election remains in dispute; and

WHEREAS, the Maine Constitution, Article IV, Part Second, Section 5 provides that the Maine Senate is the ultimate judge of the election of its members; and

WHEREAS, pursuant to the Maine Revised Statutes, Title 21-A, section 737-A, subsection 10, the Senate shall establish procedures for appeals of disputed Senate elections; and

WHEREAS, the Senate does not now declare this election and will not declare either candidate duly elected to the Senate seat in Senate District 25 until review by the Standing Committee on the Senatorial Vote; now, therefore, be it

ORDERED, that Cathleen Manchester of Gray be administered an oath of office and be permitted to provisionally assume a seat pending further action and determination and declaration of that determination by majority vote of the Senate, after further consideration by this Senate, determination of the election and declaration of the results thereof.

READ.

On motion by Senator-elect **ALFOND** of Cumberland, 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 (#2)

YEAS: Senators-elect: BAKER, BRAKEY, BURNS, COLLINS, CUSHING, CYRWAY, DAVIS, EDGECOMB, HAMPER, KATZ, LANGLEY, MASON, MCCORMICK, ROSEN, SAVIELLO, THIBODEAU, VOLK, WHITTEMORE, WILLETTE, WOODSOME

NAYS: Senators-elect: ALFOND, DIAMOND, DILL, DUTREMBLE, GERZOFISKY, GRATWICK, HASKELL, HILL, JOHNSON, LIBBY, MILLETT, MIRAMANT, PATRICK, VALENTINO

ABSENT: Senator-elect: MANCHESTER

20 Senators-elect having voted in the affirmative and 14 Senators-elect having voted in the negative, with 1 Senator-elect being absent, on motion by Senator-elect **MASON** of Androscoggin, **PASSED**.

Senate at Ease.

Senate called to order by the Secretary.

The Secretary requested the Sergeant-At-Arms escort the Senator-elect from Cumberland, Senator-elect **MANCHESTER** to her seat on the Floor.

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

On motion by Senator-elect **MASON** of Androscoggin, the following Senate Order:

S.O. 15

ORDERED, that the Standing Committee on the Senatorial Vote shall convene in an expeditious manner at the call of the chair to examine thoroughly issues relevant to the election in Senate District 25, to propose resolution of such issues and to determine the properly elected candidate, and that the committee, by December 19, 2014, shall make such recommendations to the full Senate as it considers appropriate.

READ.

On motion by Senator-elect **ALFOND** of Cumberland, 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 (#3)

YEAS: Senators-elect: ALFOND, BAKER, BRAKEY, BURNS, COLLINS, CUSHING, CYRWAY, DAVIS, DIAMOND, DILL, DUTREMBLE, EDGEComb, GERZOFsky, GRATWICK, HAMPER, HASKELL, HILL, JOHNSON, KATZ, LANGLEY, LIBBY, MANCHESTER, MASON, MCCORMICK, MILLETT, MIRAMANT, PATRICK, ROSEN, SAVIELLO, THIBODEAU, VALENTINO, VOLK, WHITTEMORE, WILLETTE, WOODSOME

NAYS: Senators-elect: None

35 Senators-elect having voted in the affirmative and no Senator-elect having voted in the negative, on motion by Senator-elect **MASON** of Androscoggin, **PASSED**.

Out of order and under suspension of the Rules, on motion by Senator-elect **MASON** of Androscoggin, the following Senate Order:

S.O. 1

Ordered, that a message be sent to Governor Paul R. LePage, informing him that a quorum of Senators-elect are present in the Senate Chamber, ready to take and subscribe to the oaths of office required by the Constitution to qualify them to enter upon the discharge of their official duties.

READ and PASSED.

The Secretary appointed the Senator-elect from Androscoggin, Senator-elect **MASON** to deliver the message to the Governor. The Senator-elect was escorted to the Governor's Office.

Subsequently, the Senator-elect from Androscoggin, Senator-elect **MASON** reported that he had delivered the message with which he was charged.

ORGANIZATION OF THE SENATE

The Honorable Paul R. LePage, Governor of the State of Maine, entered and addressed the Senate.

GOVERNOR LEPAGE: Thank you. After today, in a few seconds you're going to be sworn in and we have a lot of work to do that the Maine people have asked us to do. I wish you all a very, very good session over the next two years. We have a lot of work to be done and I want you all to know that my door will be open to meet with each and every one of you if you choose to come and discuss any questions that you may have of our office. Now I'd like to ask all the Senators-elect to please stand.

The Senators-elect took and subscribed to the oaths of office required by the Constitution.

The Governor withdrew from the Senate Chamber.

Off Record Remarks

At this point, the Secretary noted the presence in the Senate Chamber of Senator-elect **SAVIELLO** of Franklin. In accordance with a long-standing and unique tradition of the Maine Senate, the Senator-elect from Franklin was absent to attend to and stoke the furnace. The Secretary requested the Senator from Piscataquis, Senator **DAVIS**, and the Senator from Kennebec, Senator **KATZ**, escort the Senator-elect from Franklin, Senator-elect **SAVIELLO**, to the Governor's Office for the purpose of taking and subscribing to the oaths of office required by the Constitution.

The Sergeant-At-Arms escorted the Senator from Piscataquis, Senator **DAVIS**, the Senator from Kennebec, Senator **KATZ**, and the Senator-elect from Franklin, Senator-elect **SAVIELLO**, to the Governor's Office.

Senate at Ease.

Senate called to order by the Secretary.

Subsequently, the Senator from Piscataquis, Senator **DAVIS**, reported that they had attended to the duties with which they were charged and was pleased to report the Senator from Franklin, Senator **SAVIELLO**, had, before the Governor, taken and subscribed to the oaths of office required by the Constitution. Thereupon, Senator **SAVIELLO** of Franklin was escorted to his seat in the Senate Chamber.

ELECTION OF SENATE OFFICERS

THE SECRETARY: Nominations are now in order for the Office of the President of the Senate of the 127th Legislature.

Senator **MASON** of Androscoggin **NOMINATED** Senator **MICHAEL D. THIBODEAU** of Waldo for the Office of President of the Senate of the 127th Legislature.

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

Senator **MASON:** Thank you, Mr. Secretary. Ladies and gentlemen of the Senate, I rise today to nominate the Senator from Waldo, Senator Michael Thibodeau, for President of the Maine Senate for the 127th Legislature. When it comes to the Senator from Waldo County, there is one thing that absolutely no one can deny; Senator Mike Thibodeau knows what he believes. Although we may not always agree, everyone in this Chamber will know exactly where he stands on the important issues before us. This is a quality that is getting very hard to find, not only in leaders but in humanity. This is one of the qualities that will make him a great Maine Senate President.

Senator Thibodeau and I were first elected to the Senate in 2010. We worked side-by-side as fellow members, with the Senator as Minority Leader and now as the leader of this Body. Working with him over the past four years, I have grown to know Mike as a colleague and also as a friend. He will lead this Body with conviction, foresight, and honor. We could talk about his Legislative qualities all morning long, and those alone would be enough to convince everyone to vote for him today, but I would be remiss if I did not mention his other qualifications which, in my opinion, are far more superior. Senator Thibodeau is a great Senator, but he is an even better family man. He is the husband of his wife, Stacy, and the father of his two daughters, Megan and Sarah. With Senator Thibodeau, his family comes first and we can all agree strong, loving families build strong societies, and Senator Thibodeau has done his part to make our state a better place. Not only does he know what it takes to be successful at home, he also knows what it takes to be successful in business. Senator Thibodeau and his family have owned and operated family businesses for many years, and, if one family business wasn't enough, he recently started a new successful venture. By the way, if you haven't already done so, you can pick up your own pink Mt. Waldo plastic snow fighter shovel at any Reny's Department Store, or in the Majority Office, that's fine too. Senator Thibodeau understands that we all have a stake in improving our economy. He believes in the hardworking men and women of Maine that call this place home and he is willing to make his own personal investment in our state's economic comeback.

Ladies and gentlemen of the Senate, I am proud to nominate my friend, Senator Michael Thibodeau, for the position of President of the Maine Senate. I know he will work hard to maintain the integrity of this institution and do the right thing for the people of the state of Maine. Thank you, Mr. Secretary.

THE SECRETARY: The Chair recognizes the Senator from York, Senator Collins.

Senator **COLLINS:** Thank you, Mr. Secretary. I've known Mike Thibodeau for about 5 years now. Mike has one attribute that we all should strive for: his word is his bond and when Mike gives his word he's going to do something, he follows through and does it. His honesty and integrity are contagious and all the rest of us should aspire to be like Mike, his forthright positions on things. I will say further that he'll make an excellent President of the Maine Senate. He has the integrity, the honesty, and the belief in God Almighty that will help guide him through the many pitfalls and perils awaiting the President of the Maine Senate. I wholeheartedly second his nomination.

Nomination seconded by Senator **COLLINS** of York.

On motion by Senator **LANGLEY** of Hancock, nominations ceased.

On further motion by same Senator, one ballot was cast, on the part of the Senate, in favor of Michael D. Thibodeau of Waldo for the Office of President of the Senate for the 127th Legislature.

This being done, Senator **MICHAEL D. THIBODEAU** of Waldo was duly elected President of the Senate of the 127th Legislature.

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

ORDERS

Senate Order

On motion by Senator **MASON** of Androscoggin, the following Senate Order:

S.O. 13

Ordered, that a message be sent to Governor Paul R. LePage, informing him that Senate President-elect Michael D. Thibodeau of Waldo is present in the Senate Chamber, ready to take and subscribe to the oaths of office required by the Constitution to qualify him to enter upon the discharge of his official duties.

READ and PASSED.

The Secretary appointed the Senator from Androscoggin, Senator **MASON**, to deliver the message to the Governor. The Senator was escorted to the Governor's Office.

Senate at Ease.

Senate called to order by the Secretary.

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

Subsequently, the Governor Paul R. LePage., Governor of the State of Maine, entered and addressed the Senate.

Senator **MICHAEL D. THIBODEAU** of Waldo took and subscribed to the oaths of office required by the Constitution to qualify him to discharge his duties as President of the Senate, pursuant to the Rules of the Senate.

The Governor withdrew from the Senate Chamber.

THE PRESIDENT: Good morning. Another seamless morning at the State House in Augusta. Fellow Senators and guests, what an incredible honor it is to stand before you today. I will be eternally grateful to you for electing me the 116th President of the Maine Senate. It is an awesome responsibility and I will do everything within my power to live up to your expectations and the expectations of the people of this great state of Maine. I'm also honored to be the 5th President of the Maine Senate from Waldo County. Mr. Buzzell was the last one in 1925, just in case you're wondering. I'm sure President Buzzell is well pleased today. Thank you to the Senator Majority Leader, Garrett Mason, for nominating me and for the kind words. Thank you to my friend, Senator Ron Collins. You truly are a friend. Senator Alfond, we often disagree on matters that come before us. We have different backgrounds, but there is no doubt that we have a common bond. You and I both love the great state of Maine and its people and are committed to make sure it is a better place for all of them to live and work.

I would like to recognize two former Presidents who are with us today. Former President Kevin Raye of Washington County is here with us today. Senator Raye served as the President of the Maine Senate just two short years ago when I was a freshman in the State Senate. He set a tremendous example of how to perform this duty and I aspire to do as good a job as he's done. Senator Raye, thank you for being here. We also have with us today the former President of the Maine Senate, Rick Bennett. For many of us Republicans it was decades, it seemed, before we had another Senate President and we're really excited that Rick was able to join us this morning and we appreciate him being part of the festivities.

You know we all have our own interesting journeys that have brought us here today. I know that I wouldn't be here today if it weren't for the unwavering support of my bride, my beautiful bride, of nearly 30 years, my wife, Stacy. She's here in the Chamber today along with our two beautiful daughters, Megan and Sarah. My Mom and Dan, Vaughn and Frances Thibodeau, are here as well, along with my siblings. You know, it is our parents, just like many of yours, that taught us the work ethic that

would not allow us to quit. I want to publicly thank them for all they've done for me. Thank you.

As I look before me today I see many familiar faces on both sides of the aisle. Some of you are returning Senators who served together last time, some of you are House members that have come down to the upper Chamber, welcome, and others are serving in the Legislature for the very first time. We have some folks that made the conscious decision to return to the State Senate. Senator Diamond, it's good to see you back. We look forward to the return of your famous end of session awards for the members of the State Senate. On the Republican side of the aisle, the youth movement continues. We've got Senator Eric Brakey, who's joining us at the age of 26. He now refers to our Senate Majority Leader as "Old Man Mason". They say there's got to be just a hint of truth in it for it to be funny and I think it is.

What is our charge for the 127th Legislature? Everyone has their own opinion on what the voters said during the last election. What can't be disputed is that, as the result of the election, we now have a Republican Senate and a Democratic House of Representatives. This means nothing happens unless we work together. In short, the voters said work it out. They don't want to hear excuses. To that end, I look forward to working with the Speaker of the House, our Chief Executive, and each one of you as we seek to solve Maine's biggest challenges. The time has come to finally act on some things that are long overdue.

You know, a few weeks ago I was in a convenience store in Waldo County, in my hometown. I witnessed a young lady come in the morning and she used a State funded EBT card to buy six lottery tickets. She didn't buy a gallon of milk. She didn't buy a little bit of gas. She bought six lottery tickets. You know, what message does that send to the cashier that began her day at 4 am to open up the store, who probably makes \$9 or \$10 an hour? What message does that send to all of us who are responsible for funding that purchase? It's time for real and meaningful welfare reform. It doesn't matter if the abuse occurs once a day, once a week, once a month, or once a year. This should not happen. Mainers have become all too familiar with stories of taxpayer funded welfare benefits being abused. These benefits are intended for the down and out and our disabled. Welfare abuse comes at their expense. It's not a victimless crime and it must be fixed. It also comes at the expense of our elderly population that's fighting for the very limited resources in State Government. In the past few years we've seen several nursing homes close due to insufficient funding. Our elderly population is the ones that raised us and worked hard all their lives. They deserve better. We can keep the promises that we made to them.

We made great progress in the previous Legislature in reducing waiting lists for the people living with significant disabilities, but until that list is at zero our work here is not done. During the campaign I met a young man in Waldo County with some of these significant disabilities. His mother carries her 24 year old son from the car to the house. He qualifies for services, yet the State doesn't have the resources to get the federal match that would take him off these waiting lists. By the time the gavel comes down at the end of this session I want to be able to go back to this young man's home and look him in the eye and say, "You're wait is over."

The key to solving our financial problems is a robust economy. We've seen tremendous improvement over the past four years with the declining unemployment rate. We're starting to see surpluses in the State budget instead of shortfalls, but in order for our economy to reach its full potential we need to give

our businesses every opportunity to be successful. That means revisiting some failed energy policies of the past 30 years. Our goal should be to make the lowest priced energy available to all Maine families and small businesses. This will drive Maine's economy and eliminate the competitive disadvantages that we have with other states that are enjoying lower energy costs. Here in Augusta we must resist the attempt to make the State budget a priority over the family budget. We simply cannot ask families to give up a bigger portion of their paycheck when they're already working hard to make ends meet at home. This will be challenging, but together we can accomplish this. For that reason, we must conduct a thorough review of all unfunded mandates put on our local communities, including our local school districts, by our State. We must eliminate unneeded expenses that they're incurring.

Finally, we are all now emerging from one of the most costly and ugly campaign seasons in Maine's history. The voters of this state have simply had enough of the negative ads that include character assignation and half-truths. My friends, we can do better than that and the people of Maine deserve better than that. It's time to stop tearing each other down and start trying to start building Maine up. Let's not look at each other as Democrats and Republicans. Let's look at each other as fellow Mainers with a common cause. We all want a better state and, except for a few folks that maybe aren't Patriot's fans and we're not sure what they're up to, we all want a better state to live in. I blew that line, by the way. Here's the challenge for all us. Let's never forget that it's the citizens of the state of Maine who have put us here and we work for them and I'm confident and, indeed, hopeful that we will do great things for them over the next two years together. Let's not let them down.

May God bless each one of you and may God bless the great state of Maine.

THE PRESIDENT: Nominations are now in order for the Office of the Secretary of the Senate of the 127th Legislature.

Senator **KATZ** of Kennebec **NOMINATED HEATHER J.R. PRIEST** of Augusta for the Office of Secretary of the Senate of the 127th Legislature.

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

Senator **KATZ:** Thank you very much, and let me be the first to say thank you very much, Mr. President. It is an honor to rise this morning in this great institution to nominate Heather Priest of Augusta as Secretary of the Senate for the 127th Maine Legislature. On paper, Mr. President, her qualifications speak for themselves. Number one, and perhaps most importantly, she is a holder of a coveted high school diploma from Cony High School class of 1983, a Husson College graduate, and a person who has spent almost her entire adult life here in this building, all the while being married to Keith and being a wonderful mother to Keith II and to Maggie. She worked her way up the rungs of the ladder of the staff in the lower Body; clerical aide to aide to senior aide and eventually became the Clerk of the House in the lower Body in the 125th Legislature, where she performed incredibly well. In many ways it's a job similar to that of Secretary of the Senate in this Body. I kind of look at it as like she had a great career in

Triple A and now she's coming to the Major Leagues. Because of Heather's performance as Clerk of the House, we can really see what we are getting: someone who will be competent, honest, bipartisan, an excellent parliamentarian, and someone who calls them as they see them. Beyond her public service, Mr. President, this is in her blood. Her father, Richard Ross, served in the Maine House. Her sister, Julie O'Brien, served in the Maine House. Her brother-in-law, Mark O'Brien, served as Augusta's Mayor. While we're at it, her step-father, Ed Coffin, was my Peewee Basketball coach. Most significant, Mr. President, is the connection with her mother. Heather's mom, Mae Ross Coffin, was the first woman ever elected to serve as the Secretary of the Maine Senate in 1977 and she served with distinction for many, many years. Mae Ross is one of my favorite people. She's here in the Chamber today with us and it's wonderful to see her here. I know how very proud she is of her daughter. On a personal note, Mr. President, I'd like to take you back to a stormy day in the January of 1977, the day that Mae Ross was first nominated for election as Senate Secretary. On that day the Senator from Kennebec rose to nominate her; that was my father. I'm particularly honored that today, almost 38 years later, I have the privilege to rise to nominate her daughter, Heather Priest of Augusta, to be the next Secretary of the Maine Senate. Thank you, Mr. President.

Nomination seconded by Senator **CUSHING** of Penobscot

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

Senator **CUSHING:** Thank you, Mr. President. Ladies and gentlemen of the Senate and guests, it is my honor today to rise to second the nomination of Heather Priest as Secretary of the Senate. On a personal level, I had the opportunity to work with Heather in many capacities. She served as my aide. I worked with her in leadership in the House. I have found her to serve this institution with honor and distinction and I know that the opportunity for her to follow in the footsteps of many other Senate Secretaries, especially her mother, will be special to her. It is without further ado or need to add to the good Senator from Kennebec's comments, that I would like to second the nomination. Thank you.

On motion by Senator **LANGLEY** of Hancock, nominations ceased.

On further motion by same Senator, one ballot was cast, on the part of the Senate, in favor of Heather J.R. Priest of Augusta for the Office of Secretary of the Senate for the 127th Legislature.

This being done, **HEATHER J.R. PRIEST** of Augusta was duly elected Secretary of the Senate of the 127th Legislature.

The Chair requested the Senator from Kennebec, Senator **KATZ**, and the Senator from Penobscot, Senator **CUSHING**, escort the Secretary-elect to the Governor's Office for the purpose of taking and subscribing to the necessary oaths of office required by the Constitution to qualify her to enter upon the discharge of the duties of the office of Secretary of the Senate.

The Senators and Secretary-elect were escorted to the Governor's Office.

Senate at Ease.

Senate called to order by the President.

Subsequently, the Senator from Kennebec, Senator **KATZ**, reported that they had attended to the duties with which they were charged and were pleased to report that **HEATHER J.R. PRIEST** of Augusta had, before the Governor, taken and subscribed to the necessary oaths of office to qualify her to enter upon the discharge of the duties of the Secretary of the Senate of the 127th Legislature.

THE PRESIDENT: Nominations are now in order for the Office of the Assistant Secretary of the Senate of the 127th Legislature.

Senator **DAVIS** of Piscataquis **NOMINATED SHAWN L. RODERICK** of Readfield for the Office of Assistant Secretary of the Senate of the 127th Legislature.

THE PRESIDENT: The Chair recognizes the Senator from Piscataquis, Senator Davis.

Senator **DAVIS:** Thank you, Mr. President. Ladies and gentlemen of the Maine State Senate, first congratulations, Mr. President, and congratulations to all my colleagues. It is with great honor that I present to you and nominate my good friend, Shawn Roderick, for the position of Assistant Secretary of the Maine Senate. Shawn grew up in Anson, Maine. He graduated from a local high school over there. In college he met a young lady, Emily. They married and they have two beautiful children. I have had the pleasure of knowing Shawn for over 10 years. I first met him when he was in college, which is where he met Emily. I think I said that. He wanted to get involved in the political process and I, at that time, was serving here in the State Senate. Over the years, no matter what position I've seen Shawn work in, whether it be working as a Legislative aide or down in the other Body serving as Assistant Clerk in the House, he has excelled and he has done it with a work ethic that is to be admired and appreciated. Having served as Assistant Clerk in the House in the 125th Legislature, he understands very clearly the legislative process and role of Assistant Secretary and what is needed to get the job done. In regards to getting the job done, Shawn takes on a lot of extra work for himself. One of the things that he took on while we were down there was enforcement of the rules and he was real good at it. Shawn enforced the rules on the Floor of the House. He enforced the rules on how you speak to each other when you're on the Floor. He also enforced the rules on personal behavior. The one issue that, boy, you wanted to watch out when Shawn was around: don't get caught chewing gum. Shawn did not like to have gum chewing in the House of Representatives. If you were unfortunate enough to get caught, you wanted to get ready to be thoroughly embarrassed for a good long time. That went on for a considerable length of time, until the dastardly deed was committed by Shawn. Trust me, he was reminded of that and has been reminded of that and reminded of that, and today he's reminded of it again. Congratulations on that, Shawn.

Seriously, having served with Shawn when he served as Assistant Clerk, I know that this young man will bring the highest level of professionalism as possible to this new role that he's going to assume today and he has the experience that is necessary to continue the operation of the Secretary's Office at the high level that we all expect of that office. I ask you, my colleagues, to join me today in supporting the nomination of my friend, Shawn Roderick, to be the Assistant Secretary of the Senate. Thank you.

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

Senator **SAVIELLO:** Thank you, Mr. President. Those were wonderful words that I get to use today to address my good friend, Mike Thibodeau. I won't tell people the jelly bean story, but ask me about it later.

Ladies and gentlemen of the Senate, it was my pleasure today to keep you warm, although I do believe there was enough heat floating around for all of us. Today, now, I get the opportunity and the pleasure to nominate my friend, Shawn Roderick, as Senate Assistant Secretary. He's more than competent to serve in this capacity. Let me tell you a little bit about Shawn that you might not know about him, other than the gum chewing. First, he's a family man. Lovely wife, two wonderful children, and I know, from my experiences and time with Shawn, those are his priorities. He's well founded. Great education. A University of Maine at Farmington graduate in Political Science. He has a rural connection, both from the University of Maine at Farmington and from the community he grew up in. He has political experience. He's worked for Senator Collins, Senator Snowe, and as the Assistant Clerk and a Legislative aide. He understands what we must do to maintain transparency in the process that we work through. Most importantly, Shawn had to deal with me. At one point I needed help as an aide and Shawn, unfortunately, was free one afternoon and soon became that person that I went to. I'm sure he got no extra money, but a lot of extra headaches. He never complained. He always responded. I know that he will take that experience, along with his family values and his rural values and his political values, to be a leader as Assistant Secretary and I urge you all to support Shawn in this endeavor. Thank you, Mr. President.

Nomination seconded by Senator **SAVIELLO** of Franklin.

On motion by Senator **CUSHING** of Penobscot, nominations ceased.

On further motion by same Senator, one ballot was cast, on the part of the Senate, in favor of Shawn L. Roderick of Readfield for the Office of Assistant Secretary of the Senate for the 127th Legislature.

This being done, **SHAWN L. RODERICK** of Readfield was duly elected Assistant Secretary of the Senate of the 127th Legislature.

The Chair requested the Senator from Piscataquis, Senator **DAVIS**, and the Senator from Franklin, Senator **SAVIELLO**, escort the Assistant Secretary-elect to the Governor's Office for the purpose of taking and subscribing to the necessary oaths of office required by the Constitution to qualify him to enter upon the discharge of the duties of the office of Assistant Secretary of the Senate.

The Senators and Assistant Secretary-elect were escorted to the Governor's Office.

Senate at Ease.

Senate called to order by the President.

Subsequently, the Senator from Piscataquis, Senator **DAVIS**, reported that they had attended to the duties with which they were charged and were pleased to report that **SHAWN L. RODERICK** of Readfield had, before the Governor, taken and subscribed to the necessary oaths of office to qualify him to enter upon the discharge of the duties of the Assistant Secretary of the Senate of the 127th Legislature.

ORDERS

Joint Resolution

On motion by Senator **ALFOND** of Cumberland (Cosponsored by Speaker **EVES** of North Berwick and Senators: **CUSHING** of Penobscot, **HILL** of York, **MASON** of Androscoggin, President **THIBODEAU** of Waldo, Representatives: **ESPLING** of New Gloucester, **FREDETTE** of Newport, **GIDEON** of Freeport, **McCABE** of Skowhegan), the following Joint Resolution:

S.P. 8

JOINT RESOLUTION TO HONOR THE MEMORY OF JOY J. O'BRIEN

WHEREAS, it is with deep regret that We, the Members of the 127th Legislature, now assembled in the First Regular Session, take this opportunity to honor the memory of the Honorable Joy J. O'Brien, who served the Senate as a dedicated public servant for many years; and

WHEREAS, the Honorable Joy J. O'Brien, of Portland, former Secretary of the Senate, was born in Brockton, Massachusetts, grew up in Deering Center in Portland and graduated from Deering High School and New England College in New Hampshire; and

WHEREAS, she began her career working with the New Hampshire Legislature and began her over 42 years of service in Maine in 1980 when she served in the Maine Legislature's Senate Democratic Office as a special assistant; and

WHEREAS, in 1982 she was sworn in as Secretary of the Senate, where she served with commitment and distinction until her passing; and

WHEREAS, Ms. O'Brien was instrumental in the major remodeling of the Senate Chamber, and under her direction the Senate balcony was reopened for public use; and

WHEREAS, Ms. O'Brien served longer than any other Secretary of the Senate, and she was an excellent parliamentarian, a very skilled administrator and a respected member of the American Society of Legislative Clerks and Secretaries; and

WHEREAS, she was indispensable to the workings of the Senate, relied upon by everyone, and her many years of dedicated service to the State of Maine have made a positive and lasting effect upon the Maine State Legislature; and

WHEREAS, Joy J. O'Brien will be sadly missed and long remembered by her family, her friends and her colleagues at the Legislature and throughout State Government; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-seventh Legislature, on behalf of the people we represent, take this opportunity to pause in a moment of understanding and prayer to inscribe this token of sympathy and condolence to all who share our sorrow at the passing of the Honorable Joy J. O'Brien and to honor her memory for her many years of exemplary and loyal service to the Legislature and the State of Maine; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the family of Joy J. O'Brien with the appreciation and affection of the people of the State of Maine.

READ.

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator **Alfond**.

Senator ALFOND: Thank you, Mr. President. Ladies and gentlemen of the Senate, I rise to honor a giant in Maine politics and a permanent institution of this Body, Joy O'Brien, over 30 years of service to this Chamber. Let's face it, Joy's service as Secretary of the Senate probably will never ever be duplicated. She served this Body with honor, integrity, and dedication. Above all, Joy was a stickler, and I mean a stickler, of Mason's and Robert's Rules. I can even feel her now staring at me, saying, "Senator **Alfond**, look at the President," and she's watching over all of you too, making sure that you use the proper decorum at all times. Joy's presence will always be in this Senate Chamber. Joy, I know you'll always be here to make the State Senate stronger and this state stronger. I'm pleased to recognize in the Chamber today Joy's parents, Jack and Jadine O'Brien; her sister, Jill O'Brien Thiel, and her husband, Peter Thiel; her partner, Richard Ranaghan; her friends, Pat Eltman, Nancy and Rick Beaulieu. Thank you, Mr. President.

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Haskell.

Senator **HASKELL:** Thank you, Mr. President. Deep breath. If there was anybody that I was any more afraid of in the world than Joy O'Brien. I'll tell you, you talk about that look on the back of your head. You could feel it. It would just burrow right into you, but that's because there's nobody who cared any more about each one of us, individually, and, frankly, it didn't matter which side. She was a partisan, to be sure. It didn't matter which side of the aisle you were on, you'd better be behaving, you'd better be doing things right, and you were going to get called out if you didn't. That's what made it such a strong and important relationship between somebody who truly understood and valued the process here. Again, no matter which side of the aisle you were on, she demanded that the process be adhered to. At her memorial service she demanded that Senators be given the appropriate respect that she thought was due to them. There was no part of her life or her death that she left untouched by how important it was that we follow the rules, that we did it right, and there was nobody who cared any more about each and every one of us and we cared back. I agree with Senator Alfond, you'll hear lots of voices, but the voice that will echo in my mind off these halls, over and over again, off the walls of the Senate, will be those of Joy O'Brien. Thank you.

On motion by Senator **ALFOND** of Cumberland, **ADOPTED.**

Sent down for concurrence.

THE PRESIDENT: The Chair is pleased to recognize in the rear of the Chamber family and friends of the Honorable Joy J. O'Brien; her parents, Jack and Jadine O'Brien; her sister, Jill O'Brien Thiel, and her husband, Peter Thiel; her partner, Richard Ranaghan; her friends, Pat Eltman, Nancy and Rick Beaulieu. Please rise and accept the greetings of the Senate.

Senate at Ease.

Senate called to order by the President.

Out of order and under suspension of the Rules, on motion by Senator **MASON** of Androscoggin, the following Senate Order:
S.O. 3

Ordered, that a committee of seven be appointed by the President to whom the returns of votes for Senators for the political years of 2015 and 2016 shall be referred for examination and report.

READ and PASSED.

The Chair appointed the Senators from Kennebec, Senator Katz; Androscoggin, Senator Mason; Penobscot, Senator Cushing; Franklin, Senator Saviello; York, Senator Hill; Cumberland, Senator Gerzofsky; and Cumberland, Senator Diamond.

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

RECESSED until 1:30 in the afternoon.

After Recess

Senate called to order by the President.

At this point, a message was received from the House of Representatives borne by Representative GIDEON of Freeport, informing the Senate that the House had organized by the choice of MARK W. EVES of North Berwick, as Speaker of the House, ROBERT B. HUNT of Yarmouth, as Clerk of the House, and JENNIFER MCGOWAN of Hallowell, as Assistant Clerk of the House of the 127th Legislature and was ready to transact such business as might come before the House.

COMMUNICATIONS

The Following Communication: S.C. 5

STATE OF MAINE OFFICE OF THE SECRETARY OF STATE

December 2, 2014

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

Dear President Alfond,

The following is a summary of the results of the November 4, 2014 Referendum Election, as derived from the accompanying copies of the Governor's Proclamations and the Secretary of State's Official Tabulation of the election results, which were signed by the Governor on November 26, 2014.

Question 1: Citizen Initiative

Number of Votes in Favor	281,728
Number of Votes Opposed	323,024

Question 2: Bond Issue

Number of Votes in Favor	354,086
Number of Votes Opposed	233,148

Question 3: Bond Issue

Number of Votes in Favor	362,237
Number of Votes Opposed	222,576

Question 4: Bond Issue

Number of Votes in Favor	367,114
Number of Votes Opposed	218,211

Question 5: Bond Issue

Number of Votes in Favor 297,008
 Number of Votes Opposed 283,632

Question 6: Bond Issue

Number of Votes in Favor 379,606
 Number of Votes Opposed 208,105

Question 7: Bond Issue

Number of Votes in Favor 344,783
 Number of Votes Opposed 238,793

Sincerely,

S/Matthew Dunlap
 Secretary of State

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 2

**STATE OF MAINE
 OFFICE OF THE SECRETARY OF STATE
 DECEMBER 1, 2014**

To the President of the Senate in the One Hundred and Twenty-seventh Legislature:

I, Matthew Dunlap, Secretary of State, in accordance with the Constitution and laws of the State of Maine, having tabulated the returns of the votes cast for State Senators at the General Election held on the fourth day of November in the year Two Thousand and Fourteen;

REPORT AS FOLLOWS; that the following named persons having received a plurality of the votes cast, appear to have been elected:

District 1

Edgecomb, Peter, Caribou 7,935
 Theriault, Charles Kenneth, Madawaska 7,107

District 2

Carpenter, Michael E., Houlton 7,394
 Willette, Michael James, Presque Isle 7,626

District 3

Heavey, Craig John, Canaan 5,004
 Whittemore, Rodney L., Skowhegan 10,103

District 4

Davis, Paul T., Sr., Sangerville 11,615
 Ziemer, David F., Orneville Twp. 3,804

District 5

Dill, James F., Old Town 8,638
 McLaughlin, Mitchell L., Old Town 6,052

District 6

Burns, David C., Whiting 8,474
 Perry, Anne C., Calais 6,796

District 7

Koffman, Theodore S., Bar Harbor 8,458
 Langley, Brian D., Ellsworth 10,384

District 8

Davis, Paul P., Brewer 7,569

Rosen, Kimberley C., Bucksport 9,671

District 9

Gratwick, Geoffrey M., Bangor 7,538

Weston, Cary M., Bangor 6,677

District 10

Cushing, Andre E., III, Hampden 10,434

Fontaine, Jaric Travis, Hampden 4,597

District 11

Fulford, Jonathan S., Monroe 8,974

Thibodeau, Michael D., Winterport 9,109

District 12

Miramant, David R., Camden 9,162

Sutton, Paula G., Warren 8,434

District 13

Fossel, Leslie T., Alna 9,146

Johnson, Christopher K., Somerville 9,492

District 14

Bustin, David W., Hallowell 7,219

McCormick, Earle L., West Gardiner 9,741

Quintal, Gary A., West Gardiner 1,504

District 15

Cornell du Houx, Rebecca A., Augusta 4,600

Katz, Roger J., Augusta 11,938

District 16

Cyrway, Scott W., Benton 8,523

Lachowicz, Colleen M., Waterville 6,936

District 17

Dunlap, Joanne F., Rangeley Plt. 4,869

Saviello, Thomas B., Wilton 12,529

District 18

Martin, Joseph E., Rumford 7,714

Patrick, John L., Rumford 9,136

District 19

Hamper, James M., Oxford 10,386

Rogers-Wells, Rose K., Brownfield 6,234

District 20

Brakey, Eric L., Auburn 10,138

Cleveland, John J., Auburn 7,144

District 21

Gagne, Patricia J., Lewiston 6,563

Libby, Nathan L., Lewiston 6,646

District 22

Desjardins, Guy P., Sabattus 7,264

Mason, Garrett Paul, Lisbon 9,633

District 23

Baker, Linda L., Topsham 8,916

Knapp, Alice E., Richmond 2,243

Vitelli, Eloise A., Arrowsic 7,880

District 24

Gerzofsky, Stanley J., Brunswick 9,779

Horch, K. Frederick, Brunswick 3,518

Johnson, Jennifer L., Brunswick 6,933

District 25

Breen, Catherine, Falmouth 10,930*

Manchester, Cathleen A., Gray 10,898*

District 26

Diamond, G. William, Windham 10,389

Warren, Kaile R., Windham 6,087

District 27

Alfond, Justin L., Portland 11,376

Doyle, Peter Ignatius, Portland 2,612

Platts, Asher Daniel, Portland	2,852
<u>District 28</u>	
Haskell, Anne M., Portland	11,934
Hill, Owen, Portland	4,185
<u>District 29</u>	
DeSena, William R., Cape Elizabeth	6,527
Diehl, Mark D., Cape Elizabeth	2,073
Millett, Rebecca J., Cape Elizabeth	9,926
<u>District 30</u>	
Boyle, James A., Gorham	9,139
Volk, Amy F., Scarborough	10,295
<u>District 31</u>	
Coleman, Michael E., Old Orchard Beach	6,604
Valentino, Linda M., Saco	9,785
<u>District 32</u>	
Booth, James W., Arundel	7,067
Dutremble, David E., Biddeford	8,740

* These are election night totals. At the conclusion of the recount, the election remains in dispute.

<u>District 33</u>	
Tuttle, John L., Sanford	6,033
Woodsome, David, Waterboro	8,736
<u>District 34</u>	
Burns, Richard John, Berwick	2,305
Collins, Ronald F., Wells	8,523
Connor, Gary A., Kennebunk	6,600
<u>District 35</u>	
Carson, John J., Kittery	7,142
Hill, Dawn, York	10,701

I, **Matthew Dunlap**, Secretary of State, hereby certify that the foregoing report is a true tabulation of the votes cast for State Senators at the General Election, as reported to me on the returns from the cities, towns, and plantations of the State.

S/Matthew Dunlap
Secretary of State

READ and REFERRED to the Committee on **SENATORIAL VOTE**.

The Following Communication: S.C. 3

**DEPARTMENT OF
THE SECRETARY OF STATE
BUREAU OF CORPORATIONS, ELECTIONS
AND COMMISSIONS**

December 1, 2014

Honorable Darek M. Grant
Secretary of the Senate
3 State House Station
Augusta, ME 04333-0003

Dear Secretary Grant,

At the conclusion of the recount for State Senator in District 25, on November 18, 2014, the attorneys for the candidates did not agree on a final result. The Election Night results were as follows:

Catherine Breen	10,930
Cathleen Manchester	10,898
Blanks	887
Total Votes Cast	22,715

The (disputed) results at the end of the recount were as follows:

Catherine Breen	10,916
Cathleen Manchester	10,927
Blanks	876
Disputed Ballots	9
Total Votes Cast	22,728

Only the Town of Long Island hand-counted their ballots on Election Night, while the remainder of the municipalities used a digital scan tabulator to count their ballots. In Long Island, the Election Night Return of Votes Cast, which was faxed to the Elections Division at 11:28 pm on November 4th, showed a total of 171 votes cast. During the recount, one team was responsible for re-counting Long Island's ballots. There were 4 bundles (lots) of ballots in the tamper-proof container each with a tally sheet wrapped around the lot. The tally sheets for three of the bundles totaled 50 ballots each, matching the number of ballots in the lot, and the recount tallies agreed with the election night tallies for those lots. The tally sheet for the fourth bundle showed 21 total ballots, but the bundle contained an additional 21 ballots that were not reflected on the tally. All 21 of the additional ballots showed votes marked for Ms. Manchester. Thus, 192 votes were tallied at the recount. After the recount, on Monday, November 24th, representatives for the candidates inspected the Incoming Voter List for Long Island and agreed that there were 171 voter names checked off as having voted, including 34 absentee voters.

In several other towns and precincts in the district, there were minor discrepancies between the total votes tallied on election night versus the total votes tallied during the recount.

A comparison of the recount totals to the election night totals for the town of Gray showed a loss of three votes for Ms. Breen and a gain of three votes for Ms. Manchester. The attorney for Ms. Breen sought to recount the votes in Gray to test the accuracy of these numbers, but counsel for Ms. Manchester did not agree. The attorney for Ms. Breen did not agree to the recount results; thus, the election remains in dispute. When an election for State Senate remains in dispute after the recount, the Maine Constitution, Article IV, Part Second, Section 5, and 21-A M.R.S. § 737-A sub-§ 10, require that the Maine Senate determine the outcome of the election.

The Maine State Police are in custody of the materials related to this election. You may reach me at 624-7736 to make arrangements for the transmittal of the recount materials. I will make myself available to provide information and answer questions about the election laws and procedures, as well as the recount laws and rules, including the *Rules for Determining Voter Intent*. These rules (which had previously been published as

guidance) were promulgated in 2010, pursuant to the Administrative Procedure Act and in accordance with the statutory directive in 21-A M.R.S. § 696(6).

Sincerely,

S/Julie L. Flynn
Deputy Secretary of State
2014 General Election Recount Supervisor

READ and REFERRED to the Committee on SENATORIAL VOTE.

The Following Communication: S.C. 4

**STATE OF MAINE
127th LEGISLATURE**

Catherine E. Breen
15 Falmouth Ridges Drive
Falmouth, Maine 04105

December 2, 2014

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

Re: Petition to the Maine State Senate to Conduct an Investigation on Irregularities Found During the Recount of Senate District 25

Dear Secretary Grant:

I was the Democratic candidate for State Senate to the 127th Legislature from District 25 in the November 4, 2014 general election. On election night, November 4, 2014, the official tabulation reported to the press and the Secretary of State showed that I was the apparent winner of Senate District 25 by 7 votes (10,897 to 10,890). The next day the overseas ballots (UOCAVA) were counted and added to the totals, which made me the apparent winner by 32 votes (10,930 to 10,898). A recount of the election was requested and after the recount occurred on November 18, 2014, the tabulation showed my opponent, Cathleen Manchester, winning by 11 votes (10,927 to 10,916).

That recount showed multiple alarming inconsistencies and irregularities in both the vote totals and the election and recount processes themselves. To ensure the integrity of the election results, I formally request that the Maine State Senate conduct a thorough, full, fair and impartial review of all of the issues surrounding the recount. The forty (40) disputed and questionable ballots are more than sufficient to change the results of the election.

Kate Knox, recount counsel for me and the Maine Democratic Party, refused to sign off on the recount totals that evening because of a number of alarming issues that arose during the recount process, which are outlined below. In light of these

issues, I respectfully request that the Senate review the following, at a minimum, as part of its investigation:

1) Town of Long Island – 21 More Ballots Than Voters

On Election night, the Town of Long Island warden's return indicated 171 votes had been cast in the Town, including 95 for Breen, 65 for Manchester, and 11 blank. During the recount, an additional 21 ballots were found in the locked ballot box for the Town, all together and only marked for Manchester. Thus, after the recount, there were 192 ballots, or 21 more votes than indicated in the warden's return.

These newly found phantom ballots were discovered in the final "odd" lot of ballots counted from Long Island. The tally sheet wrapped around this combined lot of 42 ballots, however, included only 21 ballots. The 21 phantom Manchester ballots discovered during the recount had not been recorded by the local official who completed the tally sheets on Election Day.

These issues were recognized and discussed during the recount by my counsel, the Assistant Secretary of State, and counsel for Manchester and the Maine Republican Party (the "MRP"), but final resolution of any challenges was delayed while recount officials reviewed the other Long Island ballots to ensure extra tally sheets had not been added to other bundles. At the end of the recount, no resolution could be agreed on by the parties and no re-examination of the ballots was allowed.

In a further attempt to determine how 21 new Manchester ballots could appear at the recount, representatives from the Maine Democratic Party, the MRP, the Office of the Secretary of State, and I met on Monday, November 24, 2014 to open the locked Long Island ballot box to review the official incoming voter list. Our goal was simply to verify the number of voters who cast ballots (including absentee ballots) for the November 4, 2014 election. The results confirmed our worst suspicions: All present at the inspection agree that the incoming voter list shows that only 171 ballots had been cast in the Town of Long Island, not the 192 found during the recount.

There are therefore three separate documents from Election Day which demonstrate that only 171 legitimate votes were cast in Long Island for the State Senate race. First, the incoming voter list shows 171 voters either voted in person or by absentee ballot. Second, the warden's return of votes cast also shows 171 votes by Long Island voters in the Senate race. Third, the written tallies wrapped around the lots of ballots from Long Island show 171 votes were cast and counted in this specific race.

All the available evidence shows that 21 more ballots were counted than people who voted in Long Island. In light of this alarming information, I respectfully request that the Senate Committee do the following, in a timely manner:

A. Conduct a full independent review and recount of all of the Long Island ballots and materials sent to the Secretary of State after the election;

B. Subpoena the Long Island Town Clerk and any other persons who came into contact with the ballots and review any other documents related to the election in the possession of the Town;

C. Take any and all steps to fully investigate how the additional 21 Manchester ballots were placed in the ballot box sent to the Secretary of State's office.

2) Towns of Cumberland and Westbrook - 10 Missing Ballots

During the recount on November 18, 2014, a total of ten ballots were found missing from the election night count, including four in the Town of Cumberland and six in the Town of Westbrook (two in Ward 1, four in Ward 4, and two absentee). Initially there were additional missing ballots from Westbrook, but during the recount the State Police retrieved the local ballots from Westbrook Town Hall which had not been sent to Augusta, and upon further review of the local ballots the counters were able to locate some of the missing state ballots. However, ten (10) ballots remain unaccounted for. That means ten (10) voters from District 25 have been denied their right to vote and select the candidate they wish to represent them in the State Senate.

At a minimum, the Senate should: Take any and all steps to conduct a full review and recount of all of the Cumberland and Westbrook ballots, including any additional materials, local ballots, and ballots from sections of Ward 1 and Ward 4 that are in a separate but abutting Senate district, in an effort to locate the missing ballots.

3) 9 Disputed Ballots

The parties were unable to resolve disputes for nine ballots during the recount. I respectfully request that the Senate review the nine disputed ballots and determine the outcome for each.

4) Town of Gray - 3 Switched Ballots

The recount total for the Town of Gray showed that three ballots originally counted for Breen on election night were switched to Manchester during the recount. Gray is a machine-counted town, and switched ballots between candidates are extremely unusual – normally any additional votes shown for a candidate during a hand recount come from blank ballots where the machine may have missed a mark. Additionally, none of these ballots were flagged by counters during the recount as having usual or confusing marks of voter intent.

As a result, the Senate should: Take any and all steps to conduct a full review and recount of the Gray ballots.

It should be noted for the record that on the day of the recount, requests were made by legal counsel to review and recount ballots in an effort to resolve these issues quickly and efficiently during the recount process. Those requests were denied by legal counsel to the Manchester campaign and the Maine Republican Party. As a result, my legal counsel refused to sign the final tabulation sheet for the recount. That highly unusual action is the result of our deep concern about the results of this recount – and

essentially challenges the results of the recount in their entirety. The inconsistencies and mystery surrounding the SD 25 election and recount are alarming. At a minimum, the Senate should fully investigate the circumstances surrounding the additional 21 phantom Long Island ballots, conduct a new review and recount of the ballots cast in Cumberland, Gray, Long Island and Westbrook, and after its investigation, report its findings to the public.

The Senate should conduct a full investigation of these matters to ensure that the integrity of this election is upheld.

Regards,

S/Catherine E. Breen

READ and REFERRED to the Committee on SENATORIAL VOTE.

ORDERS

Senate Order

On motion by Senator **CUSHING** of Penobscot, the following Senate Order:

S.O. 4

Ordered, that a message be sent to the House of Representatives proposing a Convention of the two branches of the Legislature in the Hall of the House, for the purpose of electing a Secretary of State for the political years 2015 and 2016, a State Treasurer for the political years 2015 and 2016, an Attorney General for the political years 2015 and 2016 at 2:00 in the afternoon.

READ and PASSED.

On motion by Senator **MASON** of Androscoggin, the following Senate Order:

S.O. 5

Ordered, that the Rules of Senate of the 126th Legislature shall be the Rules of the Senate of the 127th Legislature. Amendments to the Senate Rules may be adopted by a majority vote on or before the third Friday in January of 2015.

READ and PASSED.

On motion by Senator **CUSHING** of Penobscot, the following Senate Order:

S.O. 6

Ordered, that the Secretary of the Senate be authorized to invite the clergy to officiate as Chaplains of the Senate as requested by any member of the Senate; and be it further

Ordered, that all clergy acting as Chaplains of the Senate shall receive \$30 for each officiation. The same is to be approved by the Secretary of the Senate.

READ and PASSED.

On motion by Senator **MASON** of Androscoggin, the following Senate Order:

S.O. 7

Ordered, that all Bills and Resolves carrying or requiring an appropriation or involving a loss of revenue that are in order to be passed to be enacted, or finally passed, shall, at the request of a member of the Committee on Appropriations and Financial Affairs or the presiding officer, be placed on a special calendar to be called up for consideration only by the same.

READ and PASSED.

On motion by Senator **CUSHING** of Penobscot, the following Senate Order:

S.O. 8

Ordered, that all Bills and Resolves carrying or requiring an appropriation of highway revenue or involving a loss of highway revenue that are in order to be passed to be enacted, or finally passed, shall, at the request of a member of the Committee on Transportation or the presiding officer, be placed on a special calendar to be called up for consideration only by the same.

READ and PASSED.

On motion by Senator **MASON** of Androscoggin, the following Senate Order:

S.O. 9

Ordered, that pursuant to Joint Rule 353, subsection 10, a special study table is established in the Senate.

READ and PASSED.

On motion by Senator **CUSHING** of Penobscot, the following Senate Order:

S.O. 10

Ordered, that the President of the Senate is authorized, at his discretion, to permit radio or sound television film or live television, or any two or three of these communication media, on the floor of the Senate.

READ and PASSED.

Joint Orders

On motion by Senator **MASON** of Androscoggin, the following Joint Order:

S.P. 1

ORDERED, the House concurring, that the Joint Rules of the 126th Legislature shall be the Joint Rules of the 127th Legislature, except for the following changes:
Joint Rule 202 is amended as follows:

Rule 202. Cloture for Legislators at the First Regular Session.

All requests for bills and resolves submitted by Legislators for a first regular session must be submitted in complete form, as provided in Joint Rule 208, to the Revisor of Statutes by 4:00 p.m. on Friday, January 18, 2013 the 3rd Friday in December, except that for the First Regular Session of the 127th Legislature, the cloture date is the first Friday in January.

READ and PASSED.

Sent down for concurrence.

On motion by Senator **MASON** of Androscoggin, the following Joint Order:

S.P. 2

Ordered, the House concurring, that there be paid to the members of the Senate and the House of Representatives as advances on account of compensation established by statute, 12 payments on a biweekly basis commencing January 7, 2015, according to lists certified to the State Controller by the President of the Senate and Speaker of the House, respectively.

READ and PASSED.

Sent down for concurrence.

On motion by Senator **CUSHING** of Penobscot, the following Joint Order:

S.P. 3

Ordered, the House concurring, that the Executive Director of the Legislative Council be authorized and directed to prepare weekly, from expense accounts to be submitted to him by the members of the Senate and House, expense rosters showing the entitlement of each member for meals allowance and lodging reimbursement and to obtain approval thereof by the President of the Senate and the Speaker of the House, respectively, and deliver the same to the State Controller for processing and payment, in the manner and form recommended by the Joint Interim Committee of the 101st Legislature created to study and report on a method of implementing the administration of the provision of law relating to the mileage and expenses for members of the Legislature; and be it further

Ordered, that the Executive Director of the Legislative Council be authorized and directed to provide the forms necessary for such purpose and provide suitable space in his office for the filing and safekeeping of all such expense accounts and other papers and records pertaining thereto.

READ and PASSED.

Sent down for concurrence.

On motion by Senator **MASON** of Androscoggin, the following Joint Order:

S.P. 4

Ordered, the House concurring, that all printing and binding authorized by the Legislature shall be under the direction of the Secretary of the Senate and the Clerk of the House.

READ and PASSED.

Sent down for concurrence.

On motion by Senator **CUSHING** of Penobscot, the following Joint Order:

S.P. 5

Ordered, the House concurring, that the Secretary of the Senate and the Clerk of the House respectively, purchase such services, supplies and equipment as may be needed to carry on the business of the Senate and House, respectively.

READ and PASSED.

Sent down for concurrence.

On motion by Senator **MASON** of Androscoggin, the following Joint Order:

S.P. 6

Ordered, the House concurring, that a sufficient number of the Legislative Record for the 127th Legislature be printed, one copy for each of the members of the Senate and the House of Representatives who so desires, the Secretary of the Senate and the Clerk of the House. The remainder to be deposited with the State Law Librarian for exchange and library use; and be it further

Ordered, that suitable index be prepared for such Legislative Record, under the direction of the Secretary of the Senate and the Clerk of the House.

READ and PASSED.

Sent down for concurrence.

On motion by Senator **MASON** of Androscoggin, the following Joint Order:

S.P. 7

Ordered, the House concurring, that when the House and Senate adjourn they do so until Wednesday, January 7, 2015, at 9:30 in the morning.

READ and PASSED.

Sent down for concurrence.

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

ORDERS

Senate Order

On motion by Senator **CUSHING** of Penobscot, the following Senate Order:

S.O. 2

Ordered, that a message be sent to the House of Representatives, informing that Body that the Senate has organized by the choice of Michael D. Thibodeau of Waldo County as President; Heather J.R. Priest of Augusta as Secretary of the Senate; and Shawn L. Roderick of Readfield as Assistant Secretary of the Senate of the 127th Legislature. And is assembled, ready to transact such business as may come before the Senate.

READ and PASSED.

Senate at Ease.

Senate called to order by the President.

Senator **ALFOND** of Cumberland was granted unanimous consent to address the Senate on the Record.

Senator **ALFOND**: Thank you, Mr. President. Ladies and gentlemen of the Senate, I'm proud to report to the Body that their leadership team, including the President and I, are already working together splendidly. I use this as an example. We were going to give these long speeches before the lunch break, but Mr. President and I met, he said family and food take precedent and I agree. I do want to share some thoughts from this side of the aisle. Clearly the pendulum of change in the State Senate has changed again. The voters spoke, and congratulations to you, Mr. President, and to your leadership team, Senate Majority Leader Mason and Senate Assistant Leader Cushing. Once again, Senator Assistant Leader Cushing is not here. That could be a theme that we see for the next two years, a couple of you to be out on every vote, so actually this is a good thing that we're starting to see. The Senate Democrats, in all seriousness, are

ready to work together for the people of Maine. What we believe is that we all care about political parties much more than Mainers do. Most Mainers care about results. The State has a great group of Senate Democrats ready to get things done with you. I'm proud to be leading a terrific caucus who represent the best of Maine; small business owners, union members, doctors, teachers, and so forth. There's no disguising that our job this session will be challenging. As the Senate President said this morning, we have a split Legislature, a Legislature that is split for the first time since 1994. What can Mainers expect? Well, I stand here today confident that the Senate Democrats will work in good faith with our Senate colleagues on the toughest issues facing our state. Let's face it, we all know that no party has monopoly on good ideas. Instead we all must be prepared to support and strengthen good legislation, regardless of its sponsor or where it originates, because, once again, Mainers expect results. We, as a Senate Body, have a great challenge in front of us, but we have a great chance to create a culture of collaboration, civility, and respect for our different ideas, geographies, and solutions. We'll certainly disagree on a couple of issues, but when we do let's make sure that we make Mainers proud on how we conduct the people's business. Thank you very much, Mr. President.

Senator **MASON** of Androscoggin was granted unanimous consent to address the Senate on the Record.

Senator **MASON**: Thank you, Mr. President. Men and women of the Senate, I would first like to say to all the family that is still here that this was a very long morning and thank everybody for being so patient and please give your best to all of your family members that were here. This was kind of an unusual day and it is still being unusual. Thank you all for everyone's patience and please give your best, from the leadership, to the families. It was very good.

Mr. President, I will try to keep this as brief as I can, but I'm so proud to be standing here as a member of the State Senate for the 127th Legislature. Each and every one of us in this Chamber has worked so hard to get here and it is a testament to our Yankee fortitude and our hard work that every one of us is sitting here because, as Senator Alfond said, Mr. President, we are all Mainers and each of us has that Yankee grit to get things done. I'm proud of every single one of you, no matter what side of the aisle that you sit on.

Mr. President, to you I would say congratulations. We got a little history lesson on who the last Senate President from Waldo County was and we're glad that you're up there today. I know that you will preside over this institution that I have grown to love and I know that you will do it with honor and class. I congratulate you and your family.

I would also like to thank the members of the Republican caucus for selecting me as your leader. Thank you for the trust that you have given me and the honor that you have bestowed on me. It's truly the honor of my life and I thank you so much for that. I promise you that I will work every single day to make you proud.

To the Assistant Majority Leader, I literally have this written here, the Senator from Penobscot, Senator Cushing, I very much look forward to working with you this session. Your experience and knowledge will be invaluable to this Body and to me, if I only

can hope to keep you in your seat long enough to use it. That's real.

To the Minority caucus, Senator Alfond and Senator Hill, I know that you love Maine just as much as we love Maine, and every member of your caucus do as well. President Thibodeau stole some words out of my mouth. I was going to mention Senator Diamond. It's good to see you back. Senator Gerzofsky, the first guy who taught me how to swing a gavel. It's good to see you over there too. I know that you guys will work alongside with us to make sure that everything that we do here is for the good of the people of the state of Maine. The Majority caucus stands ready to work with you to get things done for this state.

Those of us here today have been elected to fill a very sacred responsibility. We have not been elected to be Democrats. We have not been elected to be Republicans. We have been elected to be Mainers. The message that was sent on Election Day was very clear. We must work for a Maine where young people don't have to move away to find better opportunities; where hardworking families don't struggle because of an over-sized, over-spending government; and where our most vulnerable citizens are taken care of and where Mainers know their government and elected officials are accessible and working for them. I think that we can all agree that, in terms of accessibility, Maine's Legislature stands head and shoulders above the federal government. In this Chamber the people's voice is heard better than it will ever be heard in Washington. We know the problems our constituents face and the solutions that will work for them. It is here, in Maine, in this Chamber, that we will discuss the ideas, the policies, and the solutions that will make a real difference to our friends and neighbors. All of us in this Chamber had tens of thousands of conversations with people all over our districts in the past few months. People were not shy about discussing their concerns; at least the people in Androscoggin and Kennebec Counties were not shy. I'm sure that you heard many of the same themes that I did; welfare reform, energy costs, and the continued need to get our economy moving. These problems must be solved. They deserve to be solved and the people of Maine expect them to be solved. As we move forward into the 127th Legislature our focus must be on what's best for Maine. Mainers can see a resolution for problems we face as a state. We will undoubtedly see hundreds, and perhaps thousands, of pieces of legislation move through committees and through this Chamber. In considering them, our focus needs to be on what the legislation accomplishes for the people of Maine and to do the job Mainers sent us here to do. That is the only way that we will move Maine forward and ensure our state prospers so that younger generations will be able to enjoy this state that we all know, love, and call home.

Mr. President, men and women of the Senate, today is a celebration. It is a celebration of the electoral process. It is the start of really a two year odyssey in governing our great state. Most importantly, I believe it is a chance for our republic. Our founders so wisely bestowed on the states great powers of self-governance. We have the power to lead not only Maine's comeback but America's comeback. We all know Washington is broken. We've heard the campaign promises before and statements we've heard from candidates on both sides of the aisle, nothing happens in the D.C. swamps. I have really great news. The states are not broken. Maine is not broken. America's problems will not be solved by the federal government. They will be solved in Chambers like this across the country, where people are close to their elected officials. We, here in this

Chamber, here in Maine, can be the catalyst for reform, not only in Maine but in America. Thank you, Mr. President, and congratulations once again.

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

RECESSED until the sound of the bell.

After Recess

Senate called to order by the President.

The Chair appointed the Senator from Androscoggin, Senator **MASON**, to deliver the message to the House of Representatives regarding the Joint Convention for the purpose of electing the Secretary of State, State Treasurer, and Attorney General. The Senator was escorted to the House of Representatives.

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

The Chair appointed the Senator from Penobscot, Senator **CUSHING**, to deliver the message to the House of Representatives regarding the election of the President of the Senate, Secretary of the Senate, and Assistant Secretary of the Senate. The Senator was escorted to the House of Representatives.

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

Senate at Ease.

Senate called to order by the President.

At this point a message was received from the House of Representatives, borne by Representative MCCABE of Skowhegan, informing the Senate that the House concurred with the proposition for a Convention of the two branches of the Legislature to be held in the Hall of the House at 2:00 in the afternoon for the purpose of electing a Secretary of State for the political years 2015 and 2016, a State Treasurer for the political years 2015 and 2016, and an Attorney General for the political years 2015 and 2016.

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. 3

JOINT RESOLUTION TO HONOR THE MEMORY OF MILLICENT M. MACFARLAND

WHEREAS, it is with great sadness that We, the Members of the 127th Legislature, now assembled in the First Regular Session, take this opportunity to honor the memory of the Honorable Millicent M. MacFarland, known as Millie, who served the Maine House of Representatives as a dedicated public servant for many years; and

WHEREAS, Ms. MacFarland was born in Augusta, Maine and was educated in Whitefield schools, graduated from Erskine Academy in South China in 1974 and attended Thomas College and the University of Maine at Augusta, where she earned her Bachelor of Science degree in Public Administration; and

WHEREAS, Ms. MacFarland served the Maine House of Representatives in various capacities for over 30 years, including 8 years as Assistant Clerk of the House of Representatives and service in the distinguished position of Clerk of the House of Representatives from 2000 to 2010 and from 2013 to 2014; and

WHEREAS, as Clerk of the House of Representatives, Ms. MacFarland worked closely with the Speaker of the House on issues of parliamentary procedure and administrative matters ranging from scheduling to developing personnel policies of House employees and oversaw the daily operations and workflow of the House under the direction of the Speaker of the House; and

WHEREAS, among her many professional contributions, on the national level Ms. MacFarland was elected by her peers to serve in every leadership post of the American Society of Legislative Clerks and Secretaries, including service as President in 2009, and in 1995 she became the first editor of the Journal of the American Society of Legislative Clerks and Secretaries, a publication that discusses topics such as parliamentary procedures, management and technology in state legislatures; and

WHEREAS, Ms. MacFarland was a member of the Mason's Manual Commission, which is a commission entrusted with the copyright of the premier guide on legislative procedure used by legislatures in the United States; and

WHEREAS, Ms. MacFarland received the Legislative Staff Achievement Award from the National Conference of State Legislatures for her dedicated and excellent service to the Maine Legislature in 1996, the first year the award was given; and

WHEREAS, from 1996 to 2002, Ms. MacFarland served as either permanent secretary or parliamentarian for the Maine

Democratic Party State Convention, and she was active on the Maine Legislative Memorial Scholarship Committee and the Joseph W. Mayo ALS Scholarship Committee; and

WHEREAS, throughout Ms. MacFarland's tenure, she served with honor and distinction and displayed unfailing professionalism, integrity and expertise, and she exemplified the dedicated public servant with her commitment to the Maine Legislature and to the State of Maine; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-seventh Legislature now assembled in the First Regular Session, on behalf of the people we represent, take this opportunity to pause in a moment of understanding and prayer to inscribe this token of sympathy and condolence to all who share our sorrow at the passing of the Honorable Millicent M. MacFarland and to honor her memory for her many years of exemplary and loyal service to the Maine Legislature and the State of Maine; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the family of Millicent M. MacFarland with the appreciation and affection of the people of the State of Maine.

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

READ and **ADOPTED**, in concurrence.

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

PAPERS FROM THE HOUSE

Joint Orders

The following Joint Order:

H.P. 1

ORDERED, the Senate concurring, that the Speaker of the House is authorized, at his discretion, to permit radio or television in the Hall of the House of Representatives during joint conventions of the Legislature.

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

READ and **PASSED**, in concurrence.

The following Joint Order:

H.P. 2

ORDERED, the Senate concurring, that there be prepared by the Legislative Information Office, under the direction of the Secretary of the Senate and the Clerk of the House, after adjournment of the present session, a Register of all the Bills and Resolves considered by both branches of the Legislature, showing the history and final disposition of each Bill and Resolve and that there be printed sufficient copies to meet the needs of

the Legislature. A copy shall be mailed to each member and officer of the Legislature and the State Law and Legislative Reference Library.

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

READ and **PASSED**, in concurrence.

Off Record Remarks

RECESSED until the sound of the bell.

After Recess

Senate called to order by the President.

At this point, the Senate retired to the Hall of the House, where a Joint Convention was formed.

After Convention

In Senate Chamber

Senate called to order by the President

Off Record Remarks

On motion by Senator **MASON** of Androscoggin, **ADJOURNED**, until Wednesday, January 7, 2015, at 10:00 in the morning, in memory of and lasting tribute to the Honorable Joy J. O'Brien of Portland.