

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
Thursday
March 5, 2015

Senate called to order by President Michael D. Thibodeau of
Waldo County.

Prayer by Rabbi Erica Asch, Temple Beth El in Augusta.

RABBI ASCH: Today we are celebrating the Jewish holiday of Purim, which is told in the book of Esther. We read about the wicked Haman, the King's most trusted advisor who sought to destroy every Jew because one Jew refused to bow down to him. The people were saved by Queen Esther, who revealed her Jewish identity to the King and requested that her people's lives be spared. This holiday is a joyous celebration which includes dressing up in costume, delivering gifts of food to friends, and general merrymaking, but there is also an important lesson in this story. Haman is in such a position of power because the King gives Haman his signet ring. This allows Haman to do whatever he wants to in the King's name. The King handed his power to someone else, but his trust was misplaced and that power was abused. Perhaps most disturbing is that the King does not learn from his mistakes. After Haman's plot is revealed, the King again gives away his signet ring, this time to the Jew who refused to bow down, Queen Esther's Uncle Mordechai. While this is a satisfying end to the Biblical story, we should also be disturbed by how willingly the King gave up his authority to someone else.

Let us pray. Elheinu, v'Elohei avoteimu v'imotainu, Our God, and God of our ancestors, on this holiday of Purim, we are mindful of the responsibility of governing. As we listen to and work with others today, may we remember the importance of making our own decisions. May we not hand over responsibility to others, no matter how well intentioned they are. We ask that we are able to do what we believe is right. We are reminded of the sacred task of leadership and that our integrity is more important than our position. On this joyous day, may we rejoice in our ability to govern and carefully use the power that we have. Amen.

Pledge of Allegiance led by Senator Justin L. Alfond of
Cumberland County.

Reading of the Journal of Tuesday, March 3, 2015.

Doctor of the day, Patrick Keaney, MD of Yarmouth.

Off Record Remarks

Out of order and under suspension of the Rules, on motion by
Senator **MASON** of Androscoggin, the following Joint Order:
S.P. 275

Ordered, the House concurring, that when the Senate and House
adjourn, they do so until Tuesday, March 10, 2015 at 10:00 in the
morning.

READ and PASSED.

Ordered sent down forthwith for concurrence.

PAPERS FROM THE HOUSE

Non-Concurrent Matter

Bill "An Act To Improve the Reporting of Child Abuse"
S.P. 74 L.D. 199

Committee on **HEALTH AND HUMAN SERVICES** suggested and
ordered printed.

In Senate, February 5, 2015, on motion by Senator **MASON** of
Androscoggin, **REFERRED** to the Committee on **CRIMINAL
JUSTICE AND PUBLIC SAFETY** and ordered printed.

Comes from the House, **REFERRED** to the Committee on
JUDICIARY, in **NON-CONCURRENCE**.

On motion by Senator **BURNS** of Washington, the Senate
RECEDED and **CONCURRED**.

Non-Concurrent Matter

Bill "An Act To Amend the Laws Regarding the Fund for the
Efficient Delivery of Local and Regional Services"
S.P. 179 L.D. 450

In Senate, February 24, 2015, on motion by Senator
WOODSOME of York, **REFERRED** to the Committee on **STATE
AND LOCAL GOVERNMENT** and ordered printed.

Comes from the House, Bill and accompanying papers
INDEFINITELY POSTPONED, in **NON-CONCURRENCE**.

On motion by Senator **KATZ** of Kennebec, the Senate **RECEDED**
and **CONCURRED**.

House Papers

Bill "An Act To Strengthen the Maine Agriculture Protection Act"
H.P. 411 L.D. 598

Bill "An Act To Increase Consumption of Maine Foods in All State Institutions"

H.P. 434 L.D. 653

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

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

Bill "An Act To Expand the 1998 Special Retirement Plan To Include Detectives in the Office of the Attorney General"

H.P. 435 L.D. 654

Comes from the House, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed.

On motion by Senator **HAMPER** of Oxford, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed, in concurrence.

Bill "An Act To Direct the Department of Public Safety To Establish a Public Safety Answering Point for the Passamaquoddy Indian Reservation at Indian Township"

H.P. 412 L.D. 599

Bill "An Act To Conform Maine Law Regarding Persons Prohibited from Possessing Firearms with Federal Law"

H.P. 413 L.D. 600

Resolve, To Study the Feasibility of a State Firefighter Training Facility

H.P. 436 L.D. 655

Bill "An Act To Provide Enhanced Mental Health Services to the County Prison Population"

H.P. 438 L.D. 657

Bill "An Act To Allow Text Messaging for Reporting Emergencies"

H.P. 439 L.D. 658

Bill "An Act To Prohibit the Unauthorized Distribution of Certain Private Images"

H.P. 460 L.D. 679

Come from the House, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed.

On motion by Senator **ROSEN** of Hancock, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed, in concurrence.

Bill "An Act To Implement a Motor Vehicle Violation Electronic Citation Program"

H.P. 297 L.D. 458

Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** suggested and ordered printed.

Comes from the House, **REFERRED** to the Committee on **TRANSPORTATION**.

Senator **ROSEN** of Hancock moved to **REFER** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY**, in **NON-CONCURRENCE**.

On motion by Senator **MASON** of Androscoggin, **TABLED** until Later in Today's Session, pending the motion by Senator **ROSEN** of Hancock to **REFER** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY**, in **NON-CONCURRENCE**.

Bill "An Act To Clarify the Authority of Individualized Education Plans in Relation to Proficiency-based Diplomas"

H.P. 414 L.D. 601

Comes from the House, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.

On motion by Senator **LANGLEY** of Hancock, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed, in concurrence.

Bill "An Act To Improve Telecommunications in Maine"

H.P. 72 L.D. 89

Bill "An Act To Protect Homeowners from Damage in the Event of a Failure of Public Water Systems"

H.P. 441 L.D. 660

Comes from the House, **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed.

On motion by Senator **WOODSOME** of York, **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed, in concurrence.

Bill "An Act To Amend the Laws Governing the Prohibition on the Sale of Motor Fuel Containing Corn-based Ethanol"

H.P. 415 L.D. 602

Bill "An Act To Achieve Regional Uniformity in Sulfur Standards for Heating Oil"

H.P. 416 L.D. 603

Resolve, To Increase Recycling in Maine through Increased Composting and Energy Recovery from Organic Wastes (EMERGENCY)

H.P. 440 L.D. 659

Bill "An Act To Reduce Waste from Disposable Bags"

H.P. 461 L.D. 680

Come from the House, **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and ordered printed.

On motion by Senator **SAVIELLO** of Franklin, **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and ordered printed, in concurrence.

Senate at Ease.

Senate called to order by the President.

Bill "An Act To Encourage Communication Regarding Persons with Mental Illness"

H.P. 417 L.D. 604

Resolve, To Provide Certain Dental Services to Pregnant Women Enrolled in the MaineCare Program

H.P. 418 L.D. 605

Bill "An Act To Remove the Philosophical Exemption from the Immunization Requirements for School Students and Employees of Nursery Schools and Health Care Facilities"

H.P. 419 L.D. 606

Bill "An Act To Stop the Abuse of Electronic Benefits Transfer Cards"

H.P. 420 L.D. 607

Bill "An Act To Fund HIV, Sexually Transmitted Diseases and Viral Hepatitis Screening, Prevention, Diagnostic and Treatment Services"

H.P. 442 L.D. 661

Bill "An Act To Increase Access to Health Care through Telemedicine"

H.P. 443 L.D. 662

Resolve, To Direct the Department of Health and Human Services To Submit a State Plan Amendment To Allow Community-based and Other Health Care Providers To Be Reimbursed by MaineCare

H.P. 445 L.D. 664

Bill "An Act To Establish a Block Grant Program for Homemaker Services"

H.P. 446 L.D. 665

Bill "An Act To Allow a Patient To Designate a Caregiver in the Patient's Medical Record"

H.P. 447 L.D. 666

Resolve, Directing the Department of Health and Human Services To Educate the Public and Department Clients about How To Protect One's Family from Bisphenol A

H.P. 448 L.D. 667

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

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

Senate at Ease.

Senate called to order by the President.

Resolve, To Require That the Department of Health and Human Services Determine Whether Testing for Krabbe Disease Should Be Required for Newborns

H.P. 444 L.D. 663

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

On motion by Senator **BRAKEY** of Androscoggin, **TABLED** until Later in Today's Session, pending **REFERENCE**.

Off Record Remarks

Bill "An Act To Allow Junior, Senior and Veteran Hunters To Shoot Antlerless Deer on the Opening Day of Hunting Season"

H.P. 421 L.D. 608

Bill "An Act To Provide an Incentive to Nonresident Landowners Who Own More than 250 Acres To Keep That Land Open for Hunting"

H.P. 422 L.D. 609

Bill "An Act To Provide That Inland Waters Stocked with Fish by the State May Not Open for Ice Fishing until the Next January 1st"

H.P. 423 L.D. 610

Bill "An Act To Market Maine's Hunting and Fishing Opportunities"

H.P. 449 L.D. 668

Come from the House, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed.

On motion by Senator **DAVIS** of Piscataquis, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed, in concurrence.

Bill "An Act To Improve the Transparency of Decision-making Bodies of Publicly Funded Hospitals"
H.P. 424 L.D. 611

Bill "An Act To Amend the Laws Governing the Unlawful Cutting of Trees"
H.P. 451 L.D. 670

Bill "An Act To Promote Privacy in Social Media"
H.P. 467 L.D. 686

Come from the House, **REFERRED** to the Committee on **JUDICIARY** and ordered printed.

On motion by Senator **BURNS** of Washington, **REFERRED** to the Committee on **JUDICIARY** and ordered printed, in concurrence.

Bill "An Act Regarding the Reporting Standards for Child Abuse"
H.P. 322 L.D. 483

Committee on **JUDICIARY** suggested and ordered printed.

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

Senator **BURNS** of Washington moved to **REFER** to the Committee on **JUDICIARY**, in **NON-CONCURRENCE**.

Off Record Remarks

On motion by Senator **HILL** of York, **TABLED** until Later in Today's Session, pending the motion by Senator **BURNS** of Washington to **REFER** to the Committee on **JUDICIARY**, in **NON-CONCURRENCE**.

Bill "An Act To Require a Large Employer To Provide a Paper Paystub upon Request from an Employee"
H.P. 425 L.D. 612

Bill "An Act To Allow Certain Businesses To Be Open on Easter Day, Thanksgiving Day and Christmas Day"
H.P. 426 L.D. 613

Bill "An Act To Allow Independent Practice Dental Hygienists To Take X-rays" (**EMERGENCY**)
H.P. 452 L.D. 671

Bill "An Act To Improve Access to Capital"
H.P. 453 L.D. 672

Bill "An Act To Help Prevent Age Discrimination"
H.P. 454 L.D. 673

Bill "An Act To Support Maine's Working Families"
H.P. 455 L.D. 674

Bill "An Act To Protect Earned Pay"
H.P. 456 L.D. 675

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

On motion by Senator **VOLK** of Cumberland, **REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed, in concurrence.

Bill "An Act To Create a Spat Collection License"
H.P. 450 L.D. 669

Comes from the House, **REFERRED** to the Committee on **MARINE RESOURCES** and ordered printed.

On motion by Senator **BAKER** of Sagadahoc, **REFERRED** to the Committee on **MARINE RESOURCES** and ordered printed, in concurrence.

Bill "An Act To Increase the Effectiveness of the Legislature"
H.P. 462 L.D. 681

Comes from the House, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

On motion by Senator **WILLETTE** of Aroostook, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed, in concurrence.

Bill "An Act Regarding the Excise Tax Levied on Used Motor Vehicles"
H.P. 427 L.D. 614

Comes from the House, **REFERRED** to the Committee on **TAXATION** and ordered printed.

On motion by Senator **MCCORMICK** of Kennebec, **REFERRED** to the Committee on **TAXATION** and ordered printed, in concurrence.

Bill "An Act Regarding Transparency in the Transportation of Hazardous Materials"

H.P. 428 L.D. 615

Resolve, Directing the Department of Transportation To Study the Use of Calcium Chloride on Roads and Its Effect on Vehicles

H.P. 457 L.D. 676

Bill "An Act To Ensure the Administration of Written Driving Tests" (EMERGENCY)

H.P. 463 L.D. 682

Bill "An Act To Expand Classification Categories for Motor Vehicles in the State"

H.P. 468 L.D. 687

Come from the House, **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed.

On motion by Senator **COLLINS** of York, **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed, in concurrence.

Bill "An Act Regarding the Sale of Hard Cider"

H.P. 429 L.D. 616

Bill "An Act To Change Municipal Campaign Contribution Limits"

H.P. 430 L.D. 617

Bill "An Act To Facilitate the Production of Hard Cider in Maine"

H.P. 431 L.D. 618

Bill "An Act To Limit the Participation of Candidates and Legislators in Political Action Committees and Nonprofit Entities Conducting Political Activities"

H.P. 432 L.D. 619

Bill "An Act To Allow Veterans' Organizations To Own and Operate Slot Machines"

H.P. 433 L.D. 620

Bill "An Act To Amend the Election Laws Concerning Candidates and Nominees"

H.P. 458 L.D. 677

Bill "An Act Concerning the Ability of On-premises Liquor Licensees To Dispense Liquor in Sealed Refillable Containers"

H.P. 459 L.D. 678

Bill "An Act To Amend the Authorized Hours during Which Liquor May Be Sold and Purchased"

H.P. 465 L.D. 684

Bill "An Act To Improve the Veterans' Services Laws"

H.P. 470 L.D. 694

Come from the House, **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS** and ordered printed.

On motion by Senator **CYRWAY** of Kennebec, **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS** and ordered printed, in concurrence.

**Pursuant to Statute
Department of Education**

The **Department of Education**, pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of the Final Repeal of Chapter 60: New School Siting Approval, a Late-filed Major Substantive Rule That Has Been Provisionally Repealed by the Department of Education, State Board of Education (EMERGENCY)

H.P. 464 L.D. 683

Be **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218.

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

On motion by Senator **LANGLEY** of Hancock, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218, in concurrence.

**Pursuant to Statute
Department of Education**

The **Department of Education**, pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 61: Rules for Major Capital School Construction Projects, a Late-filed Major Substantive Rule of the Department of Education, State Board of Education (EMERGENCY)

H.P. 466 L.D. 685

Be **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218.

Comes from the House, Report **READ** and **ACCEPTED**, and the Resolve **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218.

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

On motion by Senator **LANGLEY** of Hancock, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218, in concurrence.

COMMUNICATIONS

The Following Communication: S.C. 110

**STATE OF MAINE
ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE
COMMITTEE ON AGRICULTURE, CONSERVATION AND
FORESTRY**

February 27, 2015

Honorable Michael D. Thibodeau, President of the Senate
Honorable Mark W. Eves, Speaker of the House
127th Legislature
State House
Augusta, Maine 04333

Dear President Thibodeau and Speaker Eves:

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

L.D. 39 Resolve, To Require a Review of the Merger
That Resulted in the Department of Agriculture,
Conservation and Forestry

L.D. 119 An Act To Allow for the Cultivation of Hemp

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

Sincerely,

S/Sen. Peter E. Edgecomb S/Rep. Craig V. Hickman
Senate Chair House Chair

**READ and with accompanying papers ORDERED PLACED ON
FILE.**

The Following Communication: S.C. 111

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

March 2, 2015

Honorable Michael D. Thibodeau, President of the Senate
Honorable Mark W. Eves, Speaker of the House
127th Legislature
State House
Augusta, Maine 04333

Dear President Thibodeau and Speaker Eves:

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

L.D. 265 An Act To Require the State To Fund Public
Charter Schools

We have also notified the sponsor and cosponsors of the Committee's action.

Sincerely,

S/Sen. Brian D. Langley S/Rep. Victoria P. Kornfield
Senate Chair House Chair

**READ and with accompanying papers ORDERED PLACED ON
FILE.**

The Following Communication: S.C. 112

**STATE OF MAINE
ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE
COMMITTEE ON HEALTH AND HUMAN SERVICES**

February 27, 2015

Honorable Michael D. Thibodeau, President of the Senate
Honorable Mark W. Eves, Speaker of the House
127th Legislature
State House
Augusta, Maine 04333

Dear President Thibodeau and Speaker Eves:

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

L.D. 179 Resolve, Directing the Department of Health
and Human Services To Provide Coverage
under the MaineCare Program for Routine Male
Newborn Circumcisions

L.D. 205 An Act To Facilitate the Development and
Operation of a Group Home for Post-High
School Adults with Developmental Disabilities

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

Sincerely,

S/Sen. Eric L. Brakey S/Rep. Andrew M. Gattine
Senate Chair House Chair

**READ and with accompanying papers ORDERED PLACED ON
FILE.**

The Following Communication: S.C. 113

**STATE OF MAINE
ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE
COMMITTEE ON TRANSPORTION**

March 2, 2015

Honorable Michael D. Thibodeau, President of the Senate
Honorable Mark W. Eves, Speaker of the House
127th Legislature
State House
Augusta, Maine 04333

Dear President Thibodeau and Speaker Eves:

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

- L.D. 14 An Act Regarding the Registration of an Antique Motor Vehicle That Is the Owner's Sole Vehicle
- L.D. 28 An Act To Return Fifty Percent of the Fine for a Violation of the Motor Vehicle Laws to the Municipality in Which the Violation Occurred
- L.D. 31 An Act To Require Horse-drawn Carriages and Wagons To Be Equipped with Reflectors
- L.D. 171 An Act To Provide a License Plate Decal for Emergency Medical Services Providers
- L.D. 172 An Act To Allow Gold Star Parents Who Are Maine Residents To Use the Maine Turnpike at No Charge

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

Sincerely,

S/Sen. Ronald F. Collins
Senate Chair

S/Rep. Andrew J. McLean
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

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

Senate at Ease.

Senate called to order by the President.

SENATE PAPERS

Bill "An Act To Authorize a General Fund Bond Issue To Build the Infrastructure Needed To End Hunger in Central and Northern Maine"

S.P. 263 L.D. 733

Presented by Senator ALFOND of Cumberland.
Cosponsored by Representative GOODE of Bangor and
Senators: BURNS of Washington, DILL of Penobscot,
GRATWICK of Penobscot, ROSEN of Hancock, SAVIELLO of
Franklin, Representative: MARTIN of Eagle Lake.

On motion by Senator HAMPER of Oxford, REFERRED to the Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS and ordered printed.

Sent down for concurrence.

Bill "An Act To Add Acetylferantyl to the List of Schedule W Drugs"

S.P. 259 L.D. 729

Presented by Senator BURNS of Washington.
Submitted by the Department of Public Safety pursuant to Joint Rule 204.

On motion by Senator ROSEN of Hancock, REFERRED to the Committee on CRIMINAL JUSTICE AND PUBLIC SAFETY and ordered printed.

Sent down for concurrence.

Bill "An Act To Increase Suicide Awareness and Prevention in Maine Public Schools"

S.P. 255 L.D. 725

Presented by Senator SAVIELLO of Franklin.
Cosponsored by Representative NUTTING of Oakland and
Senators: ALFOND of Cumberland, KATZ of Kennebec,
Representatives: BLACK of Wilton, HILLIARD of Belgrade.

Bill "An Act To Limit the Amount of Money a Municipality May Spend on Education"

S.P. 258 L.D. 728

Presented by Senator WOODSOME of York.

On motion by Senator LANGLEY of Hancock, REFERRED to the Committee on EDUCATION AND CULTURAL AFFAIRS and ordered printed.

Sent down for concurrence.

Bill "An Act To Allow the Retrofit of Underground Oil Storage Tanks"

S.P. 257 L.D. 727

Presented by Senator WOODSOME of York.

On motion by Senator SAVIELLO of Franklin, REFERRED to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and ordered printed.

Sent down for concurrence.

Bill "An Act To Protect the Environment and Assist Municipalities with the Recycling, Reuse and Processing of Solid Waste"

S.P. 273 L.D. 743

Presented by Senator ROSEN of Hancock.

Cosponsored by Senators: DAVIS of Piscataquis, KATZ of Kennebec, Representatives: CAMPBELL of Orrington, DUCHESNE of Hudson, PICCHIOTTI of Fairfield, STANLEY of Medway.

Committee on **ENVIRONMENT AND NATURAL RESOURCES** suggested and ordered printed.

On motion by Senator SAVIELLO of Franklin, TABLED until Later in Today's Session, pending REFERENCE.

Bill "An Act To Strengthen Penalties for Abuse of General Assistance"

S.P. 252 L.D. 722

Presented by Senator BRAKEY of Androscoggin.

Cosponsored by Senators: LIBBY of Androscoggin, MASON of Androscoggin, McCORMICK of Kennebec, WILLETTE of Aroostook, Representatives: SANDERSON of Chelsea, VACHON of Scarborough.

Bill "An Act To Increase Patient Safety in Maine's Medical Marijuana Program"

S.P. 256 L.D. 726

Presented by Senator SAVIELLO of Franklin.

Cosponsored by Senators: BRAKEY of Androscoggin, HASKELL of Cumberland.

Bill "An Act To Repeal the Certificate of Need Requirement for Hospitals"

S.P. 264 L.D. 734

Presented by Senator BRAKEY of Androscoggin.

Cosponsored by Representative SIROCKI of Scarborough and Senators: MASON of Androscoggin, McCORMICK of Kennebec, President THIBODEAU of Waldo, Representatives: MALABY of Hancock, O'CONNOR of Berwick, SANDERSON of Chelsea, TIMBERLAKE of Turner, WINSOR of Norway.

Bill "An Act To Require Destruction of Certain Medical Records and Allow Access to Certain Death Records"

S.P. 266 L.D. 736

Presented by Senator VOLK of Cumberland.

Cosponsored by Representative ESPLING of New Gloucester and Senators: BRAKEY of Androscoggin, BURNS of Washington, GERZOFKY of Cumberland, KATZ of Kennebec, Representatives: FARNSWORTH of Portland, GUERIN of Glenburn, PETERSON of Rumford, WARREN of Hallowell.

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

Sent down for concurrence.

Bill "An Act To Allow Reciprocal Recognition of New Hampshire and Maine Snowmobile Registrations"

S.P. 253 L.D. 723

Presented by Senator WOODSOME of York.

On motion by Senator DAVIS of Piscataquis, REFERRED to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed.

Sent down for concurrence.

Bill "An Act To Establish a Voluntary Preforeclosure Mediation Program"

S.P. 265 L.D. 735

Presented by Senator VALENTINO of York.

Cosponsored by Senators: HASKELL of Cumberland, WHITEMORE of Somerset, Representatives: CHENETTE of Saco, WALLACE of Dexter.

Bill "An Act To Increase Minimum Motor Vehicle Insurance Coverage"

S.P. 268 L.D. 738

Presented by Senator SAVIELLO of Franklin.

Cosponsored by Senators: DAVIS of Piscataquis, DILL of Penobscot, WHITEMORE of Somerset.

On motion by Senator WHITEMORE of Somerset, REFERRED to the Committee on **INSURANCE AND FINANCIAL SERVICES** and ordered printed.

Sent down for concurrence.

Bill "An Act To Increase Compensation for Active Retired Judges"
S.P. 261 L.D. 731

Presented by Senator KATZ of Kennebec.
Cosponsored by Representative HOBBS of Saco and
Senators: BURNS of Washington, HILL of York, JOHNSON of
Lincoln, Representative: MOONEN of Portland.

On motion by Senator BURNS of Washington, REFERRED to the
Committee on JUDICIARY and ordered printed.

Sent down for concurrence.

Resolve, To Establish a Working Group To Evaluate the Benefits
and Detriments of Increasing the Minimum Wage
S.P. 269 L.D. 739

Presented by Senator SAVIELLO of Franklin.
Cosponsored by Senators: DILL of Penobscot, KATZ of
Kennebec.

On motion by Senator MASON of Androscoggin, REFERRED to
the Committee on LABOR, COMMERCE, RESEARCH AND
ECONOMIC DEVELOPMENT and ordered printed.

Sent down for concurrence.

Bill "An Act To Make Technical Changes to Maine's Marine
Resources Laws"
S.P. 260 L.D. 730

Presented by Senator BAKER of Sagadahoc.
Cosponsored by Representative KUMIEGA of Deer Isle and
Representatives: ALLEY of Beals, DEVIN of Newcastle, HAWKE
of Boothbay Harbor, McCREIGHT of Harpswell, SAWICKI of
Auburn, TUELL of East Machias.
Submitted by the Department of Marine Resources pursuant to
Joint Rule 204.

On motion by Senator BAKER of Sagadahoc, REFERRED to the
Committee on MARINE RESOURCES and ordered printed.

Sent down for concurrence.

Bill "An Act To Authorize Municipal Fire Districts To Impose
Service Charges"
S.P. 254 L.D. 724

Presented by Senator SAVIELLO of Franklin.
Cosponsored by Senator: DAVIS of Piscataquis.

Resolve, Authorizing the Commissioner of Administrative and
Financial Services To Sell or Lease the Interests of the State in
Certain Real Property Located in Augusta, Bangor and
Thomaston

S.P. 262 L.D. 732

Presented by Senator WILLETTE of Aroostook.
Cosponsored by Representative MARTIN of Sinclair and
Representative: TURNER of Burlington.
Submitted by the Department of Administrative and Financial
Services pursuant to Joint Rule 204.

On motion by Senator WILLETTE of Aroostook, REFERRED to
the Committee on STATE AND LOCAL GOVERNMENT and
ordered printed.

Sent down for concurrence.

Bill "An Act To Provide Expanded Powers to the Executive
Director of the Kennebec Regional Development Authority"
S.P. 271 L.D. 741

Presented by Senator SAVIELLO of Franklin.
Cosponsored by Representative NUTTING of Oakland and
Senator: KATZ of Kennebec.

Committee on STATE AND LOCAL GOVERNMENT suggested
and ordered printed.

On motion by Senator WILLETTE of Aroostook, TABLED until
Later in Today's Session, pending REFERENCE.

Bill "An Act To Sustain Maine's Primary Care Professional
Workforce"
S.P. 270 L.D. 740

Presented by Senator DAVIS of Piscataquis.
Cosponsored by Representative ALLEY of Beals and Senators:
BRAKEY of Androscoggin, HASKELL of Cumberland, LANGLEY
of Hancock, Representatives: BURSTEIN of Lincolnville,
DUNPHY of Embden, GOODE of Bangor, SKOLFIELD of Weld,
TUELL of East Machias.

On motion by Senator MCCORMICK of Kennebec, REFERRED
to the Committee on TAXATION and ordered printed.

Sent down for concurrence.

Bill "An Act To Amend the Laws Regarding Learner's Permits and Intermediate Licenses"

S.P. 267 L.D. 737

Presented by Senator ROSEN of Hancock.
Cosponsored by Representative McLEAN of Gorham and
Senators: DIAMOND of Cumberland, President THIBODEAU of
Waldo, VALENTINO of York, Representatives: FOWLE of
Vassalboro, FREDETTE of Newport, GILLWAY of Searsport,
LUCHINI of Ellsworth, O'CONNOR of Berwick.

On motion by Senator COLLINS of York, REFERRED to the
Committee on TRANSPORTATION and ordered printed.

Sent down for concurrence.

RESOLUTION, Proposing an Amendment to the Constitution of
Maine To Require That 5 Percent of Signatures on a Direct
Initiative of Legislation Come from Each County

S.P. 272 L.D. 742

Presented by Senator SAVIELLO of Franklin.
Cosponsored by Senators: COLLINS of York, LANGLEY of
Hancock.

Bill "An Act To Permit Unenrolled Voters To Cast Ballots in
Primary Elections"

S.P. 274 L.D. 744

Presented by Senator KATZ of Kennebec.
Cosponsored by Representative CHENETTE of Saco,
Representative MAKER of Calais and Senators: BAKER of
Sagadahoc, DIAMOND of Cumberland, LANGLEY of Hancock,
ROSEN of Hancock, SAVIELLO of Franklin, VALENTINO of York,
Representative: DION of Portland.

On motion by Senator CYRWAY of Kennebec, REFERRED to the
Committee on VETERANS AND LEGAL AFFAIRS and ordered
printed.

Sent down for concurrence.

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

ORDERS

Joint Order

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

S.P. 276

ORDERED, the House concurring, that the Joint Rules be
amended by amending Joint Rule 203 to read:

Rule 203. Cloture for Legislators at the Second Regular Session.

The Legislative Council shall set a cloture date and establish
procedures for submission of legislation by Legislators to the
Revisor of Statutes at a second regular session. Procedures
established for each second regular session must ensure
compliance with the requirements of the Constitution of Maine,
Article IV, Part Third, Section 1.

Any vote of the Legislative Council to accept or reject a bill or
resolve proposed for introduction under the procedures
established under this Joint Rule must be taken by the yeas and
nays, and that vote must be recorded and made available for
public inspection.
; and be it further

ORDERED, that the Joint Rules be amended by amending Joint
Rule 204 to read:

Rule 204. Cloture for State Department, Agency or Commission Bills and Resolves at the First Regular Session.

1. **Deadlines for Requests.** All requests for bills and resolves
submitted by a state department, agency or commission for a first
regular session must be submitted to the Revisor of Statutes by
4:00 p.m. on the first Wednesday in December.

2. **Deadline When Governor Newly Elected.** If the Governor
is newly elected and the convening of the first regular session
coincides with the beginning of the Governor's first term, then any
request for a bill or resolve submitted by a state department,
agency or commission must be submitted within 30 days after the
Governor is administered the oath of office.

3. **Identification of Agency.** Each request for a bill or resolve
submitted under this rule must clearly designate, under the title,
the department, agency or commission on whose behalf the bill or
resolve is submitted.

; and be it further

ORDERED, that the Joint Rules be amended by amending Joint
Rule 207, subsection 1 to read:

1. **Legislator and Department Bills.** The titles and subject
index terms and sponsors' names of requests for bills and
resolves submitted by legislators or by departments, agencies or
commissions are considered public information upon filing. The
legislator, department, agency or commission may direct that the
title of a particular bill or resolve remain confidential until cloture.
A list of titles and subject index terms and sponsors must be
published as soon as practicable after cloture; additionally, in a
second regular session, a short summary of each proposed bill
request must be published as soon as practicable after cloture.
The names of sponsors and subject index terms and the titles of
requests for bills and resolves submitted after cloture are public
information when transmitted to the Legislative Council pursuant
to Joint Rule 205. The names of sponsors and the titles of
requests for bills and resolves submitted for a special session are
public information when transmitted to the Legislative Council.

; and be it further

ORDERED, that the Joint Rules be amended by amending Joint Rule 208, 2nd paragraph to read:

When directed by the sponsor, the Revisor of Statutes shall prepare a bill or resolve in concept form. The bill or resolve shall contain only an enacting clause and a summary of the proposed legislation and shall not be fully drafted by the Revisor of Statutes. The bill or resolve prepared in this form shall be printed and referred to a committee in the same manner as other legislation and may be reported in fully drafted form by that committee in the same manner as other legislation. This Except as otherwise provided in this Joint Rule, this method of drafting legislation is not allowed for legislation submitted by the Governor, by agencies or departments of state government, by study commissions, by joint standing committees or joint select committees or pursuant to law or statute. Any request for a bill or resolve submitted after cloture must state if it is a request for a concept draft. Any committee amendment must be germane to the detailed summary of the concept draft.

; and be it further

ORDERED, that the Joint Rules be amended by amending Joint Rule 208 by adding at the end a new paragraph to read:

The Revisor of Statutes shall prepare in concept form a bill submitted pursuant to the Maine Revised Statutes, Title 5, section 1666 that proposes to make unified appropriations and allocations for the expenditures of state government for the biennium, and shall include an Internet address at which may be found the text of the draft unified budget bill submitted to the Revisor of Statutes by the Governor.

; and be it further

ORDERED, that the Joint Rules be amended by amending Joint Rule 312 to read:

Rule 312. Fiscal Notes.

Every bill or resolve that affects state revenues, appropriations or allocations or that requires a local unit of government to expand or modify that unit's activities so as to necessitate additional expenditures from local revenues and that has a committee recommendation other than "Leave to Withdraw," "Ought Not to Pass" or "Referral to Another Committee" must include a fiscal note prepared by the Office of Fiscal and Program Review. For a bill or resolve not yet reported out and upon request of a majority of the committee, the Office of Fiscal and Program Review shall, after notice by the committee to the sponsor of the bill or resolve, meet with the committee at a work session to present its analysis and provide copies of the written public materials relied upon by the office to prepare that fiscal note. ~~The committee clerk shall provide the Office of Fiscal and Program Review with a copy of all testimony and other materials received by the committee on a bill or resolve whenever the committee recommendation is other than "Leave to Withdraw," unanimous "Ought Not to Pass" or unanimous "Referral to Another Committee."~~ The fiscal note must accompany the committee report before it is reported out of committee. Any amendment introduced that would affect the fiscal

impact of the original bill must also include a fiscal note. The Office of Fiscal and Program Review has the sole responsibility for preparing all fiscal notes.

; and be it further

ORDERED, that the Joint Rules be amended by amending Joint Rule 501 to read:

Rule 501. Partisan Staff Assistants for Nominations.

The members of the Legislative Council representing each party shall may, within 7 legislative days after the convening of the first regular session, appoint a partisan staff assistant for nominations. Each of these assistants serves at the pleasure of the appointing authority during the biennium for which the assistant is chosen. A vacancy in either of these positions must be filled for the remainder of the biennium in the same manner as the original appointment. Partisan staff assistants for nominations shall provide all necessary assistance to each joint standing committee required by law to recommend action on a gubernatorial nominee.

; and be it further

ORDERED, that the Joint Rules be amended by amending Joint Rule 504 to read:

Rule 504. Committee Public Hearing.

The joint standing committee shall hold a public hearing on the nomination in Augusta at a time convenient to the public within 30 days, or 35 days for judicial officers, from the date of the Governor's notice of the nomination to the President of the Senate and the Speaker of the House. At least 7 days before the hearing, the Legislative Information Office shall ~~publish in the state paper and in a newspaper of general circulation in the area where the nominee resides a notice of that hearing, which must contain the time and place~~ provide notice of the hearing, the name of the nominee, the office to which that person has been nominated and a general description of the duties of that office. The notice must also contain a statement that written comments relevant to the qualifications of the nominee together with supporting materials may be filed with the Legislative Information Office by 9 a.m. on the hearing date. At the hearing, the committee shall take written or oral testimony limited to relevant comments and questions regarding the qualifications of the nominee. Notwithstanding the Maine Revised Statutes, Title 3, section 157, for the purposes of reviewing nominations pursuant to this rule, the joint standing committee has the power to administer oaths and to take testimony under oath. All testimony taken at the hearing must be recorded and testimony and other materials received by the committee must be preserved according to the Maine Revised Statutes, Title 3, section 159. ~~The 2 In the event that~~ partisan assistants for nominations are appointed, they shall provide the committee with a written report of their investigations before the committee votes to recommend or deny confirmation.

READ. Pursuant to Joint Rule 102 a Division was had. 35 Members of the Senate having voted in the affirmative, and 0 Senators having voted in the negative, and 35 being more than two-thirds of those present and voting, the Joint Order was **PASSED**.

Ordered sent down forthwith for concurrence.

Off Record Remarks

REPORTS OF COMMITTEES

Senate

Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Recognize the Labrador Retriever as the Official State Dog"

S.P. 44 L.D. 107

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

Signed:

Senators:

LIBBY of Androscoggin
WILLETTE of Aroostook
WOODSOME of York

Representatives:

MARTIN of Sinclair
BABBIDGE of Kennebunk
BRYANT of Windham
GREENWOOD of Wales
NADEAU of Winslow
PICKETT of Dixfield
TUELL of East Machias
TURNER of Burlington

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

Signed:

Representatives:

DOORE of Augusta
EVANGELOS of Friendship

Reports **READ**.

Senator **WILLETTE** of Aroostook moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

On motion by Senator **DUTREMBLE** of York, 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 Dutremble.

Senator **DUTREMBLE:** Thank you, Mr. President. Ladies and gentlemen of the Senate, this bill was asked to be put in from a constituent of mine. In the beginning I didn't think that I wanted to do it, but after talking with my constituent I found that she actually put her heart and soul into it and she did a lot of research and probably gave one of the best testimonies I've ever heard up here in Augusta. After being asked to withdraw the bill, after being asked not to have a roll call, I find myself at odds, but that's what I do every day as a firefighter, I'm at odds. You know what? It's time I give this bill CPR because that's what I do. Today I'm going to ask for your support to vote against the pending motion for one reason, because of my constituent; two, the Lab is a popular dog in Maine and the most popular dog in the United States; three, because hiding behind a "Can't pick one breed over the other," or "It's a waste of time" is nothing more than a copout. Have you all looked at the bills submitted this session and in previous years? I would dare say that there are plenty that we could call a waste of time. I believe it's people becoming involved in our government and being proactive, that is why we work these bills. While I understand we will deal with each of the State Symbol bills proposed this session on their own merits, I had an opportunity to listen to testimony given during the public hearings for the Maine State Sweetener and the Maine State Maritime Symbol. There is a consistent theme across these bills, which is the pride we have in our state, what best represents it, and how the people feel when they are here, see, or have something that makes them feel connected to this special place, Maine, The Way Life Should Be. It seems to resonate for everyone who provided testimony on their respective bills. One representative, when asked for support of L.D. 107 by one of his constituents, was told, "I won't support the bill as it is discriminatory towards other breeds." He sees it as being a self-esteem purpose only. I have to ask, whose self-esteem? Not mine. I don't have Labs. A bill here sponsoring to appoint Friendship Sloop the official Maritime Symbol of Maine could be said to be for self-esteem purposes as well.

THE PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Cushing, and asks for what reason the Senator rises.

Senator **CUSHING:** Thank you, Mr. President. Point of Order, I believe the rules provide for us not to question the intent of other members of the Body.

Senate at Ease.

Senate called to order by the President.

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

Senator **DUTREMBLE:** Thank you, Mr. President. I'd just like to make a note before I continue that I have not used any names, but merely facts that have happened. Another rep stated in

writing to my constituent that, "I don't vote for these State Symbols. I don't vote for these Symbol bills. I'm sorry, I just don't. I think the Woopie Pie, Blueberry Pie, lobster, and so many others are just plain silly." However, if you look at the committee testimony, he just voted in favor of the Maine Maple Syrup. What kind of message does this send to our constituents and the people getting involved in the process? With that said, I'd like to address the concerns I've been hearing regarding naming State dogs, specifically the Labrador Retriever. This bill is not about designating one breed as being better or more desirable than another. It is about which breed has the attributes that tie most closely to Maine, our heritage, our culture, and our lifestyles. If we apply the concern that by naming the Lab our official State Dog that we are discriminating against other breeds we would have to question: do robins, cardinals, and sparrows feel discriminated against because of the choice of the black cap chickadee as our State Bird? No, we don't need a State Dog, however Maine is very pet friendly and, per data obtained from town clerks across the state, Labs are the number one licensed dogs in many towns, averaging 18% of the total dogs licensed. Based on that number alone, Labs are our defacto State Dog. No, Labs, as a breed, did not originate in Maine. They came from Newfoundland, where they were bred to help fishermen. They evolved into a premiere hunting dog, suited for both up-land work and water fowl. What does Maine have a lot of? Hunters and fishermen. As an aside, our official State Cat, the Maine Coon Cat, did not originate here either. We can't select a shelter dog as Colorado has already designated them as their official symbol. There is more to this than just a feel good designation or, as mentioned previously, self-esteem play. Businesses headquartered in the state, both large and small, feature the Labrador Retriever in their logos and advertisement. This is because the Labrador Retriever evokes an image of how they want to portray their business to their customers, e.g. example, their brand. Isn't that what each of these bills, in part, are about? Isn't it the brand of Maine that we're asking about?

At the committee hearing individuals who own and make their living on dog oriented businesses in Maine testified in support. I have some quotes. Julie Burnier, pet photographer and dog daycare owner, said, "Does Maine need a State Dog? Well, it's not necessary. I can't think of a good reason why not to appoint one. Maine is very dog friendly, with lots of businesses, large and small, catering to local dog owners and dog owning tourists. At a time when our economy could use a boost, it would be a welcome nod in our direction for our Legislature to embrace the idea of appointing a canine mascot that tells residents and guests that we are a dog loving state." Jim Williams, an artist, said, "I had always associated Maine with the Labrador Retriever. Although there are certainly lots of Labrador Retrievers in every state in the nation, all over the world, I have to believe that there are more Labs per capita in Maine than anywhere else. They seem to be everywhere." For ten years, he states, his website has stated if Maine had a State Dog it would be the Lab. His testimony also included, "I should also mention that L.L. Bean carries my Labrador Retriever greeting cards in its retail store in Freeport as the image of the Labrador Retriever fit with the L.L. Bean brand as an outdoor-oriented Maine company with a heritage based on hunting and fishing." Don Kingsbury, owner of Two Salty Dogs in Boothbay Harbor, "To me, Labs are two kinds of dog. The working dogs: the smart, trained machine that are the hunting dogs and the sniffing dogs used by law enforcement, and service dogs of the blind. You'll notice the second of those same working

dogs are off the clock, become the second kind of dog; the goofy, playful, empathetic, fun loving machines that I like to keep and they are all over Maine." Isn't that what us Mainers are? We're hard working Mainers, but we like to have fun. As you may have heard, we're also fortunate to have third grade teacher Holly Merrill from South School in Rockland bring three of her students to read testimony. She was using the bill as an opportunity to teach the legislative process, letter writing, and the Maine curriculum, which includes a unit on State Symbols. She noted that each year, when teaching the symbols, her students always ask why there is no State Dog. This year she saw an opportunity to expose them to the process and correct that issue. The reoccurring theme from business owners was the image of a Labrador Retriever, as a well as the breed itself, resonates with Maine and Mainers.

These individuals make their living with business focused dog service and dog appreciation. Their success is not an anomaly. According to the American Pet Product Association, spending in the pet industry for 2013 exceeded estimates and came in at an all-time high of more than \$57 billion, a 4.5 increase over 2002. The 2014 spending is anticipated to be at \$58.51 billion, a 4.9 increase over 2013. This increase in spending correlates to an increase in jobs, as the pet oriented marketplace continues to attract a stream of entrepreneurs just like the people who testify. Planet Dog headquarters in Westbrook started in 1996 and was so successful that their foundation, which funds training, placement, and support of dogs, and helping people in need, has given away more than \$1 million in grants in the last ten years. We all know the significance of travel and the tourist industry in our state. In 2012, the Maine Office of Tourism reported that the industry supported a total of 85,500 jobs, representing about 13% of employment in the state. A 10% increase in visitors to Maine was calculated as generating just under an additional \$498 million a year. Indirect expenditures in household income generated through industry jobs was more than \$2.2 billion. Further, according to AAA, the industry has changed with the evolving needs of travelers. Pets are now a big part of family travel planning. They report a 51% increase in pet owning travelers wanting to bring their companions along with them. Through marketing and branding the State as pet friendly, either by individual businesses or the State itself, we can tap into the traveling population that owns the most popular dog breed in the country, according to the American Kennel Club, who also endorses the bill.

You may be concerned that the designation will result in over-breeding because of increased demand. Please consider the perspectives. From information provided by New England Lab Rescue, New England Lab Rescue was founded in 2010 by Heather Labbe. New England is a region of the country with a high demand for Labrador Retrievers, resulting in very few found at local shelters. Heather realized that with funding, and a lot of hard work, she could rescue animals from shelters in Southern states and bring them to New England for adoption. Also from Maine Lab Rescue, Maine Lab Rescue is an all breed dog and cat rescue, with focus on Labs and Lab mixes. Animals are rescued from high-kill shelters or other undesirable circumstances in the South. Debbie Russ, a Labrador Retriever breeder from Belfast, provides, "Breeding Labs is my passion. The whole process, from conception to birth, and then watching them grow each day. I get to help them prepare for their life adventure with their new family. As a breeder, the family selection is as important as the puppy selection for the family. Most breeders

will screen potential families who want a puppy and I encourage families to come and meet the pack, which gives them the opportunity to meet the potential family." Her goal, as a responsible breeder, is to make sure that the puppies will have a healthy life with their new families. Many of you do Facebook. My constituent started a page in January that was called "Labs, the State Dog of Maine." At the time of this writing the page has 2,800 likes, with the majority of her followers being from Maine. In this era of social media, as a communication tool this is as a significant show of support as receiving a call or e-mail from your constituent. For those of you who have received such calls and told your constituents that we won't support it, shame on you. Why are we here? The National Chapter of the Labrador Retriever Club strongly supports the effort to name the Labrador Retriever the State Dog of Maine. The breed evolved from Labrador. Maine is the closest U.S. state to that province. It is the number one breed in the country, demonstrating that its popularity is widespread, and its choice as our official State Dog would please more dog owners than it would offend.

Eleven other states in the United States have designated an official State Breed Dog. Maryland was the first to name a dog breed as the State Symbol, naming the Chesapeake Bay Retriever in 1964. Pennsylvania followed the year after, naming the Great Dane as its official breed. Dog breeds are mostly affiliated with the states that they originated in. North Carolina chose the Plott Hound as it was the only dog breed indigenous to the state. Other official state dogs also are indigenous to their state, including the Boston Terrier of Massachusetts and the Alaskan Malamute of Alaska. Pennsylvania selected the Great Dane not because of its origin but because it was introduced by early settlers into the state to be used as hunting and working dogs. It was chosen over the Beagle, which was also proposed around the same time. Other states, Louisiana, New Hampshire, South Carolina, Texas, Virginia, and Wisconsin, all have state dogs. Just like Pennsylvania choosing the Great Dane because of its role in settling the state, the Labrador played a key role in settling Maine. Maine should be proud to step up and be counted. We're not going to make world peace, cure homelessness, or reform healthcare or welfare by passing this bill, but by doing so it is doubtful that we will make anything worse.

As was expressed in a piece of testimony given in support of the State Sweetener bill, why not do it? I urge you to vote no on the Ought Not to Pass.

THE PRESIDENT: The pending question before the Senate is the motion by the Senator from Aroostook, Senator Willette 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 (#8)

YEAS: Senators: BAKER, BRAKEY, BREEN, BURNS, COLLINS, CYRWAY, DILL, EDGECOMB, GRATWICK, HAMPER, HASKELL, HILL, KATZ, LANGLEY, LIBBY, MASON, MCCORMICK, MIRAMANT, ROSEN, VOLK, WHITEMORE, WILLETTE, WOODSOME, THE PRESIDENT - MICHAEL D. THIBODEAU

NAYS: Senators: ALFOND, DAVIS, DIAMOND, DUTREMBLE, GERZOFKY, JOHNSON, MILLETT, PATRICK, SAVIELLO, VALENTINO

ABSENT: Senator: CUSHING

24 Senators having voted in the affirmative and 10 Senators having voted in the negative, with 1 Senator being absent, the motion by Senator **WILLETTE** of Aroostook to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, **PREVAILED**.

Sent down for concurrence.

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

SECOND READERS

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

Senate

Resolve, To Name Interstate 295 from Scarborough to West Gardiner the Richard A. Coleman Highway
S.P. 48 L.D. 115

READ A SECOND TIME and PASSED TO BE ENGROSSED.

Sent down for concurrence.

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

Off Record Remarks

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

LEGISLATIVE RECORD - SENATE, THURSDAY, MARCH 5, 2015

On motion by Senator **MASON** of Androscoggin, **ADJOURNED**,
pursuant to the Joint Order, to Tuesday, March 10, 2015, at 10:00
in the morning.