

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
Tuesday
March 10, 2015

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

Prayer by Reverend Harold E. Churchill, First United Pentecostal
Church in Lewiston.

REVEREND CHURCHILL: Let us pray. Heavenly Father, guided by our nation's history of prayer and the report of the House Judiciary Committee in 1854, who said, "If there be a God who hears prayers, as we believe there is, we submit that there never was a deliberative Body that so eminently needed the fervent prayers of righteous men as the Congress of the United States." Today we believe that the Senate of the State of Maine needs prayer as well. As Chaplain Harris once prayed, "Before we talk to one another and to listen, we would turn to Thee, without whose guidance and help our feeble hands will fail." Today help these men and women of the Senate to turn to You for guidance and, Lord, as U.S. Chaplain Peter Marshall prayed, give us a new standard of values and the ability to know a trifle when we see it and to deal it with as such. I pray that You would give these Senators the knowledge to know what is most important and deserving of their time and attention and courage to do what must be done and the wisdom to perform and carry out that knowledge. I pray that these Senators will provide legislation that will make Maine a better place to live, a better place to raise our families, a better place to work, and a better place for those who chose to visit this great state. I thank You for their willingness to serve the people of the state of Maine. May they serve with distinction, humility, and with compassion. We ask all of these things in the name of Jesus. Amen.

Pledge of Allegiance led by Senator David C. Burns of
Washington County.

Reading of the Journal of Thursday, March 5, 2015.

Doctor of the day, Brian Pierce, MD of Camden.

Off Record Remarks

PAPERS FROM THE HOUSE

Non-Concurrent Matter

Bill "An Act To Authorize a General Fund Bond Issue To
Encourage Access to Workforce Training and Job Creation"
S.P. 69 L.D. 194

In Senate, February 24, 2015, on motion by Senator CUSHING of
Penobscot, REFERRED to the Committee on
APPROPRIATIONS AND FINANCIAL AFFAIRS and ordered
printed.

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

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

House Papers

Bill "An Act To Limit the Use of Pesticides on School Grounds"
H.P. 484 L.D. 708

Bill "An Act Regarding the Regulation of Rabbit Production for
Local Consumption"
H.P. 485 L.D. 709

Bill "An Act To Improve Forest Ranger Safety"
H.P. 498 L.D. 745

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

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

Bill "An Act Regarding Captive Amphibian and Reptile Permits"
H.P. 499 L.D. 746

Committee on **AGRICULTURE, CONSERVATION AND
FORESTRY** suggested and ordered printed.

Comes from the House, REFERRED to the Committee on
INLAND FISHERIES AND WILDLIFE.

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 Authorize a General Fund Bond Issue To Assist in the Creation and Retention of Jobs and Improve Access to Higher Education in Maine"

H.P. 500 L.D. 747

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 Restore Public Safety Programs in the Department of Public Safety and the Department of Professional and Financial Regulation" (EMERGENCY)

H.P. 473 L.D. 697

Bill "An Act Providing a Good Samaritan Defense to Individuals Reporting a Drug Overdose"

H.P. 486 L.D. 710

Bill "An Act To Provide for Tiered Qualifications for Volunteer Firefighters in Certain Municipalities"

H.P. 501 L.D. 748

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 Empower Parents in the Education of Their Children by Allowing an Opt-out from Standardized Assessments"

H.P. 471 L.D. 695

Bill "An Act To Establish a Moratorium on the Establishment of Virtual Charter Schools" (EMERGENCY)

H.P. 472 L.D. 696

Bill "An Act To Provide for a Later Starting Time for High Schools"

H.P. 487 L.D. 711

Bill "An Act To Ensure Integrity in Students' Proficiency"

H.P. 502 L.D. 749

Bill "An Act To Change the Budget Approval Process for Alternative Organizational Structures"

H.P. 516 L.D. 763

Resolve, To Impose a 2-year Delay on the Use of Standardized Tests To Evaluate Teachers (EMERGENCY)

H.P. 517 L.D. 764

Come 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 Increase Organic Waste Recycling in the State"

H.P. 488 L.D. 712

Resolve, To Further Protect Lake Water Quality

H.P. 489 L.D. 713

Bill "An Act To Allow Regulated Metal Mining in Maine"

H.P. 503 L.D. 750

Resolve, To Develop a Statewide Plan for the Disposal of Household Hazardous Waste

H.P. 518 L.D. 765

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.

Resolve, Directing the Department of Health and Human Services To Study Providing Medical Assistance to Maine's Inhabited Islands

H.P. 490 L.D. 714

Resolve, Directing the Department of Health and Human Services To Hire Health Inspectors

H.P. 491 L.D. 715

Bill "An Act To Provide Consideration of the Need for Nursing Facility Beds in the Area Where They Are Located before Those Beds Are Lost"

H.P. 504 L.D. 751

Bill "An Act To Permit Medical Marijuana Cultivation by Incapacitated Adults"

H.P. 505 L.D. 752

Bill "An Act To Require a Medical Marijuana Primary Caregiver Cultivating in a Residential Building To Obtain an Electrical Permit"

H.P. 519 L.D. 766

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.

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Protect the People's Right To Hunt, Fish and Harvest Wildlife

H.P. 479 L.D. 703

Bill "An Act To Amend the Fees for Snowmobile Registration"
H.P. 492 L.D. 716

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Establish the Right To Hunt and Fish

H.P. 506 L.D. 753

Bill "An Act Concerning Antler Restrictions"

H.P. 508 L.D. 755

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.

COMMUNICATIONS

The Following Communication: S.C. 119

**STATE OF MAINE
127TH LEGISLATURE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE**

February 24, 2015

The Honorable Heather Priest
Secretary of the Senate
3 State House Station
Augusta, ME 04333

Dear Secretary Priest:

Pursuant to my authority under Title 10, MSRA, Chapter 1-A, § 11, I have appointed the following individuals to serve as members of the Citizen Trade Policy Commission:

Rep. Robert Saucier of Presque Isle
Rep. Stanley Short Jr. of Pittsfield
Rep. Stacey Guerin of Glenburn
Hon. Sharon Treat of Hallowell

Please contact my office if you have any questions regarding these appointments.

Sincerely,

S/Mark W. Eves
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 114

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

March 4, 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. 316 An Act To Provide a Waiver of Short-term
Camping Fees at State-owned Parks, Camping
Areas and Beaches for Members of Federally
Recognized Indian Tribes in the State

L.D. 317 An Act To Recognize and Provide for the Right
of Access for Members of the Houlton Band of
Maliseet Indians To Certain Public Lands in
Aroostook County for Traditional Uses

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

Sincerely,

S/Sen. Peter E. Edgecomb
Senate Chair

S/Rep. Craig V. Hickman
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 115

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

March 4, 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 bill out "Ought Not to Pass":

L.D. 154 An Act To Promote Greater Flexibility in the
Provision of Long-term Care Services

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

Sincerely,

S/Sen. Eric L. Brakey
Senate Chair

S/Rep. Andrew M. Gattine
House Chair

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

The Following Communication: S.C. 116

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

March 4, 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 Taxation has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 79 An Act To Provide a Sales Tax Trade-in Credit
for Core Parts

L.D. 191 An Act To Require the Transfer of a Forest
Management and Harvest Plan upon the
Transfer of Land in the Tree Growth Tax
Program

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

Sincerely,

S/Sen. Earle L. McCormick
Senate Chair

S/Rep. Adam A. Goode
House Chair

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

The Following Communication: S.C. 117

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

March 4, 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 bill out "Ought Not to Pass":

L.D. 269 An Act To Require the Maine Turnpike
Authority To Consider Certain Third-party
Studies and Municipal Recommendations in Its
Decision-making Process

We have also notified the sponsors and cosponsors 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.**

The Following Communication: S.C. 118

**STATE OF MAINE
ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE
COMMITTEE ON VETERANS AND LEGAL AFFAIRS**

March 5, 2015

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

Dear President Thibodeau and Speaker Eves,

Pursuant to Joint Rule 310, we are writing to notify you that we have approved the request by the bill sponsor Rep. Bear of Houlton Band of Maliseet Indians, to report the following bill Leave to Withdraw:

L.D. 555 An Act To Distribute a Portion of Proceeds from
the Oxford Casino to the Houlton Band of
Maliseet Indians and the Aroostook Band of
Micmacs

Sincerely,

S/Sen. Scott W. Cyrway
Senate Chair

S/Rep. Louis J. Luchini
House Chair

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

Off Record Remarks

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

Senate at Ease.

Senate called to order by the President.

ORDERS OF THE DAY

Out of order and under suspension of the Rules, the Chair laid
before the Senate the following Tabled and Later Assigned
(2/24/15) matter:

JOINT ORDER - Expression of Legislative Sentiment
Recognizing the Honorable Joshua A. Tardy of Newport
SLS 146

Tabled - February 24, 2015, by Senator **CUSHING** of Penobscot

Pending - motion by same Senator to **PASS**

(In Senate, February 24, 2015, **READ.**)

The Joint Order was **READ.**

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

Senator **CUSHING:** Thank you, Mr. President. Ladies and
gentlemen of the Senate, it is with great humility that I rise to
speak to this incredible opportunity to honor a former member of
the Legislature who has taken his talents and his skills, both in
the athletic arena and in leadership, to help young men in the
world of basketball at MCI. We're very blessed to have people of
Mr. Tardy's caliber here in Maine who will consistently take their
time and their energy to help our youth understand the principles
and values that make athletics so important to both their
education and their upbringing. I think it's just a small token of
the respect that Mr. Tardy has from so many corners in both this

world of politics and in the world of basketball for the time and
dedication he has taken over the years with young people and I
am truly honored to stand today to speak to this sentiment.

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

Senator **ALFOND:** Thank you, Mr. President. I, too, want to get
up and honor Mr. Tardy for his incredible work. I don't know if the
Body can understand what a big statement this is by a former
Dexter Tiger, getting up and honoring an MCI Nokomis basketball
coach. This would not have happened 20 years ago, but we have
to move on, beyond our playing days. Speaking of playing days,
Mr. Tardy was quite a basketball player himself. He was a
dominating basketball player in his day. What many people might
not realize is that he was a point guard back then. He was a little
bit different shaped and size, but he still dominated and it was
very interesting seeing Mr. Tardy come down. He was kind of a
strong point guard. You know, like a power forward today in
today's terms. It is great to see the MCI program under great
leadership. I am honored to stand up and talk about someone
who is really doing his all to make central Maine basketball
strong. Thank you, Mr. President.

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

Senator **CUSHING:** Thank you, Mr. President. I'm not sure that
we fully vetted this. I would move that we table this until later in
today's session.

On motion by Senator **CUSHING** of Penobscot, **PASSED.**

Sent down for concurrence.

Off Record Remarks

SENATE PAPERS

Bill "An Act Regarding Aerial Pesticide Spray Projects"
S.P. 291 L.D. 817

Presented by Senator SAVIELLO of Franklin.
Cosponsored by Representative NOON of Sanford and Senator:
DILL of Penobscot, Representatives: BLACK of Wilton,
EDGECOMB of Fort Fairfield.
Submitted by the Department of Agriculture, Conservation and
Forestry pursuant to Joint Rule 204.

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

Sent down for concurrence.

Bill "An Act To Amend the Maine Emergency Medical Services Act of 1982"

S.P. 292 L.D. 818

Presented by Senator DUTREMBLE of York.
Cosponsored by Representative LAJOIE of Lewiston and Senators: BURNS of Washington, GERZOFKY of Cumberland, WILLETTE of Aroostook, Representatives: GERRISH of Lebanon, KINNEY of Knox.
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 Improve the Quality of Life of Persons with Serious Illnesses"

S.P. 280 L.D. 782

Presented by Senator LANGLEY of Hancock.
Cosponsored by Representative MAKER of Calais and Senators: DAVIS of Piscataquis, SAVIELLO of Franklin, VALENTINO of York, Representatives: BURSTEIN of Lincolnville, GATTINE of Westbrook, LONGSTAFF of Waterville, MALABY of Hancock, TURNER of Burlington.

Bill "An Act To Decrease Uncompensated Care, Reduce Medical Debt and Improve Health Outcomes"

S.P. 282 L.D. 808

Presented by Senator HASKELL of Cumberland.
Cosponsored by Representative DION of Portland and Senator: DIAMOND of Cumberland, Representative: MARTIN of Eagle Lake.

Bill "An Act To Prevent Drug Overdose Deaths by Enhancing Access to Opioid Antagonists"

S.P. 286 L.D. 812

Presented by Senator GRATWICK of Penobscot.
Cosponsored by Representative GIDEON of Freeport and Senators: DIAMOND of Cumberland, DUTREMBLE of York, HILL of York, MIRAMANT of Knox, VALENTINO of York, Representatives: FREY of Bangor, LONGSTAFF of Waterville, PICCHIOTTI of Fairfield.

Bill "An Act To Reform Welfare and Eliminate the Welfare Cliff"

S.P. 290 L.D. 816

Presented by Senator BRAKEY of Androscoggin.
Cosponsored by Senator: MASON of Androscoggin.

Bill "An Act To Promote Equity in Business Opportunity for Tobacco Specialty Stores"

S.P. 295 L.D. 821

Presented by Senator HAMPER of Oxford.
Cosponsored by Representative GINZLER of Bridgton and Senators: COLLINS of York, CUSHING of Penobscot, MASON of Androscoggin, Representatives: CHENETTE of Saco, HOBBS of Saco, O'CONNOR of Berwick, SANDERSON of Chelsea.
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 Ensure That Hospitals Comply with the Laws Governing Transparency of Medical Billing"

S.P. 287 L.D. 813

Presented by Senator GRATWICK of Penobscot.
Cosponsored by Representative KRUGER of Thomaston and Senators: ALFOND of Cumberland, DILL of Penobscot, ROSEN of Hancock, Representatives: HICKMAN of Winthrop, STUCKEY of Portland.

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

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

Bill "An Act To Eliminate Permits for Turkey Hunting and To Expand Turkey Hunting"

S.P. 279 L.D. 781

Presented by Senator SAVIELLO of Franklin.
Cosponsored by Senators: CYRWAY of Kennebec, DAVIS of Piscataquis, DUTREMBLE of York, MASON of Androscoggin, President THIBODEAU of Waldo.

Bill "An Act To Amend Maine's Threatened and Endangered Species List"

S.P. 281 L.D. 807

Presented by Senator SAVIELLO of Franklin.
Cosponsored by Representative WELSH of Rockport and Senator: BREEN of Cumberland, Representatives: CAMPBELL of Orrington, DUCHESNE of Hudson, HANLEY of Pittston, HARLOW of Portland, WHITE of Washburn.
Submitted by the Department of Inland Fisheries and Wildlife pursuant to Joint Rule 204.

Bill "An Act To Benefit Senior Hunters"

S.P. 285 L.D. 811

Presented by Senator CUSHING of Penobscot.
Cosponsored by Representative PETERSON of Rumford and
Senators: CYRWAY of Kennebec, HAMPER of Oxford, MASON
of Androscoggin, President THIBODEAU of Waldo,
Representatives: COREY of Windham, FREDETTE of Newport,
WARD of Dedham, WOOD of Sabattus.

Bill "An Act To Increase the Safety of Hunting"

S.P. 297 L.D. 848

Presented by Senator BURNS of Washington.
Cosponsored by Representative ALLEY of Beals and Senators:
DAVIS of Piscataquis, DUTREMBLE of York, GERZOFISKY of
Cumberland, KATZ of Kennebec, WHITTEMORE of Somerset,
Representatives: DUNPHY of Embden, SHERMAN of Hodgdon,
WOOD of Sabattus.

Bill "An Act To Protect Young Bucks"

S.P. 298 L.D. 849

Presented by Senator BURNS of Washington. (BY REQUEST)
Cosponsored by Representative ALLEY of Beals and Senators:
DAVIS of Piscataquis, DUTREMBLE of York, GERZOFISKY of
Cumberland, KATZ of Kennebec, Representatives: DUNPHY of
Embden, SHERMAN of Hodgdon, WOOD of Sabattus.

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 Allow the Synchronization of Prescriptions"

S.P. 284 L.D. 810

Presented by Senator CUSHING of Penobscot.
Cosponsored by Representative CHACE of Durham and
Senators: MASON of Androscoggin, President THIBODEAU of
Waldo, VOLK of Cumberland, Representatives: PETERSON of
Rumford, WARD of Dedham, WOOD of Sabattus.

Bill "An Act To Establish a Unified-payor, Universal Health Care
System"

S.P. 289 L.D. 815

Presented by Senator GRATWICK of Penobscot.
Cosponsored by Representatives: BROOKS of Lewiston,
TUCKER of Brunswick, Representative SANBORN of Gorham
and Senators: ALFOND of Cumberland, JOHNSON of Lincoln,
MIRAMANT of Knox, Representatives: BURSTEIN of Lincolnville,
HYMANSON of York.

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

Sent down for concurrence.

Bill "An Act To Amend and Clarify Certain Notice and Assessment
Provisions of the Maine Condominium Act"

S.P. 294 L.D. 820

Presented by Senator VOLK of Cumberland.
Cosponsored by Senator: CUSHING of Penobscot,
Representative: FOLEY of Wells.

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

Senator BURNS of Washington moved to **TABLE** until Later in
Today's Session pending **REFERENCE**.

Senator HILL of York moved to **TABLE** until Later in Today's
Session pending **REFERENCE**. Subsequently, the same Senator
requested and received leave of the Senate to withdraw her
motion to **TABLE** until Later in Today's Session pending
REFERENCE.

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

Bill "An Act To Update the Maine Veterinary Practice Act"

S.P. 288 L.D. 814

Presented by Senator DILL of Penobscot.
Cosponsored by Representative BLACK of Wilton and Senators:
DUTREMBLE of York, GRATWICK of Penobscot, JOHNSON of
Lincoln, PATRICK of Oxford, SAVIELLO of Franklin, VALENTINO
of York, Representatives: DUNPHY of Old Town, MAREAN of
Hollis.

Bill "An Act To Permit Hair Braiding without a Barbering or
Cosmetology License"

S.P. 296 L.D. 847

Presented by Senator HASKELL of Cumberland.
Cosponsored by Representative ROTUNDO of Lewiston and
Senators: BRAKEY of Androscoggin, LIBBY of Androscoggin,
Representatives: BURSTEIN of Lincolnville, HAMANN of South
Portland, JORGENSEN of Portland, SANBORN of Gorham,
SIROCKI of Scarborough, TIMBERLAKE of Turner.

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

Sent down for concurrence.

Resolve, Authorizing the Director of the Bureau of Parks and Lands To Convey the Parcel of Land in Kittery Known as John Paul Jones Memorial Park to the Town of Kittery
S.P. 278 L.D. 780

Presented by Senator HILL of York.
Cosponsored by Representative RYKERSON of Kittery and Representative: BEAVERS of South Berwick.

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 Exempt Kombucha from the Excise Tax Imposed on Alcoholic Beverages"

S.P. 293 L.D. 819

Presented by Senator ALFOND of Cumberland.
Cosponsored by Representative HICKMAN of Winthrop and Senators: DILL of Penobscot, LIBBY of Androscoggin, SAVIELLO of Franklin.

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

Sent down for concurrence.

Bill "An Act Regarding Motor Vehicle Inspection Program Requirements"

S.P. 283 L.D. 809

Presented by Senator CUSHING of Penobscot.
Cosponsored by Representative SHAW of Standish and Senators: COLLINS of York, HAMPER of Oxford, LANGLEY of Hancock, WHITEMORE of Somerset, Representatives: BECK of Waterville, FREDETTE of Newport, PETERSON of Rumford, WOOD of Sabattus.

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

Sent down for concurrence.

Bill "An Act To Increase the Minimum Population Requirement for a Municipality in Which the Bureau of Alcoholic Beverages and Lottery Operations May Locate an Additional Agency Liquor Store"

S.P. 277 L.D. 779

Presented by Senator KATZ of Kennebec.
Cosponsored by Representative THERIAULT of China.

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

Expression of Legislative Sentiment recognizing:

Allen Nygren, of Hampden, a Waterville firefighter and EMT who demonstrated great courage and compassion at the scene of a 75-car crash, one of the worst multiple-car crashes in the State's history. Mr. Nygren was driving home after work on Interstate 95 when he came upon the accident. He began to perform triage on the occupants of the cars, stepping on the roofs of the vehicles because there was no room between them to walk. He helped people and checked for gasoline leaks and fires. We extend to Mr. Nygren our appreciation for his efforts;
SLS 208

Sponsored by Senator CUSHING of Penobscot.
Cosponsored by Representatives: BECK of Waterville, DAVITT of Hampden.

READ

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

Senator **CUSHING:** Thank you, Mr. President. Men and women of the Senate, Today I rise to share with you the reason we seek to honor an individual who, every day at work, answers the needs of those who call on first responders. On a snowy morning, however, he went even further in that mission. While returning home from working a 24 hour shift as an EMT for the City of Waterville, he chanced upon a scene that most people would only have stopped and stared at. This gentleman, however, immediately went into action, walking from the hood of one car to another, triaging those who were part of the giant line of dented and mangled vehicles. He eventually checked on 20 to 30 individuals and called upon and directed seven ambulances to carry away some of the more severely injured victims. For three hours he continued his work, which he began with neither a jacket nor gloves. He saw the need and responded as he had been trained to do. He represents the best values of many who serve our communities as firefighters, police officers, medics, and members of the first responder community. Yes, even many of our Maine neighbors who, when they see a need, step up to help their fellow man, regardless of their own circumstances. Having spoken with him, I know he's a very humble individual who says he really doesn't think that he did anything special. Out of respect and to honor him, I ask that we honor his name on behalf of all

those who serve as first responders. Ladies and gentlemen of the Senate, I ask you to join me in extending our deepest thanks and appreciation to EMT Allen Nygren for his service to his community and the citizens of our state. Thank you, Mr. President.

PASSED.

Sent down for concurrence.

THE PRESIDENT: The Chair is pleased to recognize in the rear of the Chamber Allan and Susan Nygren. Would they please stand and accept the greetings of the Maine Senate.

Joint Resolution

On motion by Senator **BRAKEY** of Androscoggin, the following Joint Resolution:

S.P. 299

**JOINT RESOLUTION RECOGNIZING
FEBRUARY 2015 AS SELF-CARE MONTH**

WHEREAS, self-care is a lifelong daily habit of healthy lifestyle choices, good hygiene practices, prevention of infection and illness, avoiding unhealthy choices, monitoring for signs and symptoms of changes in health and knowing when to consult a health care practitioner and knowing when it is appropriate to self-treat conditions; and

WHEREAS, the United States Food and Drug Administration has determined that over-the-counter medicines are safe and effective for the self-care treatment of minor acute and chronic health conditions and symptoms, such as pain, the common cold, allergies and other conditions that affect large segments of the population; and

WHEREAS, over-the-counter medicines are either developed as new nonprescription medicines or switched from existing prescription medicines; and

WHEREAS, over-the-counter medicines are self-care products that consumers purchase in pharmacies, supermarkets, retail stores and online; and

WHEREAS, each dollar spent on over-the-counter medicines saves the United States health care system \$6 to \$7 each year, totaling \$102 billion in annual savings; and

WHEREAS, over-the-counter medicines help to ease the burden on health care practitioners, eliminating unnecessary medical examinations that could be avoided with appropriate self-care; and

WHEREAS, the State benefits when its citizens practice appropriate self-care and do not unnecessarily visit health care practitioners and are empowered by higher self-esteem, improved health and reduced use of health care services; and

WHEREAS, people of the State are encouraged to take advantage of self-care's potential to improve personal and public health, save personal and public treasury and strengthen the sustainability of our health care system; and

WHEREAS, achieving self-care's potential is a shared opportunity for consumers, health care practitioners, policymakers and regulators; 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 recognize February 2015 as Self-care Month in Maine and that we recognize the importance of improving awareness of self-care and the value it represents to the citizens of this State, and that we support increased consumer empowerment through the development of new over-the-counter medicines and the appropriate switch of certain prescription medicines to over-the-counter medicines, we acknowledge that over-the-counter medicines can greatly improve and reduce costs to the public health system, and we encourage consumers, health care practitioners, policymakers and regulators to communicate the benefits of self-care.

READ.

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

REPORTS OF COMMITTEES

House

Ought to Pass

The Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Resolve, Regarding Legislative Review of Portions of Chapter 22: Standards for Outdoor Application of Pesticides by Powered Equipment in Order To Minimize Off-target Deposition, a Major Substantive Rule of the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control (EMERGENCY)

H.P. 145 L.D. 202

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

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Resolve, Regarding Legislative Review of Portions of Chapter 28: Notification Provisions for Outdoor Pesticide Applications, a Major Substantive Rule of the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control (EMERGENCY)

H.P. 146 L.D. 203

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

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **HEALTH AND HUMAN SERVICES** on Resolve, Regarding Legislative Review of Portions of Chapter 101, MaineCare Benefits Manual, Chapter III, Section 21: Allowances for Home and Community Benefits for Adults with Intellectual Disabilities or Autistic Disorder, a Major Substantive Rule of the Department of Health and Human Services (EMERGENCY)

H.P. 10 L.D. 7

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

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **TRANSPORTATION** on Resolve, To Direct the Department of Transportation To Name the Interstate 95 Rest Area in Hampden the Joshua Lawrence Chamberlain Rest Area

H.P. 49 L.D. 55

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

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Ought to Pass As Amended

The Committee on **TRANSPORTATION** on Resolve, Naming the Bridges That Span the Machias River in Machias the Jeremiah O'Brien Memorial Bridge

H.P. 60 L.D. 66

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-3)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-3)**.

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

READ ONCE.

Committee Amendment "A" (H-3) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senate at Ease.

Senate called to order by the President.

Divided Report

The Majority of the Committee on **TRANSPORTATION** on Resolve, Directing the Department of Transportation To Remove One of the Proposed Routes from Consideration for the Interstate 395 and Route 9 Connector

H.P. 41 L.D. 47

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

Signed:

Senators:

COLLINS of York
DIAMOND of Cumberland
ROSEN of Hancock

Representatives:

McLEAN of Gorham
BRYANT of Windham
FARRIN of Norridgewock
GILLWAY of Searsport
GOLDEN of Lewiston
HOBART of Bowdoinham
HOGAN of Old Orchard Beach
PARRY of Arundel
POWERS of Naples

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-4).**

Signed:

Representative:
VEROW of Brewer

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

Reports **READ**.

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

Senate

Ought to Pass As Amended

Senator **McCORMICK** for the Committee on **TAXATION** on Bill "An Act To Provide an Exemption from Sales Tax and Service Provider Tax to Nonprofit Collaboratives of Libraries"
S.P. 14 L.D. 13

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-1).**

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

READ ONCE.

Committee Amendment "A" (S-1) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

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

ORDERS OF THE DAY

The Chair laid before the Senate the following Tabled and Later Assigned (3/5/15) matter:

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

H.P. 297 L.D. 458

Tabled - March 5, 2015, by Senator **MASON** of Androscoggin

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

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

(In House, March 3, 2015, **REFERRED** to the Committee on **TRANSPORTATION**.)

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

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (3/5/15) matter:

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

Tabled - March 5, 2015, by Senator **BRAKEY** of Androscoggin

Pending - **REFERENCE**

(In House, March 3, 2015, **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.

The Chair laid before the Senate the following Tabled and Later Assigned (3/5/15) matter:

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

Tabled - March 5, 2015, by Senator **HILL** of York

Pending - motion by Senator **BURNS** of Washington to **REFER** to the Committee on **JUDICIARY**, in **NON-CONCURRENCE**

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

(In House, March 3, 2015, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**.)

Senator **BURNS** of Washington requested and received leave of the Senate to withdraw his motion to **REFER** to the Committee on **JUDICIARY**, in **NON-CONCURRENCE**.

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

The Chair laid before the Senate the following Tabled and Later Assigned (3/5/15) matter:

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

Tabled - March 5, 2015, by Senator **SAVIELLO** of Franklin

Pending - **REFERENCE**

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

On motion by Senator **WOODSOME** of York, **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY**.

Sent down for concurrence.

Off Record Remarks

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

Senator **DIAMOND**: Thank you, Mr. President. Ladies and gentlemen of the Senate, I missed, I was a little tardy in getting up, an item in Unfinished Business. Item number 21, SLS 196. I didn't want the day to go by without us saying a couple of words about Senator Al Stevens. He was a gentleman. He was someone who worked very hard for his constituents. He was a lifelong Republican and he was proud of that. He was also one who would work across the aisle and set an example for many of us. I just wanted to just make those comments. Thank you, Mr. President.

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

On motion by Senator **MASON** of Androscoggin, **ADJOURNED** to Wednesday, March 11, 2015, at 10:00 in the morning.