

MAINE STATE LEGISLATURE

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Senate Legislative Record

One Hundred and Twenty-Seventh Legislature

State of Maine

Daily Edition

First Regular Session
beginning December 3, 2014

beginning at Page 1

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

In Senate Chamber
Wednesday
March 11, 2015

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

Prayer by Pastor Frank Gleason IV, CenterPoint Community
Church in Anson.

PASTOR GLEASON: Thank you, Mr. President. Mr. President,
Madame Secretary, ladies and gentlemen of the Senate, let us
pray. Gracious God, we thank You for this day. May we be full of
conviction and infused with Your power as we begin the business
of the people. When conflict arises, may we find peaceful
compromise. Help guard us from emotion and lead us through
wisdom. Would You help us to be diligent in our search for
knowledge, prayerful about our position, and immersed in the
truth. May we lean not on our own strength or be led by aimless
ambition. Let us be unapologetic in our stand, consistent in our
walk, and tender in our approach. May our example and word
always reflect Yours. In Jesus' name. Amen.

Pledge of Allegiance led by Senator G. William Diamond of
Cumberland County.

Reading of the Journal of Tuesday, March 10, 2015.

Doctor of the day, Richard Flowerdew, MD of Falmouth.

Off Record Remarks

Senator **WILLETTE** of Aroostook was granted unanimous
consent to address the Senate on the Record.

Senator **WILLETTE:** Thank you, Mr. President. Ladies and
gentlemen of the Maine Senate, over the past two days there has
been significant publicity about posts I have made on social
media, particularly Facebook. I would like to stand here in front of
you today and apologize for these remarks and those posts.
While it is no surprise to most that I am not President Obama's
biggest fan, I do have to admit in full disclosure as a former
Democrat, I did vote for him in 2008. I have been profoundly
disappointed by his policies and performance over the years, and
that frustration led me, against my better judgment, to make

several criticisms of the President that were completely
inappropriate. I think many of us can identify with the temptation
to not listen to our better angels and to, instead, lash out publicly
against those with whom we disagree. As a State Legislator I am
held to a higher standard. We all are. We need to show restraint,
especially myself in this instance. I would like to publicly
apologize for my actions and ask for your forgiveness. Many of
you know me from previous legislative experiences. You know
I'm not combative and I've always been a consensus builder. I
can promise to you that this mistake in judgment will not be
repeated. Mainers expect their elected officials to act with high
moral and ethical standards while conducting the people's
business. I urge my colleagues on both sides of the aisle to
commit to this standard throughout the 127th Legislature. The
people of Maine must trust that their elected officials have the
highest respect for the office they hold and the work that they are
doing. The people of Maine are depending on us to accomplish
much over the next two years. I look forward to working with all of
you to do what's best for Maine. Mr. President, I thank you for the
time.

Off Record Remarks

PAPERS FROM THE HOUSE

House Papers

RESOLUTION, Proposing an Amendment to the Constitution of
Maine To Establish a Right to Food

H.P. 532 L.D. 783

Bill "An Act To Increase Conservation District Funding"

H.P. 573 L.D. 839

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 To Allow a Former Spouse of a Member of the Maine
Public Employees Retirement System To Begin Collecting
Benefits When the Former Spouse Reaches the Member's
Retirement Age"

H.P. 556 L.D. 822

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 Protect Patients from Sexual Exploitation"
H.P. 541 L.D. 792

Bill "An Act To Upgrade the Concealed Handgun Permit Law"
H.P. 557 L.D. 823

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.

Resolve, To Examine Unfunded Mandates in the Education Laws and To Recommend Unfunded Mandates To Be Eliminated (EMERGENCY)

H.P. 542 L.D. 793

Bill "An Act To Ensure That Funding to the University of Maine System Is Used Efficiently"

H.P. 543 L.D. 794

Bill "An Act To Support the Implementation of Proficiency-based Diplomas and Standards-based Student Learning"
H.P. 574 L.D. 840

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 Allow a Municipality To Choose Its Power Provider"

H.P. 545 L.D. 796

Bill "An Act To Ensure Reliable Power Supply to Homes and Businesses"

H.P. 546 L.D. 797

Bill "An Act To Allow Consumer-owned Transmission and Distribution Utilities To Apply for Efficiency Maine Grants"
H.P. 559 L.D. 825

Bill "An Act To Promote Maine's Economic Development and Critical Communications for Rural Family Farms, Businesses and Residences by Strategic Public Investments in High-speed Internet"

H.P. 560 L.D. 826

Bill "An Act To Amend the Fluoridation Laws To Provide for Customer Choice"

H.P. 561 L.D. 827

Come 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 Wind Energy Development Permitting"

H.P. 540 L.D. 791

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

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

Bill "An Act To Improve Regulatory Consistency within the Jurisdiction of the Maine Land Use Planning Commission"
H.P. 562 L.D. 828

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

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

Bill "An Act To Encourage Prudent Development along the Coast or in a Flood Zone by Considering Predictions for Sea Level Rise"
H.P. 544 L.D. 795

Bill "An Act Regarding Ethanol Motor Fuel"

H.P. 558 L.D. 824

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

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

Bill "An Act To Promote Dental Services for Prenatal and Postpartum Women"

H.P. 524 L.D. 771

Bill "An Act To Amend the Membership of the Child Care Advisory Council"

H.P. 525 L.D. 772

Bill "An Act To Strengthen Maine's Hospitals and Increase Access to Health Care"

H.P. 547 L.D. 798

Resolve, To Reduce MaineCare Spending through Targeted Prevention Services

H.P. 565 L.D. 831

Bill "An Act To Improve Public Health in Maine"

H.P. 566 L.D. 832

Resolve, Directing the Department of Health and Human Services To Develop a Bus Pass Program

H.P. 575 L.D. 841

Bill "An Act To Establish Peer Center Reimbursement"

H.P. 576 L.D. 842

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.

Bill "An Act To Eliminate the Dual Licensing of Physician Assistants"

H.P. 564 L.D. 830

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

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

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

Bill "An Act To Allow Anadromous Fish Passage through Beaver Dams"

H.P. 526 L.D. 773

Bill "An Act To Stimulate the Economy and Invigorate the Hunting Industry by Establishing a Pilot Project To Allow Hunting on Sundays in Limited Areas"

H.P. 548 L.D. 799

Bill "An Act To Ensure Safe and Humane Bear Hunting Practices"

H.P. 550 L.D. 801

Bill "An Act To Allow the Breach or Removal of Beaver Dams That Obstruct Passage of Anadromous or Migratory Fish"

H.P. 551 L.D. 802

Resolve, To Direct the Department of Inland Fisheries and Wildlife To Add Koi to the List of Fish Approved for Aquariums

H.P. 567 L.D. 833

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.

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Ensure That Laws Governing Hunting and Fishing Are Not Subject to the Citizen Petition Process

H.P. 507 L.D. 754

Committee on **INLAND FISHERIES AND WILDLIFE** suggested and ordered printed.

Comes from the House, **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS**.

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

Bill "An Act Regarding Notice Provided by Insurance Carriers to Health Care Providers"

H.P. 480 L.D. 704

Bill "An Act Relating to Insurance Licensing"

H.P. 481 L.D. 705

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

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

Bill "An Act To Enhance the Address Confidentiality Program Regarding Property Records"

H.P. 509 L.D. 756

Bill "An Act To Assist Victims of Crime To Obtain Restitution"

H.P. 527 L.D. 774

Bill "An Act To Streamline Judicial Review of Certain Land Use Decisions"

H.P. 528 L.D. 775

Bill "An Act To Update the Validation of Miscellaneous Defects and Defective Acknowledgments in the Conveyance of Real Estate"

H.P. 529 L.D. 776

Bill "An Act To Amend the Trespass Laws Pertaining to Railroad Property"

H.P. 563 L.D. 829

Bill "An Act To Refine and Streamline the Foreclosure Mediation Program"

H.P. 580 L.D. 846

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 To Establish a Presumption of Impairment in the Line of Duty for Corrections Officers under the Workers' Compensation Laws"

H.P. 474 L.D. 698

Bill "An Act To Update Maine Law To Conform to New Federal Occupational Safety and Health Administration Regulations" (EMERGENCY)

H.P. 475 L.D. 699

Bill "An Act Regarding the Industry Partnership Assistance Collaborative's Grant Program"

H.P. 476 L.D. 700

Bill "An Act To Modify Unemployment Insurance Successor Law"

H.P. 477 L.D. 701

Bill "An Act To Clarify Filing Methods for Quarterly Payroll Reports"

H.P. 478 L.D. 702

Bill "An Act To Establish the Maine Paid Family Leave Insurance Program"

H.P. 493 L.D. 717

Bill "An Act To Limit the Amount That May Be Retained on Construction Contracts"

H.P. 510 L.D. 757

Bill "An Act To Clarify the Definition of 'Personal Sports Mobile' for Purposes of the Laws Governing Personal Sports Mobile Dealerships"

H.P. 511 L.D. 758

Bill "An Act To Create Jobs in Aroostook and Washington Counties"

H.P. 520 L.D. 767

Bill "An Act To Create a Public Option Pension System"

H.P. 521 L.D. 768

Resolve, To Establish the Task Force To Develop Strategies To Protect Towns

H.P. 552 L.D. 803

Bill "An Act To Clarify the Use of 'M.D.' To Represent Achievement of a Graduate Degree by an Individual Not Licensed To Practice Medicine in Maine"

H.P. 568 L.D. 834

Bill "An Act To Raise the Minimum Wage and Index It to the National Average Wage"

H.P. 577 L.D. 843

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

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

Bill "An Act To Provide for Legislative Review of Federally Mandated Major Substantive Rules under the Maine Administrative Procedure Act"

H.P. 534 L.D. 785

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 To Avoid Loss of Revenue to the State" (EMERGENCY)

H.P. 494 L.D. 718

Bill "An Act To Establish a Sales Tax Holiday"

H.P. 512 L.D. 759

Bill "An Act To Increase the Deduction for Pension Income"

H.P. 513 L.D. 760

Bill "An Act To Reduce Tax Expenditures"

H.P. 522 L.D. 769

Bill "An Act To Help Property Tax Payers"

H.P. 535 L.D. 786

Bill "An Act To Provide Tax Credits for Adult Day Care and Respite and Hospice Care"

H.P. 536 L.D. 787

Bill "An Act To Amend the Individual Income Tax Laws"

H.P. 569 L.D. 835

Bill "An Act To Exempt the American Legion and Veterans of Foreign Wars from the Sales Tax"

H.P. 570 L.D. 836

Come 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.

Resolve, To Establish a Commission To Study Transportation Funding Reform

H.P. 482 L.D. 706

Bill "An Act To Correct an Error in the Law That Allows a Break in Control of Access on William L. Clarke Drive in the City of Westbrook" (EMERGENCY)

H.P. 483 L.D. 707

Bill "An Act To Improve the Health of Maine Citizens and Safety of Pedestrians"

H.P. 537 L.D. 788

Bill "An Act To Require That Projects Undertaken by the Maine Turnpike Authority Have an Anticipated Useful Life of at Least 15 Years"

H.P. 538 L.D. 789

Bill "An Act To Improve Transit Services Statewide"

H.P. 578 L.D. 844

Bill "An Act To Address Unmet Public Transportation Needs"

H.P. 579 L.D. 845

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 To Provide Fair Access To Maine Clean Election Act Funds"

H.P. 495 L.D. 719

Bill "An Act To Establish an Open Primary System in the State"

H.P. 496 L.D. 720

Resolve, To Establish the Commission To Strengthen and Align the Services Provided to Maine's Veterans (EMERGENCY)

H.P. 497 L.D. 721

Bill "An Act To Authorize Free Samples of Wine by a Restaurant"

H.P. 514 L.D. 761

Bill "An Act To Permit the Penobscot Nation To Operate Electronic High-stakes Bingo"

H.P. 515 L.D. 762

Bill "An Act To Permit Maine Residents To Register To Vote Online"

H.P. 523 L.D. 770

Bill "An Act To Establish a Seasonal Agency Liquor License"

H.P. 530 L.D. 777

Bill "An Act To Make Political Advertising Accountable and Transparent"

H.P. 539 L.D. 790

Bill "An Act To Establish the Maine Veterans Coordinating Committee"

H.P. 553 L.D. 804

Resolve, Authorizing Certain Individuals To Bring Suit against the Department of Health and Human Services

H.P. 554 L.D. 805

Bill "An Act To Establish Special Elections To Fill United States Senate Vacancies"

H.P. 581 L.D. 850

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.

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Limit the Application of a Citizen Initiative Concerning Wildlife Matters to Counties in Which It Is Approved

H.P. 571 L.D. 837

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

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

**Pursuant to Statute
Maine Commission on Indigent Legal Services**

The **Maine Commission on Indigent Legal Services**, 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 3: Eligibility Requirements for Specialized Case Types, a Late-filed Major Substantive Rule of the Maine Commission on Indigent Legal Services (EMERGENCY)

H.P. 531 L.D. 778

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

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

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

On motion by Senator **BURNS** of Washington, **REFERRED** to the Committee on **JUDICIARY** and ordered printed pursuant to Joint Rule 218, in concurrence.

**STATE OF MAINE
SECRETARY OF STATE**

**Pursuant to Statute
Maine Commission on Indigent Legal Services**

The **Maine Commission on Indigent Legal Services**, 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 2: Standards for Qualifications of Assigned Counsel, a Late-filed Major Substantive Rule of the Maine Commission on Indigent Legal Services (EMERGENCY) H.P. 582 L.D. 851

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

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

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

On motion by Senator **BURNS** of Washington, **REFERRED** to the Committee on **JUDICIARY** and ordered printed pursuant to Joint Rule 218, in concurrence.

Off Record Remarks

COMMUNICATIONS

The Following Communication: H.P. 555

**STATE OF MAINE
OFFICE OF THE
SECRETARY OF STATE
AUGUSTA, MAINE 04333-0148**

March 2, 2015

Honorable Robert B. Hunt
Clerk of the House
2 State House Station
Augusta, Maine 04333

Dear Clerk Hunt:

Enclosed please find my official certification to the 127th Legislature of the citizen initiative petition entitled "An Act To Strengthen the Maine Clean Election Act, Improve Disclosure and Make Other Changes to the Campaign Finance Laws".

Sincerely,

S/Matthew Dunlap
Secretary of State

I, Matthew Dunlap, Secretary of State, hereby certify that written petitions bearing valid signatures of 79,539 electors of this State were addressed to the Legislature of the State of Maine and were filed in the office of the Secretary of State on January 21, 2015, requesting that the Legislature consider an act entitled, "An Act To Strengthen the Maine Clean Election Act, Improve Disclosure and Make Other Changes to the Campaign Finance Laws".

I further certify that the number of signatures submitted is in excess of ten percent of the total votes cast in the last gubernatorial election preceding the filing of such petitions, as required by Article IV, Part Third, Section 18 of the Constitution of Maine, that number being 61,123.

I further certify this initiative petition to be valid and attach herewith the text of the legislation circulated on the petition's behalf.

In testimony whereof I have caused the Great Seal of the State of Maine to be hereunto affixed. Given under my hand at Augusta on the second day of March in the year two thousand and fifteen.

S/Matthew Dunlap
Secretary of State

Comes from the House, **READ** and **ORDERED PLACED ON FILE**.

READ and **ORDERED PLACED ON FILE**, in concurrence.

Senate at Ease.

Senate called to order by the President.

The Accompanying Bill:

"An Act To Strengthen the Maine Clean Election Act, Improve Disclosure and Make Other Changes to the Campaign Finance Laws"

I.B. 1 L.D. 806

Committee on **VETERANS AND LEGAL AFFAIRS** suggested and ordered printed.

Comes from the House, Bill and accompanying papers **INDEFINITELY POSTPONED**.

On motion by Senator **MASON** of Androscoggin, Bill and accompanying papers **INDEFINITELY POSTPONED**, in concurrence.

SENATE PAPERS

Resolve, Directing the Department of Health and Human Services To Adjust Reimbursement Rates for Dental Services under the MaineCare Program

S.P. 304 L.D. 860

Presented by Senator McCORMICK of Kennebec.
Cosponsored by Senators: BRAKEY of Androscoggin, HASKELL of Cumberland, Representatives: BURSTEIN of Lincolnville, GATTINE of Westbrook, MALABY of Hancock, MARTIN of Eagle Lake.

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 Amend the Competitive Skills Scholarship Program To Allow for Participation in Early College and Career and Technical Education Programs"

S.P. 300 L.D. 856

Presented by Senator LANGLEY of Hancock.
Cosponsored by Representative WARD of Dedham and Senators: BAKER of Sagadahoc, COLLINS of York, KATZ of Kennebec, VOLK of Cumberland, WHITTEMORE of Somerset, Representatives: FARNSWORTH of Portland, HUBBELL of Bar Harbor, PIERCE of Dresden.

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.

Bill "An Act To Improve Camping Opportunities in Maine"

S.P. 303 L.D. 859

Presented by Senator COLLINS of York.
Cosponsored by Representative TURNER of Burlington and Senator: CYRWAY of Kennebec, Representatives: BRYANT of Windham, GERRISH of Lebanon, HANINGTON of Lincoln, HOBART of Bowdoinham, PARRY of Arundel, SCHNECK of Bangor, SHERMAN of Hodgdon.

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

Sent down for concurrence.

Bill "An Act To Prohibit Public Endorsement of Candidates for Office by County Employees and Elected Officials"

S.P. 301 L.D. 857

Presented by Senator BAKER of Sagadahoc.
Cosponsored by Representative PIERCE of Dresden and Senators: MASON of Androscoggin, ROSEN of Hancock, VOLK of Cumberland, WOODSOME of York, Representative: HAWKE of Boothbay Harbor.

Bill "An Act To Better Inform the Public of Election Results"

S.P. 302 L.D. 858

Presented by Senator BAKER of Sagadahoc.
Cosponsored by Senator: LANGLEY of Hancock, Representatives: BATTLE of South Portland, BLUME of York, CRAFTS of Lisbon, HAWKE of Boothbay Harbor, MAKER of Calais, TIMBERLAKE of Turner.

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

Sent down for concurrence.

Bill "An Act To Protect Victims of Domestic Violence, Sexual Assault or Stalking"

S.P. 305 L.D. 861

Presented by Senator DIAMOND of Cumberland.
Cosponsored by Representative FREDETTE of Newport and Senators: BURNS of Washington, MASON of Androscoggin, ROSEN of Hancock, VALENTINO of York, VOLK of Cumberland, Representatives: Speaker EVES of North Berwick, FOWLE of Vassalboro, WARREN of Hallowell.

Committee on VETERANS AND LEGAL AFFAIRS suggested and ordered printed.

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

Joint Orders

On motion by Senator VOLK of Cumberland, the following Joint Order:

S.P. 306

ORDERED, the House concurring, that the Joint Standing Committee on Labor, Commerce, Research and Economic Development is authorized to report out a bill allowing a licensed independent practice dental hygienist to expose and process radiographs under protocols developed by the Board of Dental Examiners.

READ.

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

Expression of Legislative Sentiment recognizing:

The Hampden Academy Boys Basketball Team, of Hampden, which won the 2014-15 Class A Maine State Championship. Members of the team include Jake Black, Ian Gehrke, Branden LaHaye, Caleb Lord, Ben Huston, Brendan McIntyre, Mike Labun, Zachary Boss, Conary Moore, William Campbell, Ian McIntyre, Nicholas Gilpin, Jackson Gilmore, Drew Kelso and Nicholas Chasse; manager Max Moore; and coach Russ Bartlett. We extend to all the members of the team our congratulations and best wishes;

SLS 227

Sponsored by Senator CUSHING of Penobscot.
Cosponsored by Senator: President THIBODEAU of Waldo,
Representatives: DAVITT of Hampden, GILLWAY of Searsport.

READ.

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

Senator **CUSHING:** Thank you, Mr. President. Ladies and gentlemen of the Senate, today I rise with great pride to share with you accomplishments that many of our young people have the opportunity and the privilege of receiving due to their hard work and dedication in athletics. Today we have with us as guests the Hampden Academy Boys Class A State Champions. We are very pleased that they were able to take the time to come down here. I know it really crushes them that they're not in school today, but I think that's a sacrifice that's well worth it considering the accomplishments that these young men have made during this season. I don't want it to be lost on us who have participated in athletics, as we look back, just how proud a time it is to come together as a team, work on the principles that help you to be successful on the field or on the court, and then see those translated into the success of being at the top of the listing at the end of the season. The Hampden Academy boys are coached by Russ Bartlett. He has instilled in them some of the principles that many of us who have a little gray hair recognize to be so valuable in life; the importance of working together, the importance of having character, having discipline, having the opportunity to go out together and strive in athletic combat, to be the best on the floor and then shake hands and show the class and dignity that we all find so important when we come to this Chamber, Mr. President. I know that you, as a graduate of Hampden Academy, recognize that the students who come from the communities of Winterport, Frankfort, Hampden, and Newburgh make up a rich complexion of students at that academy and when they come together and play as they did in some of those games that we got to see it's really an enjoyable experience for those of us watching. Many of these boys have been here several times before because this is, if I'm not mistaken, Coach, the fourth time that you have received the Eastern Maine Championship and the third time that they have, in their recent span, been State Champions, twice within the last three years. Many of these boys sit before you not just as first

time champions but as back-to-back winners in the Eastern Maine Conference and some of those who brought us great enjoyment and pleasure as they competed in prior seasons. The most important thing to me that we take away from this is the fact that they will go on in life knowing that they've accomplished something that no one can take away from them. For that, I am honored to be able to stand here on behalf of many of us who appreciate good coaching and good sportsmanship, to thank them for the examples that they have set this season. Thank you, Mr. President.

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

Senator **ALFOND:** Thank you, Mr. President. Ladies and gentlemen of the Senate, it is with much appreciation and humbleness that I stand up today, as a sitting Senator from Portland, one of the two, and congratulate Hampden Academy for their fine win. Many of you did not know, while you all were competing hard the Senate President and I were also completing hard on the outcome and I'm very proud of your accomplishments. It was a wonderful win and you guys should be very proud of yourselves and thank you to your coach and all of the community that comes together from very, very young ages. As someone who grew up in a small town too, you start in third grade and then you work together as fourth graders, fifth graders, and sixth graders. This doesn't happen just in high school. It's a real testament to this community that really emphasizes scholastics, sports, and good community members. Congratulations and well done.

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

Senator **CUSHING:** Thank you, Mr. President. I'd like to thank the good Senator from Cumberland for his gracious comments reflecting the character that we all strive for here. I also would like to just share with those who are in attendance from Hampden Academy that he proudly is supporting, I believe, a Hampden Broncos shovel in his home.

PASSED.

Sent down for concurrence.

THE PRESIDENT: The Chair is pleased to recognize in the rear of the Chamber the Class A State Champion Boys Basketball Team, the Hampden Broncos, with their coach, Mr. Bartlett.

Off Record Remarks

REPORTS OF COMMITTEES

House

Ought to Pass

The Committee on **TRANSPORTATION** on Resolve, To Name the Route 11 Bridge over the Saco River in Standish and Limington the Veterans Memorial Bridge

H.P. 4 L.D. 1

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

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-5)**.

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

READ ONCE.

House Amendment "A" (H-5) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

SECOND READERS

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

House

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

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

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

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

READ A SECOND TIME and **PASSED TO BE ENGROSSED**, in concurrence.

House As Amended

Resolve, Naming the Bridges That Span the Machias River in Machias the Jeremiah O'Brien Memorial Bridge

H.P. 60 L.D. 66
(C "A" H-3)

READ A SECOND TIME and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

Senate As Amended

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
(C "A" S-1)

READ A SECOND TIME and **PASSED TO BE ENGROSSED AS AMENDED**.

Sent down for concurrence.

ENACTORS

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

Act

An Act To Prohibit Synthetic Plastic Microbeads in Personal Care Products and Over-the-counter Drugs

S.P. 33 L.D. 85

On motion by Senator **SAVIELLO** of Franklin, 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 Franklin, Senator Saviello.

Senator **SAVIELLO:** Thank you, Mr. President. Ladies and gentlemen of the Senate, it is a pleasure to rise today on something that's very important from the environmental standpoint. These tiny beads create a problem. What's really neat about this is that science supports it, the Democrats support it, the Republicans support it, the Independents support it, the businesses support it, the environmentalists support it, and the public supports it. It's one of those few times that stars are truly aligned, and we can celebrate that. Representative Martin, in our Committee as we were working this in work session, made the very clear statement. It's best to act when we all agree and make it happen. This is a vote we call all vote for, we've been successful. I look forward to all the green lights in a minute. Thank you very much.

THE PRESIDENT: The pending question before the Senate is Enactment. 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 (#9)

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

NAYS: Senators: None

35 Senators having voted in the affirmative and no Senator having voted in the negative, was **PASSED TO BE ENACTED** and having been signed by the President was presented by the Secretary to the Governor for his approval.

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

Resolve

Resolve, Directing the Department of Education To Amend the School Emergency Drill Rules

S.P. 34 L.D. 97

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

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

Unfinished Business

The following matters in the consideration of which the Senate was engaged at the time of Adjournment had preference in the Orders of the Day and continued with such preference until disposed of as provided by Senate Rule 516.

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

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

Tabled - March 5, 2015, by Senator **WILLETTE** of Aroostook

Pending - **REFERENCE**

(Committee on **STATE AND LOCAL GOVERNMENT** suggested and ordered printed.)

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

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (3/10/15) 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

Tabled - March 10, 2015, by Senator **MASON** of Androscoggin

Pending - **FURTHER CONSIDERATION**

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

(In House, March 5, 2015, **REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT**, in **NON-CONCURRENCE**.)

On motion by Senator **HAMPER** of Oxford, the Senate **INSISTED**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (3/10/15) matter:

Bill "An Act To Amend and Clarify Certain Notice and Assessment Provisions of the Maine Condominium Act"
S.P. 294 L.D. 820

Tabled - March 10, 2015, by Senator **BURNS** of Washington

Pending - **REFERENCE**

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

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

Sent down for concurrence.

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

Senate at Ease.

Senate called to order by the President.

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

JOINT ORDER - Joint Standing Committee on Labor, Commerce, Research and Economic Development to report out a bill regarding licensed independent practice dental hygienist
S.P. 306

Tabled - March 11, 2015, by Senator **VOLK** of Cumberland

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

(In Senate, March 11, 2015, on motion by Senator **VOLK** of Cumberland, **READ**.)

On motion by Senator **VOLK** of Cumberland, the Joint Order was **PASSED**.

Sent down for concurrence.

Off Record Remarks

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

On motion by Senator **MASON** of Androscoggin, **ADJOURNED** to Thursday, March 12, 2015, at 10:00 in the morning.