

# 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  
April 9, 2015

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

Prayer by Pastor Susan Reisert, Old South Congregational  
Church, United Church of Christ in Hallowell.

**PASTOR REISERT:** Let us pray. Gracious and merciful God, God of new beginnings of this Easter season, we set aside a brief moment this day to pray that You will gather us in and that in praise and wonder we will live out this day in the joy of Your presence and in the hope of what You envision for us as Your people. We pray for grace, strength, and wisdom; that those assembled in this place will strive to work diligently, keeping in mind and in heart those whom they serve in this great state; that they will be filled with the spirit of cooperation, honesty, and integrity. As we gather here on this cold spring day, with fresh snow resting upon new growth that is trying to break through the slowly thawing ground, we take a moment, O God, to be especially mindful of those who so need our help and assistance; those having a hard time with the seemingly simple demands and expectations of life. We lift up those in need: the mentally ill, the unemployed, the drug addicted, the imprisoned, those who are alone and isolated. We pray, too, for children and youth who do not experience the warmth of love and care. As we have been taught through Holy Scripture, may these makers of law and policy look out for the wellbeing of the widow and orphan, the oppressed, the afflicted; that in their deliberations always seeking the good of all; that Your light, O God, may rise among us. As we look at the chaos and violence of this world, may we never take for granted the freedoms we enjoy, nor for those who work so hard to protect us. Loving God, help us to show our gratefulness for this day; our thankfulness for those who helped to get us here, those who shoveled and plowed in this winter that will not let go. May Your grace, O God, be felt in this place, that we may be all renewed in Your service and strengthened for the challenging work that lies ahead. As our diversity reflects Your image, O God, we offer this prayer in Your many names. Amen.

Pledge of Allegiance led by Senator Rodney L. Whitemore of  
Somerset County.

Reading of the Journal of Tuesday, April 7, 2015.

Doctor of the day, Marguerite Pennoyer, MD of Scarborough.

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Off Record Remarks

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The Chair noted the absence of the Senator from Cumberland, Senator **DIAMOND**, and further excused the same Senator from today's Roll Call votes.

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Out of order and under suspension of the Rules, on motion by Senator **MASON** of Androscoggin, the following Joint Order:  
S.P. 477

Ordered, the House concurring, that when the Senate and House adjourn, they do so until Tuesday, April 14, 2015 at 10:00 in the morning.

**READ and PASSED.**

Ordered sent down forthwith for concurrence.

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Off Record Remarks

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**PAPERS FROM THE HOUSE**

**Non-Concurrent Matter**

Bill "An Act To Create a Civil Cause of Action for Intentional Interference with Business Operations"  
S.P. 427 L.D. 1200

In Senate, April 2, 2015, on motion by Senator **BURNS** of Washington, **REFERRED** to the Committee on **JUDICIARY** and ordered printed.

Comes from the House, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed, in **NON-CONCURRENCE**.

On motion by Senator **ROSEN** of Hancock, the Senate **RECEDED** and **CONCURRED**.

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**COMMUNICATIONS**

The Following Communication: S.C. 188

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

April 6, 2015

The Honorable Michael Thibodeau  
President of the Senate  
3 State House Station  
Augusta, Maine 04333

Dear President Thibodeau,

This is to inform you that I am today nominating Ronald J. McKinnon of Bowdoinham for appointment to the Northern New England Passenger Rail Authority.

Pursuant to Title 23, MRSA §8112, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Transportation.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: S.C. 189

**STATE OF MAINE  
ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE  
COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY**

April 7, 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 Criminal Justice and Public Safety has voted unanimously to report the following bills out "Ought Not to Pass":

- |          |  |
|----------|--|
| L.D. 54  | Resolve, To Ensure Notification to the Public of the Location in Maine of Persons Convicted in Foreign Countries of Crimes Relating to the Sexual Abuse of a Child |
| L.D. 549 | Resolve, To Create the Task Force on Disaster Resiliency (EMERGENCY)   |
| L.D. 577 | An Act To Amend the Laws Governing Penalties for Writing Bad Checks  |

This is notification of the Committee's action.

Sincerely,

S/Sen. Kimberley C. Rosen  
Senate Chair

S/Rep. Lori A. Fowle  
House Chair

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

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The Following Communication: S.C. 190

**STATE OF MAINE  
ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE  
COMMITTEE ON ENERGY, UTILITIES AND TECHNOLOGY**

April 3, 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 Energy, Utilities and Technology has voted unanimously to report the following bills out "Ought Not to Pass":

- |          |   |
|----------|---|
| L.D. 89  | An Act To Improve Telecommunications in Maine               |
| L.D. 796 | An Act To Allow a Municipality To Choose Its Power Provider |

This is notification of the Committee's action.

Sincerely,

S/Sen. David Woodsome  
Senate Chair

S/Rep. Mark N. Dion  
House Chair

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

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The Following Communication: S.C. 191

**STATE OF MAINE  
ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE  
COMMITTEE ON ENVIRONMENT AND NATURAL  
RESOURCES**

March 26, 2015

Honorable Michael D. Thibodeau, Senate President  
Honorable Mark W. Eves, Speaker of the House  
127<sup>th</sup> 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. Campbell of Orrington, to report the following bill Leave to Withdraw:

L.D. 551      An Act To Provide Incentives for  
Implementation of Municipal Comprehensive  
Plans To Prevent Sprawl

Sincerely,

S/Sen. Thomas B. Saviello  
Senate Chair

S/Rep. Joan W. Welsh  
House Chair

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

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The Following Communication:      S.C. 192

**STATE OF MAINE  
ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE  
COMMITTEE ON ENVIRONMENT AND NATURAL  
RESOURCES**

April 7, 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 Environment and Natural Resources has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 70      An Act To Assist Towns in Eradicating Milfoil  
and Other Invasive Aquatic Plants and  
Nuisance Species (EMERGENCY)

L.D. 396      An Act To Encourage the Use of Alternatives to  
Single-use Plastic Disposable Bags

L.D. 765      Resolve, To Develop a Statewide Plan for the  
Disposal of Household Hazardous Waste

This is notification of the Committee's action.

Sincerely,

S/Sen. Thomas B. Saviello  
Senate Chair

S/Rep. Joan W. Welsh  
House Chair

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

The Following Communication:      S.C. 193

**STATE OF MAINE  
ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE  
COMMITTEE ON INLAND FISHERIES AND WILDLIFE**

April 3, 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 Inland Fisheries and Wildlife has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 157      An Act To Create an Advisory Committee To  
Review and Make Recommendations  
Regarding Hunting and Fishing Laws

L.D. 291      An Act To Allow the Hunting of Small Game  
Animals with a Slingshot

L.D. 610      An Act To Provide That Inland Waters Stocked  
with Fish by the State May Not Open for Ice  
Fishing until the Next January 1st

L.D. 848      An Act To Increase the Safety of Hunting

This is notification of the Committee's action.

Sincerely,

S/Sen. Paul T. Davis  
Senate Chair

S/Rep. Michael A. Shaw  
House Chair

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

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The Following Communication:      S.C. 194

**STATE OF MAINE  
ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE  
COMMITTEE ON LABOR, COMMERCE, RESEARCH AND  
ECONOMIC DEVELOPMENT**

April 3, 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 Labor, Commerce, Research and Economic Development has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 187 Resolve, To Expand Dental Care in the State by Extending the Pilot Program for Dental Hygienists (EMERGENCY)
- L.D. 372 An Act To Enhance the Promotion of Hunting and Fishing Opportunities in Maine by the Office of Tourism
- L.D. 671 An Act To Allow Independent Practice Dental Hygienists To Take X-rays (EMERGENCY)
- L.D. 961 An Act To Support Tourism Development in the City of Sanford

This is notification of the Committee's action.

Sincerely,

S/Sen. Amy F. Volk  
Senate Chair

S/Rep. Erin D. Herbig  
House Chair

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

The Following Communication: S.C. 195

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

April 3, 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 Marine Resources has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 178 Resolve, Directing the Department of Marine Resources To Conduct an Impact Study in the St. George River Estuary
- L.D. 908 An Act To Promote Sustainability in the Scallop Fishing Industry

This is notification of the Committee's action.

Sincerely,

S/Sen. Linda L. Baker  
Senate Chair

S/Rep. Walter A. Kumiega  
House Chair

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

The Following Communication: S.C. 196

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

6 April 2015

The 127<sup>th</sup> Legislature of the State of Maine  
State House  
Augusta, ME

Dear Honorable Members of the 127<sup>th</sup> Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 122 "An Act To Standardize Pints of Beer Sold in Maine."

Some elected officials in Washington and in Augusta believe the answer to every problem is more government, more laws and more regulation. I am not - nor have I ever been - one of those people. As Governor, it is my job to read every bill that you pass and to consider whether it is necessary and whether it truly helps the people of Maine. This bill fails that test.

The State of Maine already has laws protecting the public from deceptive trade practices, which provide remedies when bad actors cross the line. This bill would seek to insert the government further into our daily lives and to create additional financial and regulatory burdens for the families who own and work in restaurants in Maine by subjecting them to more intrusive inspections. It would cause them to spend money on new, government-mandated glassware, rather than investing in growing their businesses and creating jobs. The people of Maine elected us to deliver efficient, effective and accountable government, not to pass unnecessary or redundant laws that make it harder for Maine businesses to succeed and prosper.

If any restaurants in our state provide unsatisfactory service or serve smaller than expected portions to the public, then I trust the people of Maine will vote with their feet – and their wallets – to frequent the establishments that serve them well and to avoid those that do not. Customers are right to complain when a restaurant serves less than what was ordered. However, additional government intervention into the free market is not required to address this issue. Allowing this bill to become law would suggest that we don't trust restaurant-goers to make their own decisions about where to eat or drink based on their own experiences. I have more faith than that in the people of Maine.

For these reasons, I return LD 122 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Bill:

An Act To Standardize Pints of Beer Sold in Maine  
S.P. 55 L.D. 122

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

Senator **PATRICK:** Thank you, Mr. President. Ladies and gentlemen of the Senate, colleagues and friends, I stand here today to ask you to Override the Governor's veto. If you read his message I think he's actually erroneous in what he's stating. What this bill does is simply; if a business decides to sell a specific type of beer in the volume of a pint, and advertises it in their menu or on their wall, the expectation is that, anywhere I have been, a pint is 16 fluid ounces. The bill does not say you have to buy extra glassware. Being on the committee of Veterans and Legal Affairs Committee for 13 years, the one thing I will say is the liquor, wine, and beer industry is doing well. As a matter of fact, our craft brewery has now become a \$100 million business and it is expected to double in the next five years. Well, if you go to the store and you buy a can of beer, it comes in a 12 ounce or 16 ounce can. I happen to like Bud Light myself. Well, Bud Light is Bud Light, Coors Light, Miller Light. They are all basically the same flavor. You get what you want. Craft breweries are different. They are high quality beers searched out by beer aficionados who really like to try different things and it actually costs probably two and three times as much as a domestic beer. The craft brewery industry actually testified before the committee and said someone should get what they pay for. The Innkeeper's Association, who testified against it, also says you should get what you pay for. Well, by not fulfilling the obligation when someone says, "I'm selling a pint of beer," it is actually consumer fraud. Simple as that. We call places who sell beer less than 16 ounces, they have what they call "cheater pints." A lot of them are 14, 14-1/2, ounce glasses. Yes, there are those people that do like the foam on the beer, or better known in the industry as a "head on a beer," and it's two inches. Well, if you have a two inch head on your beer and you have a 14-1/2 ounce glass, you're actually getting 12-1/2 ounces of product. I don't know about anyone, when I go to the grocery store and I go to the milk cooler, and I go to get a gallon of milk, I'm expecting that there's going to be a full gallon in there. If I go to get ten gallons of gas I'm hoping that I'm going to get ten gallons of gas and not nine. A pint is a measure that everyone recognizes. I know it is a little funny, Mr. President. It's a little bit ticklish to talk about some of the things within the industry. When you really take a look at it, this is a highly regulated and licensed industry; alcohol. I have been to several establishments and actually asked them to measure their glass. They sell pints. The establishment that I'm really proud of happens to be the Senator Inn. Their glass is exactly 16 ounces, as well as Bay Side Bowl. Throughout the state of Maine there are establishments that do sell cheater pints.

We always say, "Maine, the way life should be." If we actually pass this law it would elevate the state of Maine because we could be the first one in the nation to say, "Hey, we actually give you what you've got coming. We're not going to cheat you out of it. We're not going to defraud you out of what you have coming." You're paying for 16 fluid ounces, but you go to a lot of establishments and they are giving you 12 or 14. To me, this is a consumer fairness bill. It protects them against fraud. Over the last four or five years all I ever heard was fraud this and fraud that. Well, Mr. President, pure and simple, if you don't give 16 fluid ounces, you're advertising it on the board or in your menu, it's actually fraud.

Now the Governor says, oh my goodness, the "bill would seek to insert government further into the daily lives and create additional financial burdens and regulatory burdens for the families who own and work in restaurants in Maine by subjecting them to more intrusive inspections." Oh my goodness. When a liquor inspector goes to a restaurant or goes to a bar or goes to a club they have a punch list. They are going to check for your egress. They are going to check to see if you have a smoke detector. They are going to check a list of things and if you have one more checkmark, if you look on the board and it says pints, he's going to say, "Could you pour a 16 ounce glass of beer?" If it's only 14 ounces I'm sure he's going to say you're in violation and you're either going to have to take off the advertising or deliver 16 ounces.

Mr. President, if those of the members in here want to support consumer fraud I would say go ahead and support the Governor on this issue, but if you want to protect consumers, who spend millions of dollars at establishments that say they're going to get 16 fluid ounces of beer, which is a pint that's being advertised, please vote to overturn this. Thank you.

At the request of Senator **ALFOND** of Cumberland, Reports **READ.**

The President laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor? In accordance with Article IV, Part Third, Section 2, of the Constitution, the vote will be taken by the Yeas and Nays. A vote of yes will be in favor of the Bill. A vote of no will be in favor of sustaining the veto of the Governor."

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#22)**

**YEAS:** Senators: ALFOND, BREEN, DILL, DUTREMBLE, GERZOFKY, GRATWICK, HASKELL, HILL, JOHNSON, LIBBY, MILLETT, MIRAMANT, PATRICK, VALENTINO

**NAYS:** Senators: BAKER, BRAKEY, BURNS, COLLINS, CUSHING, CYRWAY, DAVIS, EDGEComb, HAMPER, KATZ, LANGLEY, MASON, MCCORMICK, ROSEN, SAVIELLO, VOLK, WHITTEMORE, WILLETTE, WOODSOME, THE PRESIDENT - MICHAEL D. THIBODEAU

**EXCUSED:** Senator: DIAMOND

14 Senators having voted in the affirmative and 20 Senators having voted in the negative, with 1 Senator being excused, and 14 being less than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **SUSTAINED**.

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

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The Following Communication: H.C. 106

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

March 31, 2015

The 127th Legislature of the State of Maine  
State House  
Augusta, Maine

Dear Honorable Members of the 127th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 48 "An Act to Reduce Registration Fees and Excise Taxes for For-hire Vehicles with Adaptive Equipment Enabling Access by Persons with Disabilities."

I am concerned when the Legislature decides bills that grant exemptions from paying taxes early in the session and outside of the context of the overall budget, especially when they impact commerce. As you know, the Legislature is currently considering a comprehensive budget proposal that addresses our overall tax system, and doesn't appear to have neared conclusion on those deliberations. Therefore, I do not believe it would be appropriate to support targeted exemptions on an isolated basis before the Legislature has acted comprehensively to address the future of all taxes in Maine, and to reduce the oppressive burden that the Income Tax has placed on families and businesses in Maine. That is why the Maine people elected us and why I have vetoed this bill today.

For these reasons, I return LD 48 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Bill:

An Act To Reduce Registration Fees and Excise Taxes for For-hire Vehicles with Adaptive Equipment Enabling Access by Persons with Disabilities

H.P. 42 L.D. 48

Comes from the House, 146 members having voted in the affirmative and none in the negative, the veto of the Governor was Overridden and it was the vote of the House that the Bill become law notwithstanding the objections of the Governor.

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

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

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Senate at Ease.

Senate called to order by the President.

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#### **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 Officer Bridgette Gilbert of Farmington  
SLS 168

Tabled - February 24, 2015, by Senator **SAVIELLO** of Franklin

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

(In Senate, February 24, 2015, on motion by Senator **SAVIELLO** of Franklin, **READ**.)

The Joint Order was **READ**.

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

Senator **SAVIELLO:** Thank you, Mr. President. Ladies and gentlemen of the Senate, it's my pleasure to stand and say a few words about Officer Gilbert, who has been selected as the Farmington Police Department Employee of the Year for 2014. As I asked the faculty and staff of Mt. Blue High School about her, they consistently tell me that she creates a feeling of safety for the students, staff, and faculty. The award that she was given by the high school district speaks for itself. Since the beginning of this school year, she has investigated eleven drug offenses that ranged from possession of marijuana to two students being charged with felony drug trafficking. Just as important, she has counseled, consoled, and mentored many young men and women at the school. Also during the summer of 2014 she set a personal goal to enforce motor vehicle laws to help our community be safer. As a result, she initiated contact with almost 200 vehicles during the school vacation period from the end of



June to the beginning of August. She gives special attention to any of you that drive through the district that have red plates. I'm sure she'll be glad to sit down and talk with you about how well you're driving. Her knowledge and investigation skills and determination in providing the protection for Mt. Blue High School students and those in our community help us make the Farmington Police Department mission successful, which is to create a feeling of safety for the people within the Town of Farmington. I just recently found out that my good seatmate, Senator Davis, hired her in 1995-1996 as a Sheriff Deputy Patrol. That proves to me that my good seatmate had good intuition in hiring this young woman. I congratulate her on being selected as the Employee of the Year and I thank you for all your efforts to protect the young citizens at Mt. Blue High School. Thank you very much, Mr. President.

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

Senator **DAVIS:** Thank you, Mr. President. In 1995 or 1996, when Bridgette, her name was Delmar then instead of Gilbert, worked at the Sheriff's Department, in the Somerset Sheriff's Department, we did hire her to be a patrol officer. She did a good job for us. I left that department in 1998 and she left it in 1997 or 1998. Our paths have not crossed since then until this morning. I can only tell you that she was a good employee then and I am so very pleased to see that she's done well over these years. Thank you, Mr. President.

**PASSED.**

Sent down for concurrence.

**THE PRESIDENT:** The Chair is pleased to recognize in the rear of the Chamber Shane Cote, John Wahl, Bridgette Gilbert, Darin Gilbert, and Jack Peck of Farmington. They are all the guests today of the Senator from Franklin, Senator Saviello. Would they please rise and accept the greetings of the Senate.

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### SENATE PAPERS

Bill "An Act To Expand the Local Foods Economy"  
S.P. 459 L.D. 1284

Presented by Senator JOHNSON of Lincoln.  
Cosponsored by Representative HICKMAN of Winthrop and Senators: DILL of Penobscot, SAVIELLO of Franklin,  
Representatives: CHAPMAN of Brooksville, MAREAN of Hollis.

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 Reduce the Burden on Local Communities of Transportation Costs for Special Needs Students"  
S.P. 456 L.D. 1281

Presented by Senator HAMPER of Oxford.  
Cosponsored by Representative GINZLER of Bridgton and Senator: LANGLEY of Hancock, Representative: WADSWORTH of Hiram.

Bill "An Act To Support Conservation and the Health and Wellness of Maine Youth through Physically Active Residential Environmental Education Programs"  
S.P. 457 L.D. 1282

Presented by Senator MASON of Androscoggin.  
Cosponsored by Representative TIMBERLAKE of Turner and Senators: ALFOND of Cumberland, BREEN of Cumberland, DILL of Penobscot, GRATWICK of Penobscot, HAMPER of Oxford, JOHNSON of Lincoln, Representatives: BLACK of Wilton, WINSOR of Norway.

Bill "An Act To Support School Nutrition"  
S.P. 460 L.D. 1285

Presented by Senator JOHNSON of Lincoln.  
Cosponsored by Representative HICKMAN of Winthrop and Senators: BREEN of Cumberland, LANGLEY of Hancock, MILLETT of Cumberland, Representative: KORNFIELD of Bangor.

On motion by Senator **MASON** of Androscoggin, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.

Sent down for concurrence.

---

Bill "An Act To Increase Competition and Ensure a Robust Information and Telecommunications Market"  
S.P. 467 L.D. 1302

Presented by Senator MASON of Androscoggin.

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

Sent down for concurrence.

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Bill "An Act To Stabilize and Streamline the Department of Environmental Protection's Ground Water Oil Clean-up Fund and Maine Coastal and Inland Surface Oil Clean-up Fund"  
S.P. 468 L.D. 1303

Presented by Senator SAVIELLO of Franklin.  
Cosponsored by Representative WELSH of Rockport and Representatives: CAMPBELL of Orrington, DUCHESNE of Hudson, HANLEY of Pittston, HARLOW of Portland, MARTIN of Eagle Lake.  
Submitted by the Department of Environmental Protection pursuant to Joint Rule 204.

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

Sent down for concurrence.

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Bill "An Act To Fund the Maine Diversion Alert Program"  
(EMERGENCY)

S.P. 475 L.D. 1307

Presented by Senator WILLETTE of Aroostook.  
Cosponsored by Representative FOWLE of Vassalboro and  
Senators: KATZ of Kennebec, ROSEN of Hancock, President  
THIBODEAU of Waldo, Representatives: DAVITT of Hampden,  
GERRISH of Lebanon, LAJOIE of Lewiston, 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.

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Bill "An Act To Permit Funds for Prearranged Funerals To Be  
Invested under a Wider Range of Options"

S.P. 469 L.D. 1304

Presented by Senator WHITEMORE of Somerset.  
Cosponsored by Senators: ALFOND of Cumberland, CUSHING  
of Penobscot, HASKELL of Cumberland, Representatives: BECK  
of Waterville, GIDEON of Freeport, MARTIN of Eagle Lake,  
McCABE of Skowhegan.

Bill "An Act To Encourage Health Insurance Consumers To  
Comparison Shop for Health Care Procedures and Treatment"  
S.P. 470 L.D. 1305

Presented by Senator WHITEMORE of Somerset.  
Cosponsored by Representative BECK of Waterville and  
Senators: CUSHING of Penobscot, KATZ of Kennebec, MASON  
of Androscoggin, President THIBODEAU of Waldo,  
Representatives: ESPLING of New Gloucester, PICCHIOTTI of  
Fairfield, PRESCOTT of Waterboro, STETKIS of Canaan.

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

Sent down for concurrence.

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Bill "An Act To Affirm the Obligation To Support One's Children"  
S.P. 471 L.D. 1306

Presented by Senator BRAKEY of Androscoggin.  
Cosponsored by Representative MALABY of Hancock and  
Representative: SANDERSON of Chelsea.

Submitted by the Department of Health and Human Services  
pursuant to Joint Rule 204.

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

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

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Bill "An Act To Attract Skilled Professionals and Young Families  
to Maine"

S.P. 463 L.D. 1288

Presented by Senator ALFOND of Cumberland.  
Cosponsored by Representative ESPLING of New Gloucester  
and Senators: HASKELL of Cumberland, KATZ of Kennebec,  
LIBBY of Androscoggin, MILLETT of Cumberland, VOLK of  
Cumberland.

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.

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Bill "An Act To Ensure the Use of Environmentally Responsible  
Insulation Materials in Taxpayer-funded Building Projects"

S.P. 461 L.D. 1286

Presented by Senator JOHNSON of Lincoln.  
Cosponsored by Senators: BREEN of Cumberland, LIBBY of  
Androscoggin, MIRAMANT of Knox, SAVIELLO of Franklin,  
Representatives: CAMPBELL of Orrington, WELSH of Rockport.

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

Sent down for concurrence.

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Bill "An Act To Ensure That Tax Expenditures Create High-quality  
Jobs"

S.P. 462 L.D. 1287

Presented by Senator JOHNSON of Lincoln.  
Cosponsored by Representative GOODE of Bangor and  
Senators: BREEN of Cumberland, DAVIS of Piscataquis, LIBBY  
of Androscoggin, PATRICK of Oxford, VALENTINO of York.

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

Sent down for concurrence.

Bill "An Act To Improve the Safety of Vulnerable Users in Traffic and To Clarify the Responsibilities of Bicyclists and Pedestrians"  
S.P. 466 L.D. 1301

Presented by Senator VOLK of Cumberland.  
Cosponsored by Representative RYKERSON of Kittery and  
Senators: BREEN of Cumberland, GRATWICK of Penobscot,  
Representatives: FOLEY of Wells, GOLDEN of Lewiston,  
GROHMAN of Biddeford, McLEAN of Gorham, POWERS of  
Naples.

Bill "An Act To Eliminate the Requirement That Truck Campers  
Be Registered"

S.P. 476 L.D. 1308

Presented by Senator DAVIS of Piscataquis.  
Cosponsored by Representative SKOLFIELD of Weld and  
Senators: BRAKEY of Androscoggin, GERZOFISKY of  
Cumberland, MIRAMANT of Knox, President THIBODEAU of  
Waldo, Representatives: CHACE of Durham, GOODE of Bangor,  
SEAVEY of Kennebunkport, STANLEY of Medway.  
Approved for introduction by a majority of the Legislative Council  
pursuant to Joint Rule 205.

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

Sent down for concurrence.

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Bill "An Act To Stimulate Economic Development and Create  
Jobs by Amending the Laws Governing Gaming"  
S.P. 458 L.D. 1283

Presented by Senator VALENTINO of York.  
Cosponsored by Representative RUSSELL of Portland and  
Senators: DIAMOND of Cumberland, DUTREMBLE of York,  
WILLETTE of Aroostook, Representatives: BEAR of the Houlton  
Band of Maliseet Indians, CHENETTE of Saco, FREDETTE of  
Newport, MAREAN of Hollis, PARRY of Arundel.

Bill "An Act To Allow Retail Liquor Licensees To Sell Alcoholic  
Beverages for On-premises and Off-premises Consumption at  
One Location"

S.P. 464 L.D. 1289

Presented by Senator BRAKEY of Androscoggin.  
Cosponsored by Representative TURNER of Burlington and  
Senators: CUSHING of Penobscot, LIBBY of Androscoggin,  
Representatives: ESPLING of New Gloucester, GUERIN of  
Glenburn, O'CONNOR of Berwick, SANDERSON of Chelsea,  
SAWICKI of Auburn.

Bill "An Act To Repeal the Maine Clean Election Act and Direct  
the Savings To Be Used for the State's Contribution toward the  
Costs of Education Funding"

S.P. 465 L.D. 1290

Presented by Senator BRAKEY of Androscoggin.  
Cosponsored by Representative LOCKMAN of Amherst and  
Senators: DAVIS of Piscataquis, MASON of Androscoggin, VOLK  
of Cumberland, WILLETTE of Aroostook, Representatives:  
O'CONNOR of Berwick, SANDERSON of Chelsea, SAWICKI of  
Auburn, SIROCKI of Scarborough.

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

Sent down for concurrence.

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

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#### Off Record Remarks

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### ORDERS

#### Joint Orders

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

S.P. 472

**ORDERED**, the House concurring, that the Joint Rules be  
amended by amending Joint Rule 106 to read:

#### **Rule 106. Records of Certain Legislator Expenses.**

Upon request, the presiding officer of each chamber shall provide  
the monthly total or annual total cost of ~~telephone expenses and~~  
~~of~~ postage expenses for all members in the chamber. The  
presiding officers shall also provide monthly total and annual total  
~~telephone and~~ postage expenses of individual members upon  
request.

; and be it further

**ORDERED**, the House concurring, that the Joint Rules be  
amended by amending Joint Rule 206, subsection 3 to read:

**3. Indian Representatives.** The member of the Penobscot  
Nation, the member of the Passamaquoddy Tribe and, ~~at the~~  
~~beginning of the Second Regular Session of the 125th~~  
~~Legislature,~~ the member of the Houlton Band of Maliseet Indians  
elected or appointed to represent their people at each biennial  
Legislature may sponsor legislation specifically relating to Indians  
and Indian land claims, may offer floor amendments to this  
legislation, may cosponsor any other legislation and may sponsor  
and cosponsor expressions of legislative sentiment in the same  
manner as other members of the House.

; and be it further

**ORDERED**, the House concurring, that the Joint Rules be amended by amending Joint Rule 310, subsection 5 to read:

**5. Committee Voting.** The committee clerk shall prepare the committee jacket or jackets following the vote and obtain signatures from committee members as required. If all members are not present for the vote, the bill must be held until the following periods have expired.

A. If any member is absent from the ~~State House and the State Office Building~~ committee at the time of the vote, that member's vote may be registered with the clerk up until noon on the 2nd business day following the vote.

~~B. If any member is absent from the committee at the time of the vote but present in the State House or the State Office Building, that member's vote may be registered with the clerk up until 5:00 p.m. on the day of the vote.~~

B. If the presiding officers jointly determine that operational needs of the Legislature so require, they may require that a member who is absent from the committee at the time of the vote register that member's vote by noon on the next business day following the committee vote.

A member may be excused from voting only for a conflict of interest under Joint Rule 104.  
Except for a motion to adjourn, a question may not be decided and official action may not be taken in the absence of a quorum.

No committee vote on a bill may be taken after 10:30 p.m. or before 7:30 a.m. unless authorized by the presiding officers. If the presiding officers provide this authorization, they shall notify the other members of the Legislative Council concurrently.

; and be it further

**ORDERED**, the House concurring, that the Joint Rules be amended by amending Joint Rule 314, subsections 2 and 3 to read:

**2. Subcommittee; Appointment.** Each policy committee ~~shall~~ may appoint, in accordance with this subsection, a subcommittee of at least 3 and not more than 5 of its members to serve as liaisons to the Joint Standing Committee on Appropriations and Financial Affairs. At least one member of the subcommittee must be appointed by the Senate chair of the policy committee and at least 2 members must be appointed by the House chair of the policy committee. If more than 3 members are appointed to the subcommittee, the additional member or members must be appointed jointly by the chairs of the policy committee. This subcommittee must include members of the 2 parties holding the largest number of seats in the Legislature. The committee chairs shall name one of the members as subcommittee chair. The Joint Standing Committee on Appropriations and Financial Affairs shall notify the policy committee chairs and the chair of the subcommittee in a timely manner prior to any subsequent deliberations on budget items relative to that policy committee's jurisdiction. Each policy committee through its subcommittee shall advise the Joint Standing Committee on Appropriations and Financial Affairs of its respective policy committee's recommendations regarding budget items relative to that

committee's jurisdiction and through its subcommittee may participate in all subsequent deliberations of the Joint Standing Committee on Appropriations and Financial Affairs on these budget items.

**3. Membership Published.** ~~The~~ In the event a subcommittee is appointed pursuant to subsection 2, the membership of each subcommittee must be published in the Advance Journal and Calendar.

; and be it further

**ORDERED**, the House concurring, that the Joint Rules be amended by amending Joint Rule 316 to read:

**Rule 316. Penobscot Nation, Passamaquoddy Tribe and Houlton Band of Maliseet Indians.**

The member of the Penobscot Nation, the member of the Passamaquoddy Tribe and, ~~at the beginning of the Second Regular Session of the 125th Legislature,~~ the member of the Houlton Band of Maliseet Indians elected ~~or appointed~~ to represent their people at the biennial session of the Legislature must be granted seats on the floor of the House of Representatives; be granted, by consent of the Speaker, the privilege of speaking on pending legislation; must be appointed to sit with joint standing committees as nonvoting members during the committees' deliberations; and be granted such other rights and privileges as may from time to time be voted by the House of Representatives. In reports from committees on which a tribal member serves, the position of the member must be noted and included.

; and be it further

**ORDERED**, the House concurring, that the Joint Rules be amended by amending Joint Rule 353, first paragraph to read:

**Rule 353. Legislative Studies.**

To assist in the exercise of its duties, the Legislature may establish legislative study committees or may alternatively refer matters to joint standing committees or subcommittees of joint standing committees for study. This Joint Rule establishes standards that govern the drafting of legislative study instruments and the authorization of legislative studies. All legislative studies must be consistent with this Joint Rule and with Legislative Council policies adopted under this Joint Rule. ~~A joint standing or joint select committee may not, except upon the prior approval of the Legislative Council, report to the Legislature any bill, resolve or joint order proposing a legislative study that is inconsistent with this Joint Rule. Any bill, resolve or joint order proposing a legislative study that is inconsistent with this rule must be reviewed and approved by the Legislative Council.~~

; and be it further

**ORDERED**, the House concurring, that the Joint Rules be amended by amending Joint Rule 354 by adding after the 3rd paragraph a new paragraph to read:

At least once each biennium, the committee shall review the Legislative Code of Ethics that was adopted by the 100th Legislature and may recommend any changes the committee determines necessary.

; and be it further

**ORDERED**, the House concurring, 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, in accordance with Title 3, section 157, the Legislative Information Office shall 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. 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. 34 Members of the Senate having voted in the affirmative, and no Senators having voted in the negative, and 34 being more than two-thirds of those present and voting, the Joint Order was **PASSED**.

Ordered sent down forthwith for concurrence.

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

S.P. 473

**ORDERED**, the House concurring, that the following statement of legislative ethics be incorporated in the 2015 edition of the "Senate and House Registers":

"Legislative service is one of democracy's worthiest pursuits. A Maine Legislator is charged with civility and responsible conduct inside and outside of the State House commensurate with the trust placed in that Legislator by the electorate.

In a free government, a Legislator is entrusted with the security, safety, health, prosperity, respect and general well-being of those the Legislator serves and with whom the Legislator serves.

To work well, government requires a bond of trust and respect between citizens and their Legislators. With such a trust, high moral and ethical standards producing the public's confidence, with the reduction to a minimum of any conflict between private interests and official duties, should be observed.

No Maine Legislators will accept any employment that can possibly impair their independence and integrity of judgment nor will they exercise their position of trust to secure unwarranted privileges for themselves or for others. The Maine Legislator will be ever mindful of the ordinary citizen who might otherwise be unrepresented and will endeavor conscientiously to pursue the highest standards of legislative conduct inside and outside of the State House."

**READ.**

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

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**Joint Resolution**

On motion by Senator **MASON** of Androscoggin (Cosponsored by Senators: ALFOND of Cumberland, BAKER of Sagadahoc, BRAKEY of Androscoggin, BREEN of Cumberland, BURNS of Washington, COLLINS of York, CUSHING of Penobscot, CYRWAY of Kennebec, DAVIS of Piscataquis, DIAMOND of Cumberland, DILL of Penobscot, DUTREMBLE of York, EDGEComb of Aroostook, GERZOFsky of Cumberland, GRATWICK of Penobscot, HAMPER of Oxford, HASKELL of Cumberland, HILL of York, JOHNSON of Lincoln, KATZ of Kennebec, LANGLEY of Hancock, LIBBY of Androscoggin, McCORMICK of Kennebec, MILLETT of Cumberland, MIRAMANT of Knox, PATRICK of Oxford, ROSEN of Hancock, SAVIELLO of Franklin, President THIBODEAU of Waldo, VALENTINO of York, VOLK of Cumberland, WHITTEMORE of Somerset, WILLETTE of Aroostook, WOODSOME of York, Representatives: ALLEY of Beals, AUSTIN of Gray, BABBIDGE of Kennebunk, BATES of Westbrook, BATTLE of South Portland, BEAR of the Houlton Band of Maliseet Indians, BEAVERS of South Berwick, BECK of Waterville, BEEBE-CENTER of Rockland, BICKFORD of Auburn, BLACK of Wilton, BLUME of York, BROOKS of Lewiston, BRYANT of Windham, BUCKLAND of Farmington, BURSTEIN of Lincolnville, CAMPBELL of Newfield, CAMPBELL of Orrington, CHACE of Durham, CHAPMAN of Brooksville, CHENETTE of Saco, CHIPMAN of Portland, COOPER of Yarmouth, COREY of Windham, CRAFTS of Lisbon, DANA of the Passamaquoddy Tribe, DAUGHTRY of Brunswick, DAVITT of Hampden, DeCHANT of Bath, DEVIN of Newcastle, DILLINGHAM of Oxford, DION of Portland, DOORE of Augusta, DUCHESNE of Hudson, DUNPHY of Embden, DUNPHY of Old Town, EDGEComb of Fort Fairfield, ESPLING of New Gloucester, EVANGELOS of Friendship, Speaker EVES of North Berwick, FARNSWORTH of Portland, FARRIN of Norridgewock, FECTEAU of Biddeford, FOLEY of Wells, FOWLE

of Vassalboro, FREDETTE of Newport, FREY of Bangor, GATTINE of Westbrook, GERRISH of Lebanon, GIDEON of Freeport, GILBERT of Jay, GILLWAY of Searsport, GINZLER of Bridgton, GOLDEN of Lewiston, GOODE of Bangor, GRANT of Gardiner, GREENWOOD of Wales, GROHMAN of Biddeford, GUERIN of Glenburn, HAMANN of South Portland, HANINGTON of Lincoln, HANLEY of Pittston, HARLOW of Portland, HAWKE of Boothbay Harbor, HEAD of Bethel, HERBIG of Belfast, HERRICK of Paris, HICKMAN of Winthrop, HIGGINS of Dover-Foxcroft, HILLIARD of Belgrade, HOBART of Bowdoinham, HOBBS of Saco, HOGAN of Old Orchard Beach, HUBBELL of Bar Harbor, HYMANSON of York, JORGENSEN of Portland, KINNEY of Limington, KINNEY of Knox, KORNFIELD of Bangor, KRUGER of Thomaston, KUMIEGA of Deer Isle, LAJOIE of Lewiston, LOCKMAN of Amherst, LONG of Sherman, LONGSTAFF of Waterville, LUCHINI of Ellsworth, LYFORD of Eddington, MAKER of Calais, MALABY of Hancock, MAREAN of Hollis, MARTIN of Eagle Lake, MASTRACCIO of Sanford, McCABE of Skowhegan, McCLELLAN of Raymond, McCREIGHT of Harpswell, McELWEE of Caribou, McLEAN of Gorham, MELARAGNO of Auburn, MITCHELL of the Penobscot Nation, MONAGHAN of Cape Elizabeth, MOONEN of Portland, MORRISON of South Portland, NADEAU of Winslow, NOON of Sanford, NUTTING of Oakland, O'CONNOR of Berwick, PARRY of Arundel, PETERSON of Rumford, PICCHIOTTI of Fairfield, PICKETT of Dixfield, PIERCE of Dresden, PIERCE of Falmouth, POULIOT of Augusta, POWERS of Naples, PRESCOTT of Waterboro, REED of Carmel, ROTUNDO of Lewiston, RUSSELL of Portland, RYKERSON of Kittery, SANBORN of Gorham, SANDERSON of Chelsea, SAUCIER of Presque Isle, SAWICKI of Auburn, SCHNECK of Bangor, SEAVEY of Kennebunkport, SHAW of Standish, SHERMAN of Hodgdon, SHORT of Pittsfield, SIROCKI of Scarborough, SKOLFIELD of Weld, STANLEY of Medway, STEARNS of Guilford, STETKIS of Canaan, STUCKEY of Portland, SUKEFORTH of Appleton, TEPLER of Topsham, THERIAULT of China, TIMBERLAKE of Turner, TIMMONS of Cumberland, TIPPING-SPITZ of Orono, TUCKER of Brunswick, TUELL of East Machias, TURNER of Burlington, VACHON of Scarborough, VEROW of Brewer, WADSWORTH of Hiram, WALLACE of Dexter, WARD of Dedham, WARREN of Hallowell, WELSH of Rockport, WHITE of Washburn, WINSOR of Norway, WOOD of Greene) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 214.), the following Joint Resolution:

S.P. 474

**JOINT RESOLUTION  
MEMORIALIZING THE UNITED STATES CONGRESS  
TO TAKE ACTION TO HELP VETERANS OF THE  
WARS IN AFGHANISTAN AND IRAQ**

**WE**, your Memorialists, the Members of the One Hundred and Twenty-seventh Legislature of the State of Maine now assembled in the First Regular Session, most respectfully present and petition the United States Congress as follows:

**WHEREAS**, military personnel from the State of Maine have answered the call to serve our Nation many times and Maine is estimated to be 3rd in the Nation per capita for military service. According to Veterans Administration records, Maine has had 11,531 military members serve since the tragic events of 9/11; and

**WHEREAS**, members of the Maine National Guard and Reservists have been deployed many times over and many have returned from the wars in Iraq and Afghanistan needing assistance and medical care; and

**WHEREAS**, 55 of Maine's services members have been killed in action in Iraq and Afghanistan; and

**WHEREAS**, more than 320 have received the Purple Heart for wounds received in combat; and

**WHEREAS**, many have returned home with post-traumatic stress disorder, traumatic brain injury, hearing problems and other physical and mental disabilities; and

**WHEREAS**, many communities in Maine need someone who can meet with veterans and survivors to explain benefits and to get the word out to veterans and their families concerning frequently changing Veterans Administration benefits and eligibility; and

**WHEREAS**, major issues for returning veterans concerning increasing suicide rates, homelessness, unemployment and education were brought before the 113th Congress with little or no substantive results; and

**WHEREAS**, as the 114th Congress begins, veterans and their families in Maine and across the Nation hope that the new Congress will be responsive and helpful and aggressively address the many issues facing the veterans of the wars in Iraq and Afghanistan; and

**WHEREAS**, the men and women who serve our State and Nation so faithfully deserve to have access to care, housing, medical treatment and mental and physical therapy; now, therefore, be it

**RESOLVED**: That We, your Memorialists, on behalf of the people we represent, take this opportunity to urge the United States Congress to take the lead in passing necessary legislation that will help all our veterans, from all our wars and conflicts, from World War II to present-day Iraq and Afghanistan to the extent necessary; and be it further

**RESOLVED**: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the President of the United States Senate, to the Speaker of the United States House of Representatives and to each Member of the Maine Congressional Delegation.

**READ and ADOPTED.**

Sent down for concurrence.

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Off Record Remarks

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

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**REPORTS OF COMMITTEES**

**House**

**Pursuant to Joint Order**

The Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Transfer Oversight of the Maine Quality Forum to the Maine Health Data Organization" (EMERGENCY)  
H.P. 864 L.D. 1264

Reported that the same be **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES**, pursuant to Joint Order, H.P. 585.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES**.

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

On motion by Senator **WHITTEMORE** of Somerset, **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES**, in concurrence.

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**Pursuant to Joint Order**

The Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Implement the Recommendations of the Maine Health Exchange Advisory Committee" (EMERGENCY)  
H.P. 865 L.D. 1265

Reported that the same be **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES**, pursuant to Joint Order 2013, H.P. 1136.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES**.

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

On motion by Senator **WHITTEMORE** of Somerset, **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES**, in concurrence.

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**Ought to Pass**

The Committee on **TRANSPORTATION** on Bill "An Act To Amend the Law Regarding Commercial Learner's Permits" (EMERGENCY)

H.P. 354 L.D. 515

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

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

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

**READ ONCE.**

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.**

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**Ought to Pass As Amended**

The Committee on **TRANSPORTATION** on Bill "An Act Regarding Emergency Lights on a Vehicle Used by a Member of a Municipal or Volunteer Fire or Emergency Medical Services Department"

H.P. 35 L.D. 37

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-29)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-29)**.

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

**READ ONCE.**

Committee Amendment "A" (H-29) **READ** and **ADOPTED**, in concurrence.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.**

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The Committee on **TRANSPORTATION** on Bill "An Act To Provide Funding to the Department of Transportation To Complete the Assessment for the Completion of the State-owned St. Lawrence and Atlantic Railroad Line"

H.P. 217 L.D. 323

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-28)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-28)**.

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

**READ ONCE.**

Committee Amendment "A" (H-28) **READ** and **ADOPTED**, in concurrence.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.**

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**Divided Report**

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Protect Private Property and Livestock from Fireworks"

H.P. 107 L.D. 149

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

Signed:

Senators:

ROSEN of Hancock  
BURNS of Washington  
GERZOSKY of Cumberland

Representatives:

FOWLE of Vassalboro  
CHENETTE of Saco  
DAVITT of Hampden  
GERRISH of Lebanon  
LONG of Sherman  
THERIAULT of China  
TIMMONS of Cumberland  
WARREN of Hallowell

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

Signed:

Representatives:

LAJOIE of Lewiston  
NADEAU of Winslow

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

Reports **READ**.

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

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**Divided Report**

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Protect Farm Animals from Noise from the Discharge of Fireworks and Explosives"

H.P. 135 L.D. 177

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

Signed:

Senators:

ROSEN of Hancock  
BURNS of Washington  
GERZOSKY of Cumberland

Representatives:

FOWLE of Vassalboro  
CHENETTE of Saco  
DAVITT of Hampden  
GERRISH of Lebanon  
LAJOIE of Lewiston  
LONG of Sherman  
THERIAULT of China  
TIMMONS of Cumberland  
WARREN of Hallowell

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

Signed:

Representative:

NADEAU of Winslow

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

Reports **READ**.

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

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**Divided Report**

The Majority of the Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Create a Public State Bank"

H.P. 23 L.D. 24

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

Signed:

Senators:

WHITTEMORE of Somerset  
BAKER of Sagadahoc  
GRATWICK of Penobscot

Representatives:

BECK of Waterville  
COOPER of Yarmouth  
FOLEY of Wells  
MELARAGNO of Auburn  
MORRISON of South Portland  
PICCHIOTTI of Fairfield  
PRESCOTT of Waterboro  
TUCKER of Brunswick  
WALLACE of Dexter

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-35)**.



Signed:

Representative:  
BROOKS of Lewiston

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

Reports **READ**.

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

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**Senate**

**Ought to Pass**

Senator LANGLEY for the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Amend the Powers and Duties of the State Board of Education"  
S.P. 157 L.D. 428

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

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

**READ ONCE**.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY**.

---

Senator VOLK for the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Repeal Outdated Statutory Sections Relating to Regional Ride Share Programs"  
S.P. 176 L.D. 447

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

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

**READ ONCE**.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY**.

---

Senator COLLINS for the Committee on **TRANSPORTATION** on Bill "An Act To Amend the Laws Regarding the Maine Organ and Tissue Donation Fund" (EMERGENCY)  
S.P. 197 L.D. 528

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

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

**READ ONCE**.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY**.

---

**Ought to Pass As Amended**

Senator ROSEN for the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Amend the Laws Related to the Bolduc Correctional Facility"  
S.P. 246 L.D. 688

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-23)**.

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

**READ ONCE**.

Committee Amendment "A" (S-23) **READ** and **ADOPTED**.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY**.

---

Senator LANGLEY for the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Improve Student Retention in Maine's Postsecondary Institutions"  
S.P. 84 L.D. 215

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-21)**.

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

**READ ONCE**.

Committee Amendment "A" (S-21) **READ** and **ADOPTED**.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY**.

---

Senator LANGLEY for the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Improve Attendance at Public Elementary Schools"  
S.P. 126 L.D. 311

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-22)**.

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

**READ ONCE**.

Committee Amendment "A" (S-22) **READ** and **ADOPTED**.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY**.

---

Senator VOLK for the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Amend the Maine Economic Development Venture Capital Revolving Investment Program"

S.P. 202 L.D. 586

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-26)**.

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

**READ ONCE**.

Committee Amendment "A" (S-26) **READ** and **ADOPTED**.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY**.

---

Senator BAKER for the Committee on **MARINE RESOURCES** on Bill "An Act Amending the Trap Limit for the Swans Island Lobster Conservation Area" (EMERGENCY)

S.P. 35 L.D. 98

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-24)**.

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

**READ ONCE**.

Committee Amendment "A" (S-24) **READ** and **ADOPTED**.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY**.

---

Senator WILLETTE for the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act Concerning the Salary of Elected Sheriffs"

S.P. 30 L.D. 82

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-25)**.

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

**READ ONCE**.

Committee Amendment "A" (S-25) **READ** and **ADOPTED**.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY**.

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

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## SECOND READERS

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

### Senate As Amended

Bill "An Act To Expedite MaineCare Payments for School Administrative Units"

S.P. 133 L.D. 350  
(C "A" S-16)

Bill "An Act To Amend the Lobbyist Disclosure Procedures Law"

S.P. 138 L.D. 370  
(C "A" S-14)

Bill "An Act To Prohibit Deceptive Practices Regarding Unsolicited Loans"

S.P. 184 L.D. 455  
(C "A" S-17)

Bill "An Act To Amend the Health Care Practitioner Transparency Requirements"

S.P. 190 L.D. 521  
(C "A" S-19)

Bill "An Act To Clarify the Requirements for Notice of the Right To Cure a Mortgage Default"

S.P. 223 L.D. 630  
(C "A" S-18)

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

Sent down for concurrence.

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

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## ORDERS OF THE DAY

The Chair laid before the Senate the following Tabled and Later Assigned (4/1/15) matter:

Bill "An Act To Make Certain Local Primaries Nonpartisan"  
H.P. 822 L.D. 1189

Tabled - April 1, 2015, by Senator **MASON** of Androscoggin

Pending - **REFERENCE**

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

(In House, April 1, 2015, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**.)

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

Sent down for concurrence.

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The Chair laid before the Senate the following Tabled and Later Assigned (4/2/15) matter:

HOUSE REPORT - from the Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Prohibit Tobacco Use Surcharges in Small Group and Individual Health Insurance Products"

H.P. 93 L.D. 135

Report - **Ought to Pass as Amended by Committee Amendment "A" (H-26)**

Tabled - April 2, 2015, by Senator **MASON** of Androscoggin

Pending - **ACCEPTANCE OF REPORT**, in concurrence

(In House, April 1, 2015, Report **READ** and **ACCEPTED** and Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-26)**.)

(In Senate, April 2, 2015, Reports **READ**.)

Report **ACCEPTED**, in concurrence.

**READ ONCE.**

Committee Amendment "A" (H-26) **READ** and **ADOPTED**, in concurrence.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.**

---

The Chair laid before the Senate the following Tabled and Later Assigned (4/7/15) matter:

SENATE REPORTS - from the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Reduce Youth Cancer Risk"

S.P. 57 L.D. 123

Majority - **Ought to Pass** (8 members)

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

Tabled - April 7, 2015, by Senator **MASON** of Androscoggin

Pending - motion by Senator **ALFOND** of Cumberland to **RECEDE** (Roll Call Ordered)

(In Senate, March 31, 2015, on motion by Senator **BRAKEY** of Androscoggin, the Minority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.)

(In House, April 2, 2015, the Majority **OUGHT TO PASS** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**, in **NON-CONCURRENCE**.)

(In Senate, April 7, 2015, Senator **MASON** of Androscoggin moved to **INSIST**.)

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

Senator **GRATWICK:** Thank you, Mr. President. Ladies and gentlemen of the Senate, colleagues and friends, I wish to speak again on this issue, which is the bill to Reduce Youth Cancer Risk or the tanning bill. We've seen this in the past. As we get ready to vote, I wish that you remember two basic facts. The first, the reason it's here again is that there is now a black box warning around tanning beds. A black box warning is the most severe warning that the Federal Drug Administration puts on anything that's allowed out there in the public domain. This is a stop sign. This is the equivalent of the radiation sign. It is the equivalent of the poison sign. This is a big deal. A black box warning is a big deal from the FDA. The second point that I'd have you remember.

**THE PRESIDENT:** Senator, would you please defer for just a moment?

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Senate at Ease.

Senate called to order by the President.

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

Senator **GRATWICK:** Thank you, Mr. President. Again, ladies and gentlemen, just to recap that there is now a black box warning. Number one and number two, our kids mature slowly and I think this is certainly an area where we, as adults and Legislators, need to help them. I must admit that I, as a parent, mature slowly as well, but this is part of that thing that we, as a society, can do for the younger people in our society. L.D. 123 is really not to give any benefits to anybody in this Chamber. I think that we've heard enough about the risks of tanning that we're not going to be letting our kids tan before age 18. However, it is going to be a benefit to kids out there, to parents out there, who are not aware of the risks of tanning. In my opinion, we, in the Legislature here, make rules. We should make rules that are based on data, that are based on evidence. The purpose of our rules, to my way of thinking, is so we each, and all of us, can live long and productive lives. We do not want melanoma. Melanoma is not a good way to exit this world. Melanoma is a reality out there. I strongly urge you to vote, I want to have this

act passed. Therefore, I think the correct motion would be voting with me, my light which I believe will be red. Thank you.

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

Senator **VALENTINO:** Thank you very much, Mr. President. Men and women of the Senate, I rise today to oppose the motion on the floor. When this bill was first brought before this Body it was my intent to vote against the bill and the Majority Report, to pass the bill. Instead of moving the Majority Report, the Minority Ought Not to Pass was moved. As pointed out to me on that day, I made a very critical freshman mistake and voted red instead of voting green on the Ought Not to Pass. Since this bill is back before us, I now have an opportunity to clarify my position on this bill, which is in opposition to the bill. Therefore, I will be voting red today against the motion to Recede.

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

Senator **BRAKEY:** Thank you, Mr. President. I hadn't intended to speak, but since we're offering some of the cliff notes versions of the previous arguments I'll bring up some points and keep my statement very brief. I just want to remind folks, as we're considering this, of the laws that currently exist around this. Currently, if you are under the age of 18 you require parental consent in order to be able to utilize a tanning salon. That's not just a slip from your parent. Your parent has to actually come into the facility, sign a parental consent form in the presence of the facility operators. If you don't have a parent there, you are required to show photo I.D. to demonstrate that you are above the age of 18. I won't get into the debates and back and forth about whether or not we should have photo I.D. on certain things, but we certainly on this, we are asking people to prove that they are of the age of 18 to be able to use a tanning salon, we have very strict measures in place. I do not think that this Body should be subverting the authority of parents to make their own decisions with their own children. That's not the role of this Body. It is not the role of this Body to serve as the parents. That's the role of parents to make these choices. That will be the end of my comments. Thank you.

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

Senator **MILLETT:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I'm rising in support of the motion. I'm all too aware of the number of adults who subject their bodies to these tanning beds. It's unfortunate. I'm all too aware of the number of adults that also smoke cigarettes and subject themselves to the risk of cancer. It is a fact that there are many people who either refuse to accept science, or are not aware of that science, and as a society we recognize that it is not acceptable for our children to be smoking because we know the harm that's going to be done to them. I believe that the same common sense measure applies here. I would say, on a personal note, that my husband every year undergoes very painful processes to remove precancerous lesions because, at that point, I think everyone pretty much did not fully understand the process. I'm not convinced that our population really truly understands the dangers that lie before them with exposure, not only to the sun

but to actively seeking out tanning beds. I thank you for your attention and hope that you will support the motion before us.

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

Senator **JOHNSON:** Thank you, Mr. President. I'll be brief, ladies and gentlemen of the Senate, only to say that this: tanning beds have the black box warning just like cigarettes. We do not allow children to buy cigarettes with a permission slip or with signature in their presence even of the parents. We shouldn't be doing that for tanning beds either. I am in support of the present motion. This is an instance where the knowledge, to inform parental decisions, is what's lacking and that's our responsibility in the state's eye, to make this matter one we deal with like we do cigarettes. Thank you.

**THE PRESIDENT:** The pending question before the Senate is the motion by the Senator from Cumberland, Senator Alfond, to Recede. 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 (#23)

**YEAS:** Senators: ALFOND, BAKER, BREEN, DILL, DUTREMBLE, GERZOFISKY, GRATWICK, HASKELL, HILL, JOHNSON, LIBBY, MILLETT, MIRAMANT, PATRICK, VOLK

**NAYS:** Senators: BRAKEY, BURNS, COLLINS, CUSHING, CYRWAY, DAVIS, EDGECOMB, HAMPER, KATZ, LANGLEY, MASON, MCCORMICK, ROSEN, SAVIELLO, VALENTINO, WHITTEMORE, WILLETTE, WOODSOME, THE PRESIDENT - MICHAEL D. THIBODEAU

**EXCUSED:** Senator: DIAMOND

15 Senators having voted in the affirmative and 19 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **ALFOND** of Cumberland to **RECEDE FAILED**.

On motion by Senator **MASON** of Androscoggin, the Senate **INSISTED**.

Ordered sent down forthwith for concurrence.

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The Chair laid before the Senate the following Tabled and Later Assigned (4/7/15) matter:

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Permit 25 Acres or Less To Be Withdrawn from Taxation as Timberland and Woodland without Penalty  
S.P. 416 L.D. 1169

Tabled - April 7, 2015, by Senator **EDGECOMB** of Aroostook

Pending - **FURTHER CONSIDERATION**

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

(In Senate, April 1, 2015, on motion by Senator **EDGEComb** of Aroostook, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY**.)

(In House, April 2, 2015, **REFERRED** to the Committee on **TAXATION**, in **NON-CONCURRENCE**.)

On motion by Senator **EDGEComb** of Aroostook, the Senate **INSISTED**.

Sent down for concurrence.

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The Chair laid before the Senate the following Tabled and Later Assigned (4/7/15) matter:

Bill "An Act To Allow County Corrections Officers To Participate in the Retired County and Municipal Law Enforcement Officers and Municipal Firefighters Health Insurance Program"  
H.P. 824 L.D. 1206

Tabled - April 7, 2015, by Senator **MASON** of Androscoggin

Pending - **REFERENCE**

(Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** suggested and ordered printed.)

(In House, April 2, 2015, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**.)

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

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The Chair laid before the Senate the following Tabled and Later Assigned (4/7/15) matter:

An Act To Allow the Resale of Electricity by Electric Vehicle Charging Stations

S.P. 209 L.D. 593

Tabled - April 7, 2015, by Senator **MASON** of Androscoggin

Pending - **ENACTMENT**, in concurrence

(In Senate, March 26, 2015, **PASSED TO BE ENGROSSED**.)

(In House, April 2, 2015, **PASSED TO BE ENACTED**.)

On motion by Senator **MILLETT** of Cumberland, 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 Cumberland, Senator Millett.

Senator **MILLETT**: Thank you, Mr. President. Ladies and gentlemen of the Senate, this bill allows electric vehicle charging station providers to charge a fee for electricity supplied to users. Recent National Council of State Legislators research reports that the U.S. transportation system primarily relies on oil to transport people and goods and, as such, faces risks such as uncertain oil supplies and price volatility. The transportation sector relies on petroleum for 93% of its fuel. States across the country are putting in place strategies to diversify their fuel sources to support greater energy security, lower emissions, and provide price stability. Electricity can be an effective strategy to achieve these goals given its utilization of domestic and local energy sources. The challenge facing Maine plug-in owners is a fledgling and limited infrastructure that constrains their ability to travel throughout our big and beautiful state. By 2013 Tennessee had nearly 300 charging stations. Virginia has nearly 200 today. Wisconsin has over 150. Maine has 30. Nearly half of these Maine locations are the car dealerships which sell plug-ins. The other entities include organizations such as the City of South Portland, Thomas College, and Mount Abram Ski Mountain, who are committed to moving Maine forward. All of these sites provide electric fueling at no cost and this is the crux of the issue of a less than robust EVC network. Maine law currently prevents these facilities from charging a fee for secondhand use of electricity supplied. This unduly hampers providers from recovering their costs and is a strong disincentive to business development and the natural proliferation of charging stations. The bill addresses this barrier by exempting electric vehicle charging stations from the definition of competitive electricity provider and allows sub-metering for the purpose of electricity charging station providers. L.D. 593 received testimony and support from the Central Maine Power Company, Emera Maine, PUC, and Office of Public Advocate. No testimony was provided in opposition and the esteemed members of the Energy, Utilities and Technology Committee unanimously voted Ought to Pass. I hope you will join me in passing L.D. 593. Thank you, Mr. President.

**THE PRESIDENT:** The pending question before the Senate is Enactment, in concurrence. A Roll Call has been ordered. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#24)**

**YEAS:** Senators: ALFOND, BAKER, BRAKEY, BREEN, BURNS, COLLINS, CUSHING, CYRWAY, DAVIS, DILL, DUTREMBLE, EDGEComb, GERZOFISKY, 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

EXCUSED: Senator: DIAMOND

34 Senators having voted in the affirmative and No Senator having voted in the negative, with 1 Senator being excused, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

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The Chair laid before the Senate the following Tabled and Later Assigned (4/7/15) matter:

Bill "An Act To Implement and Fund an Integrated Beach Management Program"

H.P. 854 L.D. 1254

Tabled - April 7, 2015, by Senator **SAVIELLO** of Franklin

Pending - **REFERENCE**

(In House, April 7, 2015, **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and ordered printed.)

On motion by Senator **MCCORMICK** of Kennebec, **REFERRED** to the Committee on **TAXATION**, in **NON-CONCURRENCE**.

Sent down for concurrence.

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Senate at Ease.

Senate called to order by the President.

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**RECESSED** until the sound of the bell.

After Recess

Senate called to order by the President.

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#### ORDERS OF THE DAY

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

JOINT ORDER - Incorporation of Statement of Legislative Ethics in the 2015 Edition of the "Senate and House Registers"  
S.P. 473

Tabled - April 9, 2015 by Senator **MASON** of Androscoggin

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

(In Senate, April 9, 2015, **READ**.)

On motion by Senator **MASON** of Androscoggin, Senate Amendment "A" (S-29) **READ** and **ADOPTED**.

**PASSED AS AMENDED BY SENATE AMENDMENT "A" (S-29).**

Ordered sent down forthwith for concurrence.

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

#### PAPERS FROM THE HOUSE

##### House Papers

Bill "An Act To Promote Food Self-sufficiency for the People of the State"

H.P. 877 L.D. 1291

Comes 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.

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Bill "An Act To Allow for Super Cribbage Tournaments"  
H.P. 878 L.D. 1292

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

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

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

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Bill "An Act To Improve Educational Assessments of Maine Students" (EMERGENCY)

H.P. 872 L.D. 1276

Bill "An Act To Establish a Magnet School for Marine Science, Technology, Transportation and Engineering"

H.P. 873 L.D. 1277

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.

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Bill "An Act To Allow a Local Distributed Energy Pilot Program"  
H.P. 879 L.D. 1293

Bill "An Act To Create the Central Maine Water District"  
H.P. 887 L.D. 1309

Bill "An Act To Amend the Community-based Renewable Energy Program"  
H.P. 888 L.D. 1310

Bill "An Act To Amend the Laws Regarding Nuclear Power Generating Facilities"  
H.P. 891 L.D. 1313

Bill "An Act To Establish Primary Energy Goals for the State"  
H.P. 892 L.D. 1314

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.

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Bill "An Act To Improve the Health of Maine Residents through Education and Health Care"  
H.P. 880 L.D. 1294

Bill "An Act To Streamline Regulation of Farms, Food Producers and Food Establishments"  
H.P. 881 L.D. 1295

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

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

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Bill "An Act To Repeal Authorization for Smelt Fishing in Mud Brook in Aroostook County" (EMERGENCY)  
H.P. 882 L.D. 1296

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.

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Bill "An Act To Establish the Patient Compensation System Act"  
H.P. 889 L.D. 1311

Committee on **INSURANCE AND FINANCIAL SERVICES** suggested and ordered printed.

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

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

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Bill "An Act Regarding the Purchase of Essential Tools for the Repair of Motor Vehicles"  
H.P. 874 L.D. 1278

Bill "An Act To Create and Sustain Jobs through Development of Cooperatives"  
H.P. 886 L.D. 1300

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

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

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Bill "An Act To Amend Marine Resources Licensing Restrictions for Wabanaki Tribal Members"  
H.P. 883 L.D. 1297

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

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

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Bill "An Act Relating to the Creation of Public-private Facilities and Infrastructure"  
H.P. 884 L.D. 1298

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

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

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Bill "An Act To Allow Educational Access for Families"  
H.P. 885 L.D. 1299

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.

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Bill "An Act To Authorize Advance Deposit Wagering for Horse Racing"

H.P. 875 L.D. 1279

Bill "An Act To Provide Income Tax Relief by Expanding Gaming Opportunities"

H.P. 876 L.D. 1280

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.

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Senate at Ease.

Senate called to order by the President.

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With reference to the action of the Senate whereby it **INSISTED** and **ASKED** for a **COMMITTEE OF CONFERENCE** on the disagreeing action of the two branches of the legislature on:

Bill "An Act To Enhance Equity and Efficiency for Off-track Betting Facilities"

H.P. 572 L.D. 838

The Chair appointed as conferees on the part of the Senate the following:

Senator **CYRWAY** of Kennebec  
Senator **MASON** of Androscoggin  
Senator **PATRICK** of Oxford

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Off Record Remarks

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

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On motion by Senator **HASKELL** of Cumberland, **ADJOURNED**, pursuant to the Joint Order, to Tuesday, April 14, 2015, at 10:00 in the morning.