

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 23, 2015

Senate called to order by President Pro Tempore Ronald F. Collins of York County.

Prayer by Thomas Everette Sylvester III of Jackman.

MR. SYLVESTER: Please remove your caps and be in the spirit of prayer. The Scout's Prayer. We have hiked along life's pathway, our packs upon our backs. We have pitched our tents and rested here and there along the tracks. We have used our compass wisely to guide us on our way and hope to reach the campsite of our Great Chief Scout some day. We have tried to be trustworthy, kept our honor high and true. We have been as loyal as any to our Country and our family, too. We have done our best at all times, kept our Promise, been prepared, and hope our good deeds please Him when at last our souls are bared. We have lightened others' burdens, with our smiles along the way. We have kept our hand in God's hand, walked beside Him day by day, and when our span of life runs out, we'll make this gentle plea - may we sit around His Campfire at the Final Jamboree. Amen.

Posting of the Colors by Girl Scouts from Troops 650, 851 and 1300.

National Anthem performed by the Girl Scout Chorus.

Pledge of Allegiance led by Boy Scout Troop 401 of Sidney.

Reading of the Journal of Tuesday, April 21, 2015.

Doctor of the day, Marshall Chamberlin, MD of Sanford.

Off Record Remarks

Out of order and under suspension of the Rules, on motion by Senator **MASON** of Androscoggin, the following Joint Order:
S.P. 500

Ordered, the House concurring, that when the Senate and House adjourn, they do so until Tuesday, April 28, 2015 at 10:00 in the morning.

READ and PASSED.

Ordered sent down forthwith for concurrence.

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

PAPERS FROM THE HOUSE

Non-Concurrent Matter

SENATE REPORTS - from the Committee on **TRANSPORTATION** on Bill "An Act To Prohibit the Use of a Mobile Telephone When Operating a Motor Vehicle Except in Hands-free Mode"

S.P. 60 L.D. 185

Majority - **Ought Not to Pass** (7 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (S-13)** (6 members)

In Senate, April 16, 2015, the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-13)**.

Comes from the House, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**, in **NON-CONCURRENCE**.

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

Non-Concurrent Matter

HOUSE REPORTS - from the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Create a Permanent Wabanaki Law Enforcement Seat on the Board of Trustees of the Maine Criminal Justice Academy"

H.P. 171 L.D. 239

Majority - **Ought Not to Pass** (9 members)

Minority - **Ought to Pass** (4 members)

In House, April 14, 2015, the Minority **OUGHT TO PASS** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.

In Senate, April 16, 2015, on motion by Senator **GERZOFSKY** of Cumberland, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**, in **NON-CONCURRENCE**.

Comes from the House, that Body **INSISTED**.

On motion by Senator **GERZOFSKY** of Cumberland, the Senate **INSISTED**.

COMMUNICATIONS

The Following Communication: S.C. 223

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

April 21, 2015

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

Dear President Thibodeau and Speaker Eves:

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

- | | |
|----------|--|
| L.D. 474 | An Act To Improve Access to Dental Care in Maine |
| L.D. 517 | Resolve, To Reconcile Conflicts between the Home and Community-based Waiver Program for the Elderly and Adults with Disabilities and the Requirements of the Department of Health and Human Services and the Department of Public Safety (EMERGENCY) |
| L.D. 605 | Resolve, To Provide Certain Dental Services to Pregnant Women Enrolled in the MaineCare Program |
| L.D. 771 | An Act To Promote Dental Services for Prenatal and Postpartum Women |
| L.D. 812 | An Act To Prevent Drug Overdose Deaths by Enhancing Access to Opioid Antagonists |

This is notification of the Committee's action.

Sincerely,

S/Sen. Eric L. Brakey
Senate Chair

S/Rep. Andrew M. Gattine
House Chair

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

The Following Communication: S.C. 224

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

April 15, 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. 907 | An Act To Reduce Milfoil Infestations (EMERGENCY) |
| L.D. 959 | An Act To Amend the Membership of the Maine Outdoor Heritage Fund Board |

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**.

The Following Communication: S.C. 225

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

April 21, 2015

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

Dear President Thibodeau and Speaker Eves:

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

- | | |
|----------|--|
| L.D. 169 | An Act To Amend the Laws Governing Groundwater Rights |
| L.D. 499 | An Act To Create Jobs in the Forest Products Industry |
| L.D. 501 | An Act To Amend the Estate Tax Laws |
| L.D. 502 | An Act To Repeal the Service Provider Tax on Private Nonmedical Institutions and To Offset That Revenue Loss |
| L.D. 519 | An Act To Allow Telecommunications Infrastructure Investment in Development Districts for Municipalities and Plantations |
| L.D. 541 | An Act To Promote Sustainability in Home Ownership for First-time Home Buyers |
| L.D. 565 | An Act To Authorize Municipalities To Impose Service Charges on Tax-exempt Property Owned by Certain Nonprofit Organizations |
| L.D. 759 | An Act To Establish a Sales Tax Holiday |
| L.D. 769 | An Act To Reduce Tax Expenditures |
| L.D. 859 | An Act To Improve Camping Opportunities in Maine |
| L.D. 922 | An Act To Provide an Income Tax Exemption for Pension or Retirement Plans for Veterans Who Are Totally Disabled |
| L.D. 932 | An Act To Designate a Sales Tax Holiday |

This is notification of the Committee's action.

Sincerely,

S/Sen. Earle L. McCormick Senate Chair	S/Rep. Adam A. Goode House Chair
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READ and with accompanying papers **ORDERED PLACED ON FILE.**

The Following Communication: S.C. 226

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

April 22, 2015

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

Dear President Thibodeau and Speaker Eves:

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

- | | |
|----------|--|
| L.D. 226 | An Act To Promote Efficiency in Food Pantry Operation |
| L.D. 278 | An Act To Encourage the Use of Fuel-efficient Vehicles |
| L.D. 332 | An Act To Exempt from Sales Tax Sales to Certain Nonprofit Corporations That Provide Home Rehabilitation and Modification Services to Low-income Individuals |
| L.D. 497 | An Act To Provide a Sales Tax Rebate for Certain Organizations Providing Services to Disabled Veterans |
| L.D. 871 | An Act To Provide for Cooperation between Municipalities with Tax Increment Financing Districts |

This is notification of the Committee's action.

Sincerely,

S/Sen. Earle L. McCormick Senate Chair	S/Rep. Adam A. Goode House Chair
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READ and with accompanying papers **ORDERED PLACED ON FILE.**

The Following Communication: S.C. 227

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

April 21, 2015

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

Dear President Thibodeau and Speaker Eves:

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

- L.D. 32 An Act To Amend the Laws Regarding Signs on Interstate Highways in Maine
- L.D. 73 An Act To Increase Weight Allowances for Farm Trucks
- L.D. 363 An Act Regarding Learner's Permits for Driver's Licenses
- L.D. 903 An Act To Allow in Certain Circumstances Two-wheeled Vehicles To Proceed through Red Lights and Make Right Turns on Red in Contravention of Posted Prohibitions
- L.D. 1122 An Act Regarding the Use of Vehicles on Monhegan Island

This is notification of the Committee's action.

Sincerely,

S/Sen. Ronald F. Collins
Senate Chair

S/Rep. Andrew J. McLean
House Chair

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

Senate at Ease.

Senate called to order by the President Pro Tempore
RONALD F. COLLINS of York County.

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 (3/10/15) matter:

JOINT ORDER - Expression of Legislative Sentiment
Recognizing Brock Bubar of Newport
SLS 225

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

Pending - motion by Senator **CUSHING** of Penobscot to **PASS**

(In Senate, March 10, 2015, **READ.**)

READ.

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

Senator **CUSHING:** Thank you, Mr. President. Ladies and gentlemen of the Senate, as many of you know, one of the great pleasures of our duties here are to be able to recognize the accomplishments of individuals and organizations in our communities that have reached a benchmark or a significant milestone in their lives or their organization. Today is one of those unique pleasures that we have, where we can recognize the personal development of young people in our communities. The individual who this sentiment speaks to has taken the step that many people aspire to but only a few are able to accomplish that, obtaining their Eagle Scout Award. I think for many today is a very fitting day to pause and honor what an accomplishment that is. We have many members of the Scouting community and their family here today. I see in the Chamber even more senior members who have chosen to wear their uniforms to honor and recognize the importance of Scouting in their lives and I think many of us here, who have participated in different programs and those particularly who have become Scouts or Eagle Scouts, know the life skills that this opportunity, the service that you have in a program like Scouting, brings to your life and the positive, life-long effects that come from that. Brock was able to make a contribution in his community, to the school, in creating a gazebo that will allow, in an area of the school that doesn't have any shade, for children, during recesses and lunch, to have a cool spot in the hot weather or to stay out of the rain. I think it's another example of what I believe Scouting imparts in young people. I'm very pleased today, Mr. President, to stand and honor Brock Bubar for this obtainment in his life and I wish him the best as he goes on and hopefully will inspire many of the young people here today to try and obtain that same level of accomplishment. Thank you, Mr. President.

PASSED.

Sent down for concurrence.

THE PRESIDENT PRO TEMPORE: The Chair would like to recognize in the rear of the Chamber Brock Bubar, along with members of his family and members of his Scout Troop 63 in Newport. Would they please rise and accept the greetings of the Senate.

Off Record Remarks

SENATE PAPERS

Bill "An Act Concerning Membership on the Board of Directors of the Lewiston-Auburn Water Pollution Control Authority"
S.P. 495 L.D. 1362

Presented by Senator BRAKEY of Androscoggin.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Bill "An Act To Secure the Maine Electrical Grid from Long-term Blackouts"

S.P. 496 L.D. 1363

Presented by Senator MIRAMANT of Knox.
Cosponsored by Representative BEAVERS of South Berwick and Senator: WOODSOME of York, Representatives: BABBIDGE of Kennebunk, BEEBE-CENTER of Rockland, CHIPMAN of Portland, DUNPHY of Embden, HOBBS of Saco, RYKERSON of Kittery.

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

Sent down for concurrence.

Bill "An Act To Promote Recycling Program Integration and Efficiencies"

S.P. 498 L.D. 1366

Presented by Senator SAVIELLO of Franklin.
Cosponsored by Representative CAMPBELL of Orrington and Representatives: DUCHESNE of Hudson, HARLOW of Portland, WELSH of Rockport.
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.

Bill "An Act To Expand Opportunities for Economic Development in Maine"

S.P. 497 L.D. 1364

Presented by Senator CUSHING of Penobscot.
Cosponsored by Representative LOCKMAN of Amherst and Senators: EDGECOMB of Aroostook, VOLK of Cumberland, WHITEMORE of Somerset, Representatives: MAKER of Calais, MARTIN of Eagle Lake, SAUCIER of Presque Isle.
Submitted by the Department of Economic and Community Development pursuant to Joint Rule 204.

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.

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

ORDERS

Joint Order

Expressions of Legislative Sentiment recognizing:

The 100th Anniversary of the Armenian Genocide. On April 24, 1915, a campaign of ethnic extermination was launched by the leaders of Ottoman Turkey that resulted in the death of 1.5 million Armenians. Some of the survivors settled in Maine, where their descendants have made significant contributions. We join our citizens of Armenian heritage in remembering this event and we express our deepest sympathy to the families of those who perished;

SLS 350

Sponsored by Senator BREEN of Cumberland.
Cosponsored by Representative: PIERCE of Falmouth.

READ.

THE PRESIDENT PRO TEMPORE: The Chair recognizes the Senator from Cumberland, Senator Breen.

Senator **BREEN:** Thank you, Mr. President. This week we recognize the 100th Anniversary of the systematic organized murder of 1.5 million Armenians and the deportation of millions more that took place during WWI. President Theodore Roosevelt would later call it the greatest crime of the war. Fortunately, like so many refugees, surviving Armenians made their way to America. As Armenians established communities throughout America, they created cultural, political, and social welfare organizations to preserve their identity, promote their causes, and provide assistance to their community. Among them were the Armenian Revolutionary Federation, established in 1904, and the Armenian Relief Society, now the Armenian Red Cross, established in 1925. Both groups had Portland affiliates. Between them, Portland's Armenians had many social, political, and educational events over the years. For the past 100 years the Armenians of Maine have been prosperous, hardworking, and successful. They've been known for their many grocery stores and barber shops in Southern Maine. Many of their children went into the field of education. Some served in government as City Counselors, Mayors, court commissioners, and even State Legislators. Several went into medicine, law, insurance, and during WWII many Armenian men from Portland served their adopted country. Today there are many Armenian Mainers who are recognized leaders in their career fields; in fields such as high tech, acting and entertainment, public housing, social services, groceries, and commercial food distribution. In 2003, the Armenian Cultural Association of Maine was founded. In conjunction with the City of Portland, the group erected a monument honoring the State's original Armenian settlers, as well as those lost in the genocide. The monument is located at the Armenian Plaza at the corner of Cumberland Avenue and Franklin Street, in the heart of Maine's original Armenian settlement. I wanted to let people know also that at the Maine Holocaust and Human Rights Museum here in Augusta there is an exhibit on the Armenians of Maine that is open through May 30th. Lastly, Mr. President, why do we continue to tell these stories of past atrocities? So that we can remind ourselves and

we can teach our children to speak out against bigotry, speak out against scapegoating, and to do all we can to prevent violence and ethnic hatred in the future. Thank you, Mr. President.

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

Senator **KATZ:** Thank you, Mr. President. I just wanted to add a voice to this. I have several of my closest personal friends here today, Mr. President, who represent the Armenian community and I would just like to have us honor them for their commitment to their heritage; for their commitment to the passing on of their values to the next generation, who are also here today; and for their commitment to justice. Thank you, Mr. President.

PASSED.

Sent down for concurrence.

THE PRESIDENT PRO TEMPORE: I'd like to recognize in the rear of the Chamber members of the Armenian community here in Maine. Would they please stand and be recognized by the Maine Senate.

Joint Resolution

On motion by President **THIBODEAU** of Waldo (Cosponsored by Representative REED of Carmel and Senators: COLLINS of York, DAVIS of Piscataquis, Representatives: FREDETTE of Newport, PARRY of Arundel, SIROCKI of Scarborough, STETKIS of Canaan, TIMBERLAKE of Turner, WARD of Dedham), the following Joint Resolution:

S.P. 499

JOINT RESOLUTION

MAKING APPLICATION TO THE CONGRESS OF THE UNITED STATES CALLING A CONSTITUTIONAL CONVENTION TO PROPOSE AN AMENDMENT TO THE UNITED STATES CONSTITUTION TO REQUIRE A BALANCED FEDERAL BUDGET AND FURTHER FISCAL RESTRAINTS

WHEREAS, under the United States Constitution, Article V, the Congress of the United States, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to the United States Constitution, or, on the application of the legislatures of two-thirds of the several states, shall call a convention for proposing amendments that, in either case, shall be valid to all intents and purposes, as part of the United States Constitution, when ratified by the legislatures of three-fourths of the several states, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress; and

WHEREAS, with each passing year, this nation becomes more deeply in debt as its expenditures grossly and repeatedly exceed available revenues, so that the public debt now exceeds hundreds of billions of dollars; and

WHEREAS, the annual federal budget is a continual demonstration of an unwillingness or inability of both the

legislative and executive branches of the Federal Government to curtail spending to conform to available revenues; and

WHEREAS, unified budgets do not reflect actual spending because of the exclusion of special outlays that are neither included in the budget nor subject to the legal public debt limit; and

WHEREAS, knowledgeable planning, fiscal prudence and plain good sense require that the budget reflect all federal spending and be in balance; and

WHEREAS, believing that fiscal irresponsibility at the federal level, with the inflation that results from this policy, is the greatest threat that faces our nation, we firmly believe that constitutional restraint is necessary to bring about the fiscal discipline needed to restore financial responsibility; and

WHEREAS, we believe action on amendments to the United States Constitution concerning federal expenditures to be vital; now, therefore, be it

RESOLVED: That the Legislature of Maine respectfully applies to the Congress of the United States, under the provisions of Article V of the United States Constitution, for the calling of a convention of the states limited to proposing an amendment to the United States Constitution requiring that, in the absence of a national emergency, the total of all federal outlays made by the Congress of the United States for any fiscal year may not exceed the total of all estimated federal revenues for that fiscal year, together with any related and appropriate fiscal restraints; and be it further

RESOLVED: That this application is to be considered as covering the same subject matter as the presently outstanding balanced budget applications from other states, including but not limited to previously adopted applications from Alabama, Alaska, Arkansas, Colorado, Delaware, Florida, Georgia, Indiana, Iowa, Kansas, Louisiana, Maryland, Michigan, Mississippi, Missouri, Nebraska, Ohio, Nevada, New Hampshire, New Mexico, North Carolina, Pennsylvania, South Dakota, Tennessee, Texas and Utah; and this application must be aggregated with same for the purpose of attaining the two-thirds of states necessary to require the calling of a convention for proposing amendments, but may not be aggregated with any applications on any other subject; and be it further

RESOLVED: That this application constitutes a continuing application in accordance with Article V of the United States Constitution until the legislatures of at least two-thirds of the several states have made applications on the same subject. It supersedes all previous applications by this Legislature on the same subject; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Secretary of the Senate and presiding officers of both houses of the legislatures of each of the several states in the nation, the Speaker and Clerk of the United States House of Representatives, the President and Secretary of the United States Senate and each member of the Maine Congressional Delegation.

READ.

THE PRESIDENT PRO TEMPORE: The Chair recognizes the Senator from Waldo, Senator Thibodeau.

Senator **THIBODEAU:** Thank you, Mr. President. Ladies and gentlemen, let me begin by saying congratulations to these young people. We have the Scouts today and I can't think of a better organization that these young people could be involved in. They're going to learn some tremendous skills. They're going to have some values that are instilled upon them that will serve them well the rest of their lives. The Scouts do a great job of teaching our young people these skills and how to work well with others. I'm extremely pleased that we are able to honor them here today. Quite frankly, I can't think of a more fitting day to talk about this Joint Resolution.

Today we are talking about a Joint Resolution that will have a Constitutional Convention that will lead to, hopefully, a discussion about a balanced budget amendment for our nation. The fact of the matter is we all recognize our country has over \$18 trillion in debt. I'm not sure how many of us know how many zeroes a trillion is, but I would suggest to you that it's far too many. Twenty-seven states have already made the conscious decision to join in a Constitutional Convention. This is Maine's opportunity to be the twenty-eighth state to join. I can't think of a more pressing issue before this Legislature than this discussion and this debate. Quite frankly, it may be the most important issue that faces our entire nation. We are on an unsustainable path of debt and we have folks in Washington D.C. and I think we all would agree that Washington D.C. is broken and not prepared to deal with this unsustainable path that they are currently on. You see, I think the folks in Washington D.C. can learn a lot by looking at our states, particularly the state of Maine. We have a balanced budget amendment. It's not an amendment, it's part of our Constitution. We actually have that requirement to make sure that our government is paid for, that we're not ringing up debt and passing it onto these young people that are before us today. I think it's unreasonable for us, as a nation, to continue down that path. I think it's irresponsible.

Ladies and gentlemen, it would take 38 states to ratify anything that the Constitutional Convention was able to agree to. That means that the folks from Maine, if they were to go, would come back here to this Body and ask us to ratify what they've done. Let me suggest to you that we're not going to get something back from a Constitutional Convention that is too radical. I think very much to the contrary. We're going to get something that's very reasonable. There'll be proper checks and balances so that if our country is in an emergency situation there will be an exemption. We're not in an emergency situation today. We're just spending beyond our means. Shame on us. You know, none of us, in our personal lives, would go out and borrow a bunch of money and ask our grandchildren or our children to pay it back. We just wouldn't do that. It would be irresponsible. Yet that is exactly what we're doing, as a nation. We're passing the debt onto our children. I think it's irresponsible in every possible way.

Ladies and gentlemen, we can do something about that. We can show the nation, we do show the nation, how we work together. Republicans and Democrats alike, over the next few weeks, are going to go and make some incredibly tough decisions, some that Republicans are going to be disappointed in and some that Democrats are going to be disappointed in, but at

the end of the day we're going to come to a conclusion and create a budget that we all can live with. Maybe we won't all be happy with it, but we'll all be able to live with it. In Washington D.C. they don't have that responsibility. They just turn the page and pretend that that debt doesn't matter. It does matter. They are mortgaging our future generations. They are asking these young people to pay the bill. It's an unsustainable path. We can be part of the solution here today rather than pretending that we don't have a problem, because none of our constituents back home, none of them, think that we're on a sustainable path. I don't believe that you'll find anybody back home that would tell you that what we're doing, as a nation, is sustainable. Let's do something really good, something really important. Let's show the nation that Maine can work together, both Republicans and Democrats, because we've done it for decades, indeed centuries. We have an opportunity to hold Washington D.C. accountable, just like we hold ourselves accountable, when it comes to budgeting. Let me suggest to you that if we do that, if we force the folks in D.C. to work hard on the really tough decisions around budgeting, they may actually be able to figure a way out, to work together on a whole host of other things like we do here in the State of Maine. We're allowing them to escape their responsibility by not doing this. Please join me in voting for this Joint Resolution. Let's do something great for the future of the people and the children of the state of Maine. Thank you, Mr. President.

THE PRESIDENT PRO TEMPORE: The Chair recognizes the Senator from Androscoggin, Senator Libby.

Senator **LIBBY:** Thank you, Mr. President. I rise to just offer a few comments on the pending motion, which is Adoption of this balanced budget amendment request to join with other states in a Convention of States. First, a bit of history. The last time we had a Convention of States it was actually quite a long time ago. It was 1789. The delegates to that convention were asked to review and modify the Articles of Confederation. Their charge was fairly clear, but they didn't follow their charge. In fact, they went quite a bit beyond their charge and threw out the Articles of Confederation altogether and out came the U.S. Constitution. I'm afraid that with a Convention of States that's being debated today there is very little framework for delegates to operate. They sort of become the highest form of government in the land and there is no limit on what changes they can make to the U.S. Constitution. I think that sets up a dangerous situation, a crisis of our legal system at the Republic fact.

I don't think any of us here who are concerned with the pending motion would say that \$18 trillion in national debt, and that's 18 with 12 zeroes following it, is a sustainable course, but to suggest we risk the entire legal framework of the Republic to address a federal issue, I think some of us feel, is a radical solution and a dangerous solution.

With that, I'll be voting against the pending motion and would ask others to consider these thoughts as well. Thank you, Mr. President.

On motion by Senator **ALFOND** of Cumberland, supported by a Division of one-fifth of the members present and voting, a Roll Call was ordered.

THE PRESIDENT PRO TEMPORE: The Chair recognizes the Senator from Cumberland, Senator Diamond.

Senator **DIAMOND**: Thank you, Mr. President. Members of this august Body, who could disagree with this title? I think that Senator Thibodeau, the Senator from Waldo, did an excellent job pointing out all the things that is wrong with Congress and the title of this Joint Resolution, of course, is proposing an amendment to the United States Constitution to require a balanced federal budget and further fiscal restraints. That's hitting it right on the head. I have a question, Mr. President, I would like to pose through the Chair to anyone who may care to answer.

THE PRESIDENT PRO TEMPORE: The Senator may pose his question.

Senator **DIAMOND**: Once the convention has been initiated, is now convened, are there any restrictions on what the convention would be allowed to do?

THE PRESIDENT PRO TEMPORE: The Senator from Cumberland, Senator Diamond, poses a question through the Chair to anyone who may wish to answer. The Chair recognizes the Senator from Waldo, Senator Thibodeau.

Senator **THIBODEAU**: Thank you, Mr. President. As the Senator probably recognizes, the fact of the matter is there is nothing that they couldn't take up, but there is an opportunity for a state to limit the things that the folks that represent their state could vote on and be part of. I would also like to add the fact that we can't allow fear to be the driving and determining factor behind us voting against this. Let me suggest to you that I have more fear about the rising debt than I do about the delegates that would appear at a Constitutional Convention and what they might do. I also have great confidence, given the fact that 38 states would have to ratify anything they brought back. Let me suggest to you that I have a lot of confidence in the work that the folks in this Chamber are doing and I also think that there are good people all across this land that represent the people back home, whether it's in Iowa, Florida, California, Texas, or Idaho. These people want what's in the best interest of their state and their nation and they're not going to do something that's going to hurt that. We can't allow the fear of what may happen to be the determining factor when we fully recognize we are on an unsustainable path and we must do something about that. You know, during this short debate, and I'm sure there'll be more, right now, since I presented the Joint Resolution, the national debt has increased by \$2 million. How many zeroes are in \$2 million? Six. We now know the number. We have an enormous problem. We need to deal with it. You know, I'm going to rest easy tonight knowing that I've done everything I can to convince my colleagues from both sides of the aisle to join me in taking up what I think is the absolute most pressing issue facing our nation. If that doesn't happen here today, if we turn our back on our responsibility to future generations, I'm going to sleep well. I'm going to be comfortable that I've done all I can to convince folks to join me in this. I believe it's the right thing to do. I'm passionate about it because when we talk about an unsustainable path do we really take time to recognize what that means? I don't want to be the guy that wouldn't make the tough decision today when simply a decade from now, is a decade or is it two decades, when, if we don't deal with this, does our debt cause us so much economic havoc that none of us want to think about the repercussions that it could lead to. I'm convinced this is the right thing to do. I hope you are too. Thank you, Mr. President.

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

Senator **MILLETT**: Thank you, Mr. President. Ladies and gentlemen of the Chamber, while I share concerns about the gridlock of Congress, I have equal concerns about choosing this path to address the challenges in front of our nation. Our Constitution is silent on how the convention would operate. How many delegates would Maine receive? What are the rules by which it would be run? Who would set the agenda? Hypothetically, the direct election of Senators could be eliminated. We could insert many corporate giveaways. We know that by opening up our Constitution we will see a frenzy of lobbying and influence peddling never seen before in American history. Even the proponents of this pathway can't address these concerns. Our work here in Maine, in the Maine Legislature, is deliberative and based on sound reasoning. This Joint Resolution asks us to put that aside. This Resolution commits the State of Maine to act and I am unclear as to why it has not been vetted by our normal legislative process. Finally, we live in a democracy and we are free, as Americans, to replace our Representatives and Senators in Congress if we are unhappy with their work. I am proud of our system and I support our system of democracy. Thank you.

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

Senator **HASKELL**: Thank you very much, Mr. President. Ladies and gentlemen of the Senate, I rise also today with concerns, with interest. I agree with our colleagues that we have a fiscal crisis looming. However, this Resolution would have deep implications here in the state of Maine; deep fiscal implications and also process implications. Throughout the years that I've been here in the Maine Legislature one of the things that's been very important to me is the rules, the process, the method by which we deliberate and discuss. I find that this matter has had little process. It certainly is before us and we can vote on it. However, the checks and balances which are so important to us in the deliberative process have not occurred. There are many different ways that that can be handled, but I believe that, in this Body and in the other Body, we have relied on our committee process for years to bring us that kind of investigation and deliberation of the questions that were brought forward today. I believe it's important and, therefore, Mr. President, I move that this Joint Resolution be remanded to the State and Local Government Committee for their deliberation and recommendations.

Senator **HASKELL** of Cumberland moved to **REFER** to the Committee on **STATE AND LOCAL GOVERNMENT**.

Senate at Ease.

Senate called to order by the President Pro Tempore
RONALD F. COLLINS of York County.

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

Senator **HASKELL:** Thank you very much, Mr. President. I appreciate you recognizing me to speak. I'll tell you that process is very important to me and I'll tell you that deliberative thinking around this Body is important. I find many days we don't have enough time to think well enough about the things that we do bring forward. There has been a discussion which has occurred during this small break and I am now in a position where, although I still believe that there needs to be further consideration of this matter, I will withdraw my motion to move to the State and Local Government Committee, Mr. President.

Senator **HASKELL** of Cumberland requested and received leave of the Senate to withdraw her motion to **REFER** to the Committee on **STATE AND LOCAL GOVERNMENT**.

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

Senator **BRAKEY:** Thank you very much, Mr. President. I just wanted to speak very briefly on this and address some of the concerns that I've heard. First let me state that I'm speaking completely off the cuff, so I hope you will forgive me if the mind wanders a bit. Some of the concerns that have been raised, I have to admit at times I've had those same concerns until I learned some additional information that put those concerns at ease. First let me say the problem we're talking about, the problem of spending on the federal level, is not a Democrat problem or a Republican problem. In my lifetime, as young as I am, I've seen this problem. I've seen the deficit spending and the debt balloon out of control under Republican Presidents and under Democrat Presidents. What we have is a problem of out of control federal government. This is not, and should not be, a Republican issue or a Democrat issue because I've seen Republicans on the federal level just as capable of spending money we don't have as Democrats have been. I want to read for this Body, because there have been comments made that there is no process on this and we don't know what the process would be. I'd like to just read Article 5 of the United States Constitution, which is very short and really lays out some of these things pretty clearly. It says, "The Congress, whenever two thirds of both houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the legislatures of two thirds of the several states, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three fourths of the several states, or by conventions in three fourths thereof, as the one or the other mode of ratification may be proposed by the Congress; provided that no amendment which may be made prior to the year one thousand eight hundred and eight shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no state, without its consent, shall be deprived of its equal suffrage in the Senate."

Some of the items in there lay out things very clearly. First of all, one thing that is worth pointing out, which is in there, is that the Congress can propose amendments. In fact, they have this power, they have this authority. They can propose amendments any single day that they are in session up there. In fact, they have. Since the ratification of the U.S. Constitution they have

proposed thousands upon thousands of amendments. Not many of these amendments have made it through the Congress and even fewer still have made it to a vote for passage by three-fourths of the states. That's why we only have a limited number, a small number, of amendments to the United States Constitution. That's a very important point. The Convention of States that we would be convening has no authority that a Congress does not already have and can exercise any single day that they are already in session. The Convention of States, if it were to take place, would have to report back to states and have any amendment proposed ratified by three-fourths of all the states. That's 38 states. That is an incredibly high threshold. If we're worried about, as some has expressed, creating a Body that's going to have powers that supersede any other Body, I think that's completely unfounded because the Congress already has this authority and, in fact, the Body that we would be creating cannot do anything without ratification from 38 states.

One last point I will make, while Congress does have the authority to propose these amendments, I don't think we're going to see some of the amendments we'd like to see from Congress, if we're relying on them to do it. I don't know any time that Congress has ever willingly limited their own power. We're talking for a balanced budget amendment, we're asking Congress to live within their means because of the consequences that my generation and the generations to follow are going to face because of the racking debt. We can't rely on Congress to decide that they want to give up some of their own powers. That really falls on the states. We were the parties that created the Constitution. This is why the framers put this Article 5 in there, so that we would have the power to make these changes when we felt it was appropriate and we thought the federal government had overstepped its bounds. That being said, I will now sit down. Thank you for listening to me.

THE PRESIDENT PRO TEMPORE: The Chair recognizes the Senator from Cumberland, Senator Diamond.

Senator **DIAMOND:** Thank you, Mr. President. Thank you, ladies and gentlemen of the Senate, I'll be brief. I wanted to just restate my position and that is I think everybody on this side of the aisle and everybody on the other side of the aisle agrees that Congress, as the good Senator from Waldo, Senator Thibodeau, has stated, and I respect him highly, and he is exactly right, cannot sustain this level of spending. Congress is broken and we need to rein Congress in. All of those things I thoroughly agree with. Again, I don't think you'd find much argument on this side of the aisle about any of that. Notwithstanding the reassurance that we heard from the good Senator from Androscoggin, Senator Brakey, I still think reality versus concept to me is chilling to the point where it seems like there is an uncontrolled Body out there that I'm sure we might not want to see what happens. It's that reservation for me, and I think I can't speak for anyone else, but that's my reservation. I do not oppose the intent of this Joint Resolution by any means. It's simply the fact that it seems to be the unsureness of what might happen if we pass this and move on the required number of states. Thank you, Mr. President.

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

Senator **KATZ:** Thank you, Mr. President. Men and women of the Senate, this is a radical proposal. It is highly irregular. We

haven't done it for 200 years. It's almost a desperate measure, but I feel, Mr. President, we need to do it. I think most of us agree, and I've heard from both sides of the aisle, that the path we are on is not sustainable, from a fiscal perspective. I think most of us agree that what is going on in Washington, in terms of the increasing national debt, is a moral outrage that we are passing onto our kids, to our grandchildren, and the folks who are sitting in the front of the Chamber at the moment. All of us agree that it is, but yet it's business as usual in Congress and in Washington. The lobbyists we heard about who would be lobbying the Constitutional Convention are the same lobbyists who now show up to Congress with special interests after special interests after special interests that, with no ceiling on spending, is all too easy for members of both parties to pass. Yes, there are risks of going forward with a Constitutional Convention. You've heard them articulated today. To me, it's a matter of balancing risks. Which risk is worst? On the one hand we've got the risk that delegates to the convention will ignore their clear direction from their states. I, frankly, don't think that that will be true, at least with the people we send from the state of Maine if their directive is to consider this issue and this issue only. More than that, as the good Senator from Androscoggin has pointed out, no matter what they come back with it's got to be ratified by two-thirds of the Legislatures in the country. Is there some risk that this is going to turn out badly? Absolutely. I see that risk as minimal. The other risk is we continue to do nothing and we continue to say, as we do every two years, that Congress ought to balance its budget, that we ought to bring down the national debt, that this is not sustainable, blah, blah, blah. Nothing ever changes. This is a desperate measure, but I think that it is, as the good President said, the single most important issues facing us, long term, as a nation and desperate times call for desperate measures. I'm convinced this could be done responsibly and I'm convinced it's the only way we'll get to a balanced budget. Thank you, Mr. President.

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

Senator **JOHNSON:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I've heard a lot of comments on the dangers and risks and what this would accomplish. Certainly I would agree that we have a national debt that's out of control. I think that the priorities that are being supported by our elected representatives have gotten us there. It's not just a problem of how high the debt is. It's a problem of how well the way that we spend taxpayer dollars in this country is supporting the people of this country. I have a problem with people expecting that this is going to be a magic solution. It is said that Congress has the authority, that this convention would have no more authority than Congress has to propose amendments. They still need to be ratified. In fact, where would this group come from? Do we know what the process would be for those people representing us at the convention from this state, representing these people and Maine? It couldn't be more representative than our process today for electing those who represent us in the U.S. Senate and the U.S. Congress. How could we possibly expect better results from people we've chosen to go make those decisions for us in a convention than those people we've chosen to go represent our interests in Congress and the U.S. Senate? I think that that might be considered to meet the definition of insanity to expect a different result from the same action. We have no greater power,

no reason to expect the outcome will be different. I think our course is clear. We should be looking to elect people who represent us in these concerns better.

I'm also concerned with some of the substance of this because I don't believe that tying the hands of Congress regarding whether we always balance the budget is wise. Where would that have gotten us in our need to support the war effort, to defend people in Europe from Nazi invasions? What would have happened if we had said, "Gee, we're going to send our greatest generation overseas to defend people that deserve it and to protect our interests, but I'm sorry we can't afford to equip them"? I find that these expectations that one group of people chosen to represent us in a convention versus the current group of people elected to represent us in Congress and the U.S. Senate are going to achieve a different outcome than we have any reasonable grounds for expecting a different outcome. I stand opposed to this Joint Resolution.

THE PRESIDENT PRO TEMPORE: The Chair recognizes the Senator from Washington, Senator Burns.

Senator **BURNS:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I just want to make a few comments, having listened to all the other comments pro and con about this. I stand in support of this motion, this Resolution. I've learned a lot since I've been here in the Legislature the last seven years, a lot from the Upper and Lower Body, and a lot on my own because I took it upon myself to study the Founders, the Founding Fathers, the Founding Mothers, that were part of settling this great country and coming up with the laws that we live under right now. There is so much to learn there. There's so much to glean. The more time you spend the more you learn.

The folks that were sent to the first and second Constitutional Conventions we didn't know what they were going to do either. We sent off the best that we had at the time and they turned out to be statesmen, stateswomen, to come up with the Constitution that we now live under. There were great debates that went on for months and years as to the balance between states' rights and central government's power. They came up with a resolution that we now live under, which I think was a fair resolution that is trying to be implemented here today. The fact that the states, when two-thirds of the states, so choose they can override the power of the central government. We haven't had to use that in this particular type of situation. I don't think that the Founding Fathers had any possibility of seeing us in this particular predicament that we're in, \$18 trillion in debt, but they did anticipate that we might be in some situations in this country where it would become necessary for the states to rally together and take control of that which Congress was failing to do. We may very well be in that particular situation right now because many think that we are. That's why this process was put in place. It wasn't a frivolous idea. It was something that endured great debate by great minds, people that actually devoted their lives to putting the Constitution together. I think that they did have a perception that things might go awry. I think this is a good example of us having the opportunity to check that, if that is the case, to have this Constitutional Convention which, as I heard one of the speakers say, already 27 states feel that it is necessary to have. I think that it's a reasonable measure that we are, hopefully, going to vote as a Resolve out of this Body, that we are in support of dealing with this problem. There is only one thing that I heard the good Senator from Waldo, President Thibodeau, say that I would

disagree with. That's that we're not in a crisis situation. I, as a layperson and a taxpayer and a parent and a grandparent, feel that we are, if we're not in, nearing a crisis point. I think the rest of the world sees that also. If we don't act now than what's going to come of our indebtedness to the rest of the world? I think we need to take action and I think this is the first step. Thank you, Mr. President.

THE PRESIDENT PRO TEMPORE: The Chair recognizes the Senator from Androscoggin, Senator Mason.

Senator **MASON:** Thank you, Mr. President. First of all, let me say you're doing a fantastic job running this debate. Thank you, Mr. President.

Washington is broken. We hear it every campaign cycle. We hear it from Republicans. We hear it from Democrats. We hear it from Independents. Washington is broken and candidate A, B, or C, whichever one is claiming it, is going to go down to Washington and fix our problems for us. I haven't seen one do it yet. It is unreasonable for us to think that if we continue to send people down to Washington that somebody is going to come along and fix our problems in Washington. Washington is a juggernaut. It quite simply cannot be untangled by the people who are there because they are in the midst of the knot. However, we do have a solution. We have a solution in that the states are not broken. We work together in this Chamber and one down the hall all the time and we balance budget after budget and we do it in a way that works for Maine people, just as people in Massachusetts does it for Massachusetts' people and California does it for Californians. We have a model that works here in our states. I understand that this process is scary. The unknown is always scary. Fear is a natural result of a situation like that. Fortunately, we have answers. We have answers in history. We have answers in precedent. We have answers from the very process that created the document by which we all pledge allegiance to in the United States Constitution.

I'd like to address some of the concerns that came up on the Floor today that might not have been addressed already. The greatest part of this process is that every state has a vote. California has one vote. Maine has one vote. Texas has one vote. Florida has one vote. So on and so forth. It is going to take a lot of clearing of bars for us to get to the point where we can even present this to every state for ratification. It will take 38 states, three-quarters of the states, for us to approve anything that comes out of a Constitutional Convention. The Constitutional Convention cannot enact anything. Let me say that again, Mr. President, the Convention cannot enact anything. The only people that have the power to do that are the states. There was a reference made to the fact that a Constitutional Convention was called to develop the Constitution. That's true and, yes, what came out of the Articles of Confederation Constitutional Convention was great. It was the U.S. Constitution, under which we live, but it took ten states to ratify that agreement, three-quarters of the states before that could become the document by which we live under.

Our Constitution is open every single day. Our Constitution can be changed with a vote from Congress, a two-thirds vote from Congress, and those amendments can be sent out to the states for ratification. The Convention would have no more authority than Congress currently has. I just heard an objection raised by the good Senator from Lincoln, Senator Johnson, about why would it be any different? We sent people to Washington all the

time. Why would these delegates be any different? The reason is because the process is the same as it was when we choose the President in a tie. The members of the House of Representatives get together and each cast one vote from their representative states to elect the President. You would have a total number of 50. You would not have a total membership of 435. It changes the course dramatically.

We've also heard a lot of debate about a repeal of a lot of these amendments that might come up. Would we lose the direct election of Senators? Would we lose prohibition? Would prohibition come back? While all those proposals are possible, they are not probable. Once again, 38 states would be required to approve anything that comes out of a Convention. It just simply couldn't happen.

Another issue was raised about delegates. How many delegates would each state get? Well, the colonies and subsequently the states did a really good job of choosing those people. We had people like John Adams, the second President of the United States. We had people like Thomas Jefferson, Ben Franklin, John Hancock. All members sent by their State Legislatures to the Constitutional Convention to create our Constitution. The states continue to do it right and they did it right back then. The issue of a Constitutional Convention is also very popular amongst all ends of the political spectrum. There are currently many, many calls for Conventions out there. One, for example, is Wolfpack. Wolfpack has a similar resolution to one we're talking about right now in that it would limit political campaign expenditures. That could be brought up at a Convention. The Convention of States effort is also happening right now. It is currently in this Body for consideration. That organization is advocating more for term limits. Federal term limits. Then we have this one, the balanced budget amendment. All are supported by different aspects of the political spectrum. I think that's something that left, right, and center can truly agree on, that we have Article 5 for a reason and we realize that the federal government is broken and all political spectrums agree that we need to do something to do it and Article 5 is the way to do it.

I'd also like to address the fact that Article 5 is unknown. How are we going to talk about Article 5 Convention? Why do we need it? We talk about the wisdom of the Founders often. The Founders put this in there for a reason. They knew how to use this. It's time we looked back at history and figure out how to use it ourselves.

Ladies and gentlemen of the Senate, Mr. President, as I've been talking, every second I've been talking, \$100,000 in debt every second. Every second. Every eight seconds. It's still a lot of money no matter which way you cut it. I would hope that the members of the Senate would support the Adoption of this. The questions have been answered. History holds the answers. I would urge the members to vote in support of this Resolution. Thank you, Mr. President.

On motion by Senator **CUSHING** of Penobscot, **TABLED** until Later in Today's Session, pending the motion by President **THIBODEAU** of Waldo to **ADOPT**. (Roll Call Ordered)

REPORTS OF COMMITTEES

Senate

Change of Committee

Senator ROSEN for the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Create a Cause of Action for Damage to Public Easements"

S.P. 377 L.D. 1074

Reported that the same be **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**.

Report **READ**.

On motion by Senator **ROSEN** of Hancock, Report **REJECTED**.

On further motion by same Senator, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY**.

Sent down for concurrence.

Ought to Pass

Senator McCORMICK for the Committee on **TAXATION** on Bill "An Act To Allow a Motor Vehicle Excise Tax Credit for a Vehicle No Longer in Use"

S.P. 173 L.D. 444

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 SAVIELLO for the Committee on **ENVIRONMENT AND NATURAL RESOURCES** on Bill "An Act To Allow the Retrofit of Underground Oil Storage Tanks"

S.P. 257 L.D. 727

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-48)**.

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

READ ONCE.

Committee Amendment "A" (S-48) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator WHITEMORE for the Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Require Payment by a Carrier for Health Care Services Provided to Enrollees of the Carrier"

S.P. 58 L.D. 124

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-47)**.

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

READ ONCE.

Committee Amendment "A" (S-47) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator COLLINS for the Committee on **TRANSPORTATION** on Bill "An Act To Amend the Law Concerning Motor Vehicles at Railroad Crossings"

S.P. 198 L.D. 529

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-46)**.

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

READ ONCE.

Committee Amendment "A" (S-46) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** on Bill "An Act To Add Certain Capital Goods to the Product Stewardship Exclusions"

S.P. 65 L.D. 190

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

Signed:

Senators:

SAVIELLO of Franklin
BRAKEY of Androscoggin

Representatives:

WELSH of Rockport
BUCKLAND of Farmington
CAMPBELL of Orrington
DUCHESNE of Hudson
HANLEY of Pittston
MARTIN of Eagle Lake
WHITE of Washburn

The Minority of the same Committee on the same subject reported that the same **Ought Not To Pass**.

Signed:

Senator:

BREEN of Cumberland

Representatives:

CHIPMAN of Portland
HARLOW of Portland
TUCKER of Brunswick

Reports **READ**.

On motion by Senator **SAVIELLO** of Franklin, the Majority **OUGHT TO PASS** Report **ACCEPTED**.

On motion by Senator **MASON** of Androscoggin, the Senate **RECONSIDERED** whereby it **ACCEPTED** the Majority **OUGHT TO PASS** Report.

THE PRESIDENT PRO TEMPORE: The Chair recognizes the Senator from Cumberland, Senator Breen.

Senator **BREEN**: Thank you, Mr. President. Men and women of the Senate, Maine is a proud national leader in laws regarding products stewardship. A product stewardship program has a clear and simple goal, to keep known toxins such as mercury, lead, and carbonyl out of our landfills and out of our incinerators. If you make products that contain known toxins you must make sure that these toxins do not enter our waste stream. Plain and simple. Oddly enough, a manufacturer seeking an exemption, this exemption, from Maine's landmark Product Stewardship Law in L.D. 190 could actually be the poster producer for responsible and environmentally friendly manufacture. First, their products do not contain the known toxins that are covered by Maine law. Second, they hardly ever wind up in our landfills or incinerators. Large capital goods, things like commercial kitchen appliances, have a very long life. After the initial user, usually a restaurant, finishes with them they often get sold to some other user, such as schools or nursing homes. Then when they finish with them they might get donated further to churches or homeless shelters. They often have a useful life of several decades. When these products finally reach the end of their useful lives the metal they contain still holds value on the scrap metal market. They get taken apart and sold, often melted and recycled. The market drives this environmentally friendly final disposition of large capital goods. It's common knowledge that California is the national leader in restricting air polluting emissions for motor vehicles. Auto producers understand that if they sell cars in California they will be held to rigorous standards that are on the leading edge of air quality requirements. L.D. 190 is the equivalent of the bicycle

industry seeking an exemption from California's motor vehicle emissions laws. If that seems like an absurd proposition than you're getting my point. If California opens the doors to bike manufacturer exemptions what's next? Skateboards and rollerblades? Passage of L.D. 190 opens the doors to a parade of absurd, unnecessary, and time consuming requests. Furthermore, this bill inserts Maine government into private contract negotiations, and I don't think anyone here wants to go down that road. Mr. President, I request a Division. Thank you.

At the request of Senator **BREEN** of Cumberland a Division was had. 20 Senators having voted in the affirmative and 15 Senators having voted in the negative, the motion by Senator **SAVIELLO** of Franklin to **ACCEPT** the Majority **OUGHT TO PASS** Report **PREVAILED**.

Senate at Ease.

Senate called to order by the President Pro Tempore
RONALD F. COLLINS of York County.

Senator **MASON** of Androscoggin moved the Senate **RECONSIDER** whereby it **ACCEPTED** the Majority **OUGHT TO PASS** Report.

Same Senator requested and received leave of the Senate to withdraw his motion to **RECONSIDER ACCEPTANCE** of the Majority **OUGHT TO PASS** Report.

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

SECOND READERS

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

House

Resolve, To Study the Impact of Winter Ticks on the State's Moose Population

H.P. 92 L.D. 134

Bill "An Act To Protect the Environment from Fireworks Debris"
H.P. 298 L.D. 459

Bill "An Act Relating to Insurance Licensing"
H.P. 481 L.D. 705

Bill "An Act To Allow School Administrative District No. 27 To Transfer Ownership of the St. Francis Elementary School to the Town of St. Francis" (EMERGENCY)
H.P. 717 L.D. 1048

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

House As Amended

Bill "An Act To Ensure Consistent Certification of Graduation Standards in Publicly Funded Secondary Schools" (EMERGENCY)

H.P. 6 L.D. 3
(C "A" H-70)

Resolve, To Require the Department of Health and Human Services To Provide Supplemental Reimbursement to Adult Family Care Homes and Residential Care Facilities in Remote Island Locations (EMERGENCY)

H.P. 57 L.D. 63
(C "A" H-49)

Bill "An Act To Designate Maple Syrup as the Official State Sweetener"

H.P. 82 L.D. 110
(C "A" H-67)

Bill "An Act To Remove Crossbows from the Restriction on Discharging Weapons near Buildings"

H.P. 193 L.D. 275
(C "A" H-61)

Bill "An Act To Ensure Maine's Elver Fishermen Can Fully Access Maine's Elver Resource"

H.P. 240 L.D. 353
(C "A" H-63)

Bill "An Act To Enforce Restrictions in Parking Spaces and Access Designated for Persons with a Walking Disability"

H.P. 256 L.D. 390
(C "A" H-73)

Bill "An Act To Amend the Law Regarding Filing Fees for Proposed Transmission Line Projects"

H.P. 287 L.D. 420
(C "A" H-71)

Bill "An Act To Clarify Rulemaking for Transportation of Public School Students"

H.P. 301 L.D. 462
(C "A" H-62)

Bill "An Act Regarding Gaming" (EMERGENCY)

H.P. 355 L.D. 516
(C "A" H-24)

Bill "An Act To Protect Maine Lakes"

H.P. 392 L.D. 568
(C "A" H-66)

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

H.P. 465 L.D. 684
(C "A" H-60)

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

Bill "An Act To Improve Science and Engineering Education for Maine's Students"

H.P. 303 L.D. 464
(C "A" H-43)

READ A SECOND TIME.

On motion by Senator **MASON** of Androscoggin, **TABLED** until Later in Today's Session, pending **PASSAGE TO BE ENGROSSED AS AMENDED**, in concurrence.

Senate As Amended

Bill "An Act To Allow a Moose Permit To Be Transferred to a Family Member"

S.P. 141 L.D. 373
(C "A" S-42)

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

Sent down for concurrence.

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

The President Pro Tempore requested the Sergeant-At-Arms escort the Senator from Waldo, Senator **THIBODEAU** to the rostrum where he resumed his duties as President.

The Sergeant-At-Arms escorted the Senator from York, Senator **COLLINS**, to his seat on the floor.

Senate called to order by the President.

Off Record Remarks

ORDERS OF THE DAY

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

SENATE REPORTS - from the Committee on **TRANSPORTATION** on Bill "An Act To Prohibit the Use of a Mobile Telephone When Operating a Motor Vehicle Except in Hands-free Mode"

S.P. 60 L.D. 185

Majority - **Ought Not to Pass** (7 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (S-13)** (6 members)

Tabled - April 23, 2015, by Senator **KATZ** of Kennebec

Pending - **FURTHER CONSIDERATION**

(In Senate, April 16, 2015, the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-13)**.)

(In House, April 21, 2015, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**, in **NON-CONCURRENCE**.)

On motion by Senator **KATZ** of Kennebec, the Senate **RECEDED** from whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-13)**.

On further motion by same Senator, the Senate **RECEDED** from whereby it **ADOPTED COMMITTEE AMENDMENT "A" (S-13)**.

On further motion by same Senator, Senate Amendment "A" (S-51) to Committee Amendment "A" (S-13) **READ**.

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

Senator **KATZ**: Thank you, Mr. President. This matter comes to us in Non-Concurrence from the other Body and this amendment very simply lowers the penalties for violation of the proposed law to prevent the use of a hand-held electronic device while driving. It simply lowers the penalties for that. The rest of the bill remains intact. Thank you, Mr. President.

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

Senator **BRAKEY**: Thank you, Mr. President. Point of information. Excuse my unfamiliarity with the process, being a freshman to the Body. Are we voting on this amendment followed by a vote on the bill itself or is it all one vote?

THE PRESIDENT: The motion before the Senate is to accept the amendment, the Senate Amendment. The vote would be on whether or not we accept the amendment that Senator Katz is proposing.

On motion by Senator **KATZ** of Kennebec, Senate Amendment "A" (S-51) to Committee Amendment "A" (S-13) **ADOPTED**.

Committee Amendment "A" (S-13) as Amended by Senate Amendment "A" (S-51) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-13) AS AMENDED BY SENATE AMENDMENT "A" (S-51) thereto, in **NON-CONCURRENCE**

Ordered sent down forthwith for concurrence.

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

Bill "An Act To Ensure Proper Funding for Teacher Retirement" H.P. 54 L.D. 60

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

Pending - **FURTHER CONSIDERATION**

(In House, March 19, 2015, the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-14)**.)

(In Senate, March 25, 2015, on motion by Senator **LANGLEY** of Hancock, the Minority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**, in **NON-CONCURRENCE**.)

(In House, April 1, 2015, that Body **INSISTED**.)

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

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

Bill "An Act To Improve the Authority of Guardians of Persons with Intellectual Disabilities or Autism" H.P. 834 L.D. 1216

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

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

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

(In House, April 2, 2015, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**.)

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

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (4/16/15) matter:

Bill "An Act To Prohibit Unauthorized Custody Transfers of Children"

H.P. 911 L.D. 1342

Tabled - April 16, 2015, by Senator **MASON** of Androscoggin

Pending - **REFERENCE**

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

(In House, April 16, 2015, **REFERRED** to the Committee on **JUDICIARY**.)

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

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (4/21/15) matter:

HOUSE REPORTS - from the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Exempt Certain Capital Expenditures from the Maine Certificate of Need Act of 2002"

H.P. 39 L.D. 45

Majority - **Ought Not to Pass** (7 members)

Minority - **Ought to Pass** (6 members)

Tabled - April 21, 2015, by Senator **BRAKEY** of Androscoggin

Pending - **ACCEPTANCE OF EITHER REPORT**

(In House, April 16, 2015, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.)

(In Senate, April 21, 2015, Reports **READ**.)

Senator **BRAKEY** of Androscoggin moved the Senate **ACCEPT** the Minority **OUGHT TO PASS** Report, in **NON-CONCURRENCE**.

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

Senator **BRAKEY:** Thank you, Mr. President. Members of the Maine Senate, I rise today to support this bill, which would exempt certain capital expenditures that do not affect MaineCare costs from the Maine Certificate of Need Act of 2002. In this Body we talk a lot about measures we can take to make healthcare more affordable. This is a free market initiative that would inject competition into Maine's healthcare system, remove artificial barriers to new healthcare providers, and increase access to affordable healthcare for Maine's people. The

Certificate of Need is a requirement that healthcare providers, in order to expand services, must first receive permission from State government and demonstrate that genuine need for those services exist in the community.

To understand the CON requirement it is helpful to have some historical context. CON laws originated from the 1974 National Health Planning Resource and Development Act, which required states to establish health planning agencies to control future healthcare expansion based on need. The thought process at the time was that growing healthcare costs were a result of oversupply and misdistribution of healthcare resources, and that if we could restrict the perceived over investment in healthcare resources the cost of healthcare would decline. Twelve years later, in 1986, the federal government repealed this law because it had not succeeded in its intended goal, bringing down healthcare costs. As a result, 14 states went on to repeal their own CON laws; 36 states, however, including Maine, chose to keep their CON laws in place. In 2015, 23 years later, we are still here, Certificate of Need requirements in place.

Let's examine how CON states compare to non-CON states. As of 2009, the average healthcare cost per capita in non-Certificate of Need states was \$6,526. The average cost for CON states was 11% higher, at \$7,230. Maine is even higher than the average at \$8,521 per capita, which is 31% higher than that of non-Certificate of Need states. That makes Maine the fourth most expensive state in the nation to purchase healthcare. In addition to this, according to the Foundation for Economic Education, the data shows that states with more services subject to Certificate of Need requirements have higher average healthcare costs than those with fewer services subject to approval. The severities of state's CON requirements vary widely from Vermont, which requires Certificate of Need for 30 services, to Ohio, which requires Certificate of Need for only one service, the introduction of additional long-term beds. States requiring CON on ten or more services have average, per capita, healthcare costs of \$7,396, which is 8% higher than the \$6,837 average for states requiring a Certificate of Need for fewer than ten services. Other studies back up these same findings. A study by Duke University in the *Journal of Health, Politics, Policy, and Law* suggests that Certificate of Need laws lead to higher healthcare costs. They found that CON laws lead to a 2% reduction in bed supply and "higher costs per day and per admission along with higher hospital profits." An earlier study in the *Journal of Regulatory Economics* asserts that Certificate of Need requirements were responsible for a 13.6% increase in per capita healthcare costs. Even the federal government, which created this policy, has called for CON abolishment. According to a 2004 Federal Trade Commission and Department of Justice joint report, "The agencies' experience and expertise has taught us that Certificate of Need laws impede the efficient performance of healthcare markets. By their very nature, CON laws create barriers to entry and expansion to the detriment of healthcare competition and consumers. They undercut consumer choice, stifle innovation, and weaken market's ability to contain healthcare costs. Together we support the repeal of such laws, as well as steps that reduce their scope." In Washington State we can look to the specific example of dialysis users to see how this law has hurt healthcare. The Foundation for Economic Education writes, "In response to rising rates of Type 2 Diabetes, Washington's healthcare providers sought several years ago to open new dialysis centers and expand existing ones. Their request for CONs were denied because they did not meet the

State Planning Board's need requirement. Palmer Pollock, an Administrator at Northwest Kidney Center, says that as a result of this decision dialysis prices in Washington State have skyrocketed. Private carriers used to pay \$200 or \$300 per treatment. Now it's more than \$1,000.

I have more written down but I know we're all hungry for lunch, so I'm just going to skip to the end of my remarks and just say here in Maine, and in the United States at large, we are desperate in our need to increase access to healthcare and make healthcare more affordable. Repealing of Certificate of Need requirements, even in a limited way as this bill does, would be a great place to start and I ask this entire Body to join me in supporting the Ought to Pass motion on the Floor. Thank you very much.

Off Record Remarks

On motion by Senator **HASKELL** 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 Haskell.

Senator **HASKELL:** Thank you very much, Mr. President. I'd like to speak briefly about this bill. First of all, it does not get rid of the Certificate of Need. What this bill does, or attempts to do, is to exempt certain types of capital expenditures from Maine's Certificate of Need. We've heard this bill multiple times. It's here once again. I'd like to speak to the free market access that has been discussed. Although most of Maine's nursing homes are indeed privately owned businesses, they do not operate in a true free market. Two-thirds of their customers are covered by MaineCare at prices set by the State of Maine. Providers are unable to increase prices as expenses go up. That's one of the basic tenants of the free market. That does not happen here. Nursing homes are in a different situation. Free market competition doesn't exist when 80% of their clients are paid for by Medicaid or Medicare. Certificate of Need has experienced a significant number of changes over the course of the last decades, I think. It's undergone a shrinking. It is not as robust as it was. It has been trimmed and tailored to meet the needs of the State of Maine and, in 2011, OPEGA, our own OPEGA here in the State of Maine, did a review of the Certificate of Need process and came to some conclusions that I think are important. First of all, it's working. Of the 29 Certificate of Need applications filed in a three year period that they reviewed 27 were approved and over the past five years 57 of the 60 were approved. While a high percentage of the applications have been approved, the Certificate of Need process points out that most all, if not all, of those who were approved involved changes to the original proposal and the conditions on the approved certificates. That's telling us that there is input to the Certificate of Need process, that there are changes that are being made because of it, and that they are of value to our nursing homes. In the testimony of Rick Erb, the President of the Maine Healthcare Association, here's what he said that really struck me. "If L.D. 45 were put into statute I can easily envision," I'm reading his exact words, so

these are not mine, "a facility being built that would focus entirely on Medicare business to the exclusion of MaineCare. By avoiding that Certificate of Need process, L.D. 45 would provide the ability and the motivation to do just that." That's the end of his quote. I would add to that that that would be devastating for our nursing home facilities if that type of a facility came to being. It would really be a true loss for the state of Maine in nursing home beds and capacity. I urge you to vote against this and keep our Certificate of Need process in place. Thank you.

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

Senator **GRATWICK:** Thank you very much, Mr. President. I, too, wish to speak against this very briefly. The premise behind this bill is that, indeed, the medical market is a competitive one. That is not the case. It is not a competitive market. Medicine does not work like that in the United States. I think we have to recognize that that's the case. I'd be happy to talk about that at another time with anybody who wishes to discuss it further. Second, I've been in medicine for 40 years. I was really around when they began to have CON. I think they serve a good usage. I have a number of colleagues, people I know, who invested in multiple CAT scanners, MRI scanners, PET scanners, etcetera, because you could do very, very well with your initial investment in one of these machines and other technology. The CON served its appropriate purpose. The difficulty, of course, is the data you can introduce to any issue like this can be very eschewed and I think some of the data we've heard so far is indeed rather eschewed and so I would strongly urge, having been someone who's been in the front lines of this particular issue, that we vote against this. Thank you, Mr. President.

THE PRESIDENT: The pending question before the Senate is the motion by the Senator from Androscoggin, Senator Brakey, to Accept the Minority Ought to Pass Report. A Roll Call has been ordered. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#31)

YEAS: 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

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

20 Senators having voted in the affirmative and 15 Senators having voted in the negative, the motion by Senator **BRAKEY** of Androscoggin to **ACCEPT** the Minority **OUGHT TO PASS** Report, in **NON-CONCURRENCE, PREVAILED**.

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senate at Ease.

Senate called to order by the President.

Off Record Remarks

The Chair laid before the Senate the following Tabled and Later Assigned (4/21/15) matter:

Emergency Measure

An Act To Exempt a Fee for a Paper or Plastic Single-use Carry-out Bag from Tax

S.P. 206 L.D. 590
(C "A" S-15)

Tabled - April 21, 2015, by Senator **SAVIELLO** of Franklin

Pending - **ENACTMENT**, in concurrence

(In Senate, April 7, 2015, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-15).**)

(In House, April 16, 2015, **PASSED TO BE ENACTED.**)

On motion by Senator **SAVIELLO** of Franklin, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-15).**

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (S-15).

PASSED TO BE ENGROSSED, in NON-CONCURRENCE.

Ordered sent down forthwith for concurrence.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act Regarding Licensed Children's Programs"
H.P. 927 L.D. 1365

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

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

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Eliminate the Income Tax

H.P. 928 L.D. 1367

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

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

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

On motion by Senator **COLLINS** of York, **ADJOURNED**, pursuant to the Joint Order, to Tuesday, April 28, 2015, at 10:00 in the morning.