

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

Senate Legislative Record

One Hundred and Twenty-Seventh Legislature

State of Maine

Daily Edition

First Regular Session  
beginning December 3, 2014

beginning at Page 1

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

In Senate Chamber  
Tuesday  
May 5, 2015

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

Prayer by Father Peter Day, Holy Trinity Greek Orthodox Church  
in Lewiston.

**FATHER DAY:** Let us pray to the Lord. Heavenly King,  
comforter, spirit of truth, everywhere present, filling all things,  
treasury of blessings, and giver of life, come visit us in Your  
goodness. Give us the wisdom and strength to persevere over all  
the adversaries of Your conciliar goodness, for You enlighten all  
who struggle against darkness and You lift up all who have been  
burdened with tribulation. Help us to become beacons of Your  
guiding light and tools of Your cradling hands. We pray for our  
country, our state, and our city and we ask that our leaders and  
all those in civic authority be guided by Your grace and be given  
Your enlightenment. Commit them, Lord, to serve and govern in  
peace, that through the faithful conduct of their duties we may live  
peaceful and serene lives in all piety and holiness. Grant peace  
to Your world, to those in public service, to the armed forces, and  
to all Your people, for every good and perfect gift comes from You  
above, the Father of Lights. Loving Lord, let Your face shine  
upon us and be merciful to us now and forever and to the ages of  
ages. Amen.

Pledge of Allegiance led by Senator Paul T. Davis, Sr. of  
Piscataquis County.

Reading of the Journal of Thursday, April 30, 2015.

Doctor of the day, Lisa Ryan, DO of Naples.

Off Record Remarks

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

Off Record Remarks

PAPERS FROM THE HOUSE

Non-Concurrent Matter

Bill "An Act To Improve the Authority of Guardians of Persons  
with Intellectual Disabilities or Autism"

H.P. 834 L.D. 1216

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

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

In Senate, April 23, 2015, on motion by Senator **BURNS** of  
Washington, **REFERRED** to the Committee on **JUDICIARY**, in  
**NON-CONCURRENCE**.

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

Senator **BURNS** of Washington moved the Senate **RECEDE** and  
**CONCUR**.

On motion by Senator **MASON** of Androscoggin, **TABLED** until  
Later in Today's Session, pending the motion by Senator **BURNS**  
of Washington to **RECEDE** and **CONCUR**.

Non-Concurrent Matter

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

H.P. 911 L.D. 1342

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

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

In Senate, April 23, 2015, on motion by Senator **ROSEN** of  
Hancock, **REFERRED** to the Committee on **CRIMINAL JUSTICE**  
**AND PUBLIC SAFETY**, in **NON-CONCURRENCE**.

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

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

COMMUNICATIONS

The Following Communication: S.C. 262

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

April 29, 2015

The Honorable Michael D. Thibodeau  
President of the Senate of Maine  
127th Maine State Legislature  
State House  
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Honorable Andre G. Janelle of Saco, for reappointment as a District Court Judge.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	3	Burns of Washington, Johnson of Lincoln, Volk of Cumberland
	Representatives	9	Hobbins of Saco, Evangelos of Friendship, Ginzler of Bridgton, Guerin of Glenburn, Herrick of Paris, McCreight of Harpwell, Monaghan of Cape Elizabeth, Moonen of Portland, Warren of Hallowell
NAYS		0	
ABSENT		1	Rep. Sherman of Hodgdon

Rep. Mitchell of Penobscot Nation was absent.

Twelve members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Honorable Andre G. Janelle of Saco, for reappointment as a District Court Judge be confirmed.

Signed,

S/David C. Burns  
Senate Chair

S/Barry J. Hobbins  
House Chair

**READ and ORDERED PLACED ON FILE.**

The President laid before the Senate the following: "Shall the recommendation of the Committee on **JUDICIARY** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 127<sup>th</sup> Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#47)**

YEAS: Senators: None

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

ABSENT: Senator: VOLK

EXCUSED: Senator: LANGLEY

No Senator having voted in the affirmative and 33 Senators having voted in the negative, with 1 Senator being absent and 1 Senator being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of the Honorable **Andre G. Janelle** of Saco for reappointment as a District Court Judge was **CONFIRMED**.

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

The Following Communication: S.C. 263

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

April 29, 2015

The Honorable Michael D. Thibodeau  
President of the Senate of Maine  
127th Maine State Legislature  
State House  
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Honorable Rae Ann French of Monmouth, for reappointment as an Active Retired District Court Judge.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	3	Burns of Washington, Johnson of Lincoln, Volk of Cumberland
------	----------	---	---

Representatives 9 Hobbins of Saco, Evangelos of Friendship, Ginzler of Bridgton, Guerin of Glenburn, Herrick of Paris, McCreight of Harpswell, Monaghan of Cape Elizabeth, Moonen of Portland, Warren of Hallowell

NAYS 0

ABSENT 1 Rep. Sherman of Hodgdon

Rep. Mitchell of Penobscot Nation was absent.

Twelve members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Honorable Rae Ann French of Monmouth, for reappointment as an Active Retired District Court Judge be confirmed.

Signed,

S/David C. Burns  
Senate Chair

S/Barry J. Hobbins  
House Chair

**READ and ORDERED PLACED ON FILE.**

The President laid before the Senate the following: "Shall the recommendation of the Committee on **JUDICIARY** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 127<sup>th</sup> Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

#### ROLL CALL (#48)

YEAS: Senators: None

NAYS: Senators: ALFOND, BAKER, BRAKEY, BREEN, BURNS, COLLINS, CUSHING, CYRWAY, DAVIS, DIAMOND, DILL, DUTREMBLE, EDGECOMB, GERZOFKY, GRATWICK, HAMPER, HASKELL, HILL, JOHNSON, KATZ, LIBBY, MASON, MCCORMICK, MILLETT, MIRAMANT, PATRICK, ROSEN, SAVIELLO, VALENTINO, WHITTEMORE, WILLETTE, WOODSOME, THE PRESIDENT – MICHAEL D. THIBODEAU

ABSENT: Senator: VOLK

EXCUSED: Senator: LANGLEY

No Senator having voted in the affirmative and 33 Senators having voted in the negative, with 1 Senator being absent and 1 Senator being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of the Honorable **Rae Ann French** of Monmouth for reappointment as an Active Retired District Court Judge was **CONFIRMED**.

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

The Following Communication: S.C. 260

#### STATE OF MAINE ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE COMMITTEE ON JUDICIARY

April 29, 2015

The Honorable Michael D. Thibodeau  
President of the Senate of Maine  
127th Maine State Legislature  
State House  
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Honorable Joyce A. Wheeler of Portland, for appointment as an Active Retired Justice Superior Court.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	3	Burns of Washington, Johnson of Lincoln, Volk of Cumberland
	Representatives	8	Hobbins of Saco, Ginzler of Bridgton, Guerin of Glenburn, Herrick of Paris, McCreight of Harpswell, Monaghan of Cape Elizabeth, Moonen of Portland, Warren of Hallowell
NAYS		0	
ABSENT		2	Rep. Evangelos of Friendship, Rep. Sherman of Hodgdon

Rep. Mitchell of Penobscot Nation was absent.

Eleven members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Honorable Joyce A. Wheeler of Portland, for appointment as an Active Retired Justice Superior Court be confirmed.

Signed,

S/David C. Burns  
Senate Chair

S/Barry J. Hobbins  
House Chair

**READ and ORDERED PLACED ON FILE.**

The President laid before the Senate the following: "Shall the recommendation of the Committee on **JUDICIARY** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 127<sup>th</sup> Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#49)**

YEAS: Senators: None

NAYS: Senators: ALFOND, BAKER, BRAKEY, BREEN, BURNS, COLLINS, CUSHING, CYRWAY, DAVIS, DIAMOND, DILL, DUTREMBLE, EDGECOMB, GERZOFKY, GRATWICK, HAMPER, HASKELL, HILL, JOHNSON, KATZ, LIBBY, MASON, MCCORMICK, MILLETT, MIRAMANT, PATRICK, ROSEN, SAVIELLO, VALENTINO, WHITTEMORE, WILLETTE, WOODSOME, THE PRESIDENT – MICHAEL D. THIBODEAU

ABSENT: Senator: VOLK

EXCUSED: Senator: LANGLEY

No Senator having voted in the affirmative and 33 Senators having voted in the negative, with 1 Senator being absent and 1 Senator being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of the Honorable **Joyce A. Wheeler** of Portland for appointment as an Active Retired Justice Superior Court was **CONFIRMED**.

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

The Following Communication: S.C. 261

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

April 29, 2015

The Honorable Michael D. Thibodeau  
President of the Senate of Maine  
127th Maine State Legislature  
State House  
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Honorable Donald H. Marden of Belgrade, for reappointment as an Active Retired Justice Superior Court.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	3	Burns of Washington, Johnson of Lincoln, Volk of Cumberland
	Representatives	9	Hobbins of Saco, Evangelos of Friendship, Ginzler of Bridgton, Guerin of Glenburn, Herrick of Paris, McCreight of Harpwell, Monaghan of Cape Elizabeth, Moonen of Portland, Warren of Hallowell
NAYS		0	
ABSENT		1	Rep. Sherman of Hodgdon

Rep. Mitchell of Penobscot Nation was absent.

Twelve members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Honorable Donald H. Marden of Belgrade, for reappointment as an Active Retired Justice Superior Court be confirmed.

Signed,

S/David C. Burns  
Senate Chair

S/Barry J. Hobbins  
House Chair

**READ and ORDERED PLACED ON FILE.**

The President laid before the Senate the following: "Shall the recommendation of the Committee on **JUDICIARY** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 127<sup>th</sup> Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#50)**

YEAS: Senators: None

NAYS: Senators: ALFOND, BAKER, BRAKEY, BREEN, BURNS, COLLINS, CUSHING, CYRWAY, DAVIS, DIAMOND, DILL, DUTREMBLE, EDGECOMB, GERZOFKY, GRATWICK, HAMPER, HASKELL, HILL, JOHNSON, KATZ, LIBBY, MASON, MCCORMICK, MILLETT, MIRAMANT, PATRICK, ROSEN, SAVIELLO, VALENTINO, WHITTEMORE, WILLETTE, WOODSOME, THE PRESIDENT – MICHAEL D. THIBODEAU

ABSENT: Senator: VOLK

EXCUSED: Senator: LANGLEY

No Senator having voted in the affirmative and 33 Senators having voted in the negative, with 1 Senator being absent and 1 Senator being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of the Honorable **Donald H. Marden** of Belgrade for reappointment as an Active Retired Justice Superior Court was **CONFIRMED**.

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

---

The Following Communication: S.C. 264

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

April 27, 2015

Heather J.R. Priest  
Secretary of the Senate  
3 State House Station  
Augusta, ME 04333

Dear Secretary Priest:

Pursuant to my authority under Title 5, MRSA, §7030, I have appointed the following to the Permanent Commission on Status of Women.

Marianne Moore of Calais  
Jane Haskell of Bangor  
Vera Roberts of Rockland  
Marjorie Crowley of Northport

If you have any questions regarding these appointments please do not hesitate to contact my office.

Sincerely,

S/Michael D. Thibodeau  
President of the Senate

**READ and ORDERED PLACED ON FILE.**

---

The Following Communication: S.C. 266

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

May 4, 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 Dr. Robert Bruce Williamson of Knoxville, Tennessee for appointment as a Commissioner to the Public Utilities Commission.

Pursuant to Title 35-A, MRSA §105, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Energy, Utilities and Technology.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

---

The Following Communication: S.C. 267

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

April 30, 2015

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

Dear President Thibodeau and Speaker Eves:

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

- L.D. 1098 An Act To Protect Children from Exposure to Pesticides
- L.D. 1105 An Act To Protect Populations of Bees and Other Pollinators
- L.D. 1106 An Act To Compensate Beekeepers for Hive Losses

This is notification of the Committee's action.

Sincerely,

S/Sen. Peter E. Edgecomb  
Senate Chair

S/Rep. Craig V. Hickman  
House Chair

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

---

The Following Communication: S.C. 268

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

April 30, 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. 21 An Act To Amend the Medical Marijuana Laws
- L.D. 1006 An Act To Prevent Beneficiaries under the Statewide Food Supplement Program from Carrying Forward Unused Benefit Amounts
- L.D. 1058 An Act Regarding Medical Marijuana Registered Testing Laboratories
- L.D. 1077 An Act To Ensure Access to Public Health Nursing Care and Child and Maternal Health Nursing Care in Washington County

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. 269

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

April 30, 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. 27 An Act To Exempt Persons 67 Years of Age and Older from the State Income Tax
- L.D. 116 An Act To Expand the Use of Tax Increment Financing Revenue
- L.D. 208 An Act To Provide Funding for Maintaining Cemeteries within the Maine Veterans' Memorial Cemetery System
- L.D. 786 An Act To Help Property Tax Payers
- L.D. 1072 An Act To Encourage Maine's Economic Competitiveness

This is notification of the Committee's action.

Sincerely,

S/Sen. Earle L. McCormick S/Rep. Adam A. Goode  
Senate Chair House Chair

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

---

The Following Communication: S.C. 270

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

April 30, 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. 581  | An Act To Clarify the Municipal Development District Law (EMERGENCY)  |
| L.D. 625  | An Act To Increase the Tax Exemption for Pensions   |
| L.D. 760  | An Act To Increase the Deduction for Pension Income   |
| L.D. 900  | An Act To Make Public Certain Tax Information Related to Municipal Valuation  |
| L.D. 965  | RESOLUTION, Proposing an Amendment to the Constitution of Maine To Permit the Freezing of Property Taxes on the Homes of Maine Residents Who Are 65 Years of Age or Older |
| L.D. 1007 | Resolve, To Study the Tax Exemption Provided to Nonprofit Entities  |
| L.D. 1055 | An Act To Allow a Municipality To Abate Taxes Assessed on Property That Is Destroyed  |
| L.D. 1126 | An Act To Provide Property Tax Deferral for Senior Citizens and People with Disabilities  |
| L.D. 1148 | An Act To Implement a Local Ballot Referendum for Municipalities To Disallow Tax-exempt Status to Large Land Trusts   |
| L.D. 1159 | An Act To Modify the Property Tax Abatement Laws  |

This is notification of the Committee's action.

Sincerely,

S/Sen. Earle L. McCormick  
Senate Chair

S/Rep. Adam A. Goode  
House Chair

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

---

The Following Communication: S.C. 273

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

May 4, 2015

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

Dear President Thibodeau and Speaker Eves:

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

- |           |   |
|-----------|---|
| L.D. 762  | An Act To Permit the Penobscot Nation To Operate Electronic High-stakes Bingo   |
| L.D. 1066 | An Act To Provide for the Licensing of a Casino Owned by the Maliseet Tribal Government on Tribal Lands in Aroostook County |
| L.D. 1084 | RESOLUTION, Proposing an Amendment to the Constitution of Maine To Exclude Wildlife Issues from Citizen Initiatives         |
| L.D. 1111 | An Act To Provide Funding to Municipalities To Assist with the Maintenance of Veterans' Graves                              |
| L.D. 1213 | An Act To Ensure Fair Competition by and between Maine's Commercial Tracks  |
| L.D. 1283 | An Act To Stimulate Economic Development and Create Jobs by Amending the Laws Governing Gaming                              |
| L.D. 1346 | An Act To Establish a Comprehensive Gaming Policy   |
| L.D. 1357 | An Act To Implement the Findings of the WhiteSand Gaming Study  |

This is notification of the Committee's action.

Sincerely,

S/Sen. Scott W. Cyrway  
Senate Chair

S/Rep. Louis J. Luchini  
House Chair

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

The Following Communication: S.C. 271

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

1 May 2015

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

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 298, "An Act To Require Political Action Committees To Report the Receipt of Paid Services Received from State Agencies."

This bill is clearly a reactionary move resulting from the fact that the Maine Department of Inland Fisheries and Wildlife (IF&W) took a stand against the bear-baiting referendum last year. In the face of that referendum, the biologists and the game wardens at IF&W, by far the most knowledgeable people on the subject, made their position public and worked through television ads to educate the public about their position.

While I have no objection to the current political action committees' (PAC's) reporting requirements, this bill simply goes too far. Right now, when nonprofit corporations or commercial entities compensate their employees to provide services to a PAC, the PAC must report the services as a contribution. This bill suggests that state employees being paid to do their jobs may be considered a "contribution." State employees, by definition, work for the People of Maine and not for PACs. When they provide information to the public in various forms, whether it is responding to a Freedom of Access Act Request, speaking at forums or appearing in television ads to provide public education, they are serving the public.

State employees are professionals and are often sought out for their subject matter expertise by both sides of a political issue. This bill crosses a line by assuming these employees are "providing services" to PACs. I am not prepared to cross that line. For this reason, I return LD 298 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

Senate at Ease.

Senate called to order by the President.

Off Record Remarks

The accompanying Bill:

An Act To Require Political Action Committees To Report the Receipt of Paid Services Received from State Agencies  
S.P. 113 L.D. 298

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 (#51)**

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

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

EXCUSED: Senator: LANGLEY

15 Senators having voted in the affirmative and 19 Senators having voted in the negative, with 1 Senator being excused, and 15 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.

The Following Communication: S.C. 272

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

1 May 2015

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

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 435, "An Act To Extend the Protection of Municipal Shellfish Conservation Programs."

This bill would extend a pilot project that authorized municipal predator control so that municipalities could study ways of controlling the effects of green crabs on soft shell clams. On April 5, 2014, the original legislation authorizing this pilot project became law without my signature. Since that time, municipalities have had the authority to conduct this pilot program. Now proponents of this bill want to extend the pilot until November 1, 2016. The pilot project has been conducted and the data has been gathered. Let's react to the data, not simply continue to extend this pilot ad infinitum.

Moreover, I have heard from proponents of this bill that municipalities have invested in seeding efforts in anticipation of this pilot project being extended. That is unfortunate that these decisions were made before the legislation was enacted. More concerning, however, are seeding efforts taking place under the guise of this pilot project. This was a project to study predator control – not to provide protection for municipal seeding. What was contemplated was an inquiry into predator control and not simply making flats inaccessible to some members of the marine economy to the benefit of others.

Again, we have conducted the pilot. Now is the time to react to the information we have learned, not simply dither. For this reason, I return LD 435 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 Extend the Protection of Municipal Shellfish Conservation Programs (EMERGENCY)  
S.P. 164 L.D. 435

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**.

---

Off Record Remarks

---

## REPORTS OF COMMITTEES

### House

### Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Resolve, To Implement Recommendations of the Government Oversight Committee To Strengthen the Ethics Practices and Procedures for Executive Branch Employees  
H.P. 9 L.D. 6

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-52)**.

Signed:

Senator:  
LIBBY of Androscoggin

Representatives:  
MARTIN of Sinclair  
BABBIDGE of Kennebunk  
BRYANT of Windham  
DOORE of Augusta  
EVANGELOS of Friendship  
NADEAU of Winslow  
TUELL of East Machias

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

Signed:

Senator:  
WILLETTE of Aroostook

Representatives:  
GREENWOOD of Wales  
PICKETT of Dixfield  
TURNER of Burlington

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-52) AS AMENDED BY HOUSE AMENDMENT "A" (H-87)** thereto.

Reports **READ**.

On motion by Senator **WHITEMORE** of Somerset, **TABLED** until Later in Today's Session, pending **ACCEPTANCE OF EITHER REPORT**.

### Divided Report

The Majority of the Committee on **TAXATION** on Bill "An Act To Provide Tax Credits for Adult Day Care and Respite and Hospice Care"

H.P. 536 L.D. 787

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

Signed:

Senators:

McCORMICK of Kennebec  
DAVIS of Piscataquis  
LIBBY of Androscoggin

Representatives:

GOODE of Bangor  
BICKFORD of Auburn  
CHACE of Durham  
MOONEN of Portland  
RUSSELL of Portland  
SEAVEY of Kennebunkport  
SKOLFIELD of Weld  
TEPLER of Topsham

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-95).**

Signed:

Representatives:

STANLEY of Medway  
SUKFORTH of Appleton

Comes from the House with the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-95).**

Reports **READ.**

On motion by Senator **MCCORMICK** of Kennebec, **TABLED** until Later in Today's Session, pending **ACCEPTANCE OF EITHER REPORT.**

---

**Senate**

**Ought to Pass As Amended**

Senator **ROSEN** for the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Amend the Maine Emergency Medical Services Act of 1982"

S.P. 292 L.D. 818

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-63).**

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

**READ ONCE.**

Committee Amendment "A" (S-63) **READ** and **ADOPTED.**

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

---

Senator **SAVIELLO** for the Committee on **ENVIRONMENT AND NATURAL RESOURCES** on Bill "An Act To Modify the Laws Regarding the Collection and Recycling of Mercury-added Thermostats"

S.P. 371 L.D. 1045

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-62).**

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

**READ ONCE.**

Committee Amendment "A" (S-62) **READ** and **ADOPTED.**

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

---

Senator **BAKER** for the Committee on **MARINE RESOURCES** on Bill "An Act To Amend the Emergency Rule-making Authority of the Department of Marine Resources"

S.P. 364 L.D. 1038

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-64).**

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

**READ ONCE.**

Committee Amendment "A" (S-64) **READ** and **ADOPTED.**

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

---

**Divided Report**

The Majority of the Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Increase Economic Development in Rural Communities by Expanding Hunting Opportunities"

S.P. 111 L.D. 296

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

Signed:

Senators:

DAVIS of Piscataquis  
CYRWAY of Kennebec  
DUTREMBLE of York

Representatives:

SHAW of Standish  
ALLEY of Beals  
COREY of Windham  
HILLIARD of Belgrade  
LYFORD of Eddington  
MARTIN of Sinclair  
REED of Carmel  
SHORT of Pittsfield  
WOOD of Greene

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

Signed:

Representative:

CRAFTS of Lisbon

Reports **READ**.

On motion by Senator **DAVIS** of Piscataquis, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**.

Sent down for concurrence.

---

**Divided Report**

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Extend Options for Publicly Funded Projects"

S.P. 348 L.D. 1008

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

Signed:

Senator:

LIBBY of Androscoggin

Representatives:

MARTIN of Sinclair  
BABBIDGE of Kennebunk  
BEEBE-CENTER of Rockland  
BRYANT of Windham  
DOORE of Augusta  
EVANGELOS of Friendship

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

Signed:

Senators:

WHITTEMORE of Somerset  
WILLETTE of Aroostook

Representatives:

GREENWOOD of Wales  
PICKETT of Dixfield

TUELL of East Machias

TURNER of Burlington

Reports **READ**.

Senator **WHITTEMORE** of Somerset moved the Senate **ACCEPT** the Minority **OUGHT TO PASS** Report.

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:** The Chair recognizes the Senator from Androscoggin, Senator Libby.

Senator **LIBBY**: Thank you, Mr. President. Men and women of the Senate, I rise to speak in opposition to the pending motion. The bill before us extends the provision of law regarding the award of public works contracts without regard to project's labor agreements. This prohibition on this activity would extend for another ten years. This actually would cover State, county, and local governments from using PLAs, Project Labor Agreements, as a condition of working on public works construction projects. The original bill set out a four year moratorium on this practice. It was a party line vote during the 125<sup>th</sup> Legislature. Project Labor Agreements have their value in large scale projects. They are used mostly on projects of long duration and when the design has significant complexity. Project Labor Agreements are a business model that addresses the needs of the community, in our view, and include provisions such as local hiring, at-risk targeted training programs, support to small businesses, and apprenticeship ratios. Project Labor Agreements are used in the private sector. We see in the news that they are used by Toyota Motor Corporation, Wal-Mart Corporation. They are employed by the U.S. Department of Energy. I think they represent commonsense tools that public entities can and should employ in public works projects, particularly larger ones. With that, Mr. President, I thank you for the time and I would ask you to vote against the pending motion.

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

Senator **CUSHING**: Thank you, Mr. President. Ladies and gentlemen of the Senate, thank you for the courtesy of being able to speak to this issue. I brought this bill forward as it had not effectively been implemented due to the shortages of projects in the public sector. I think that it's clear, as we look at the tight budgetary constraints that many government agencies are facing, that we provide an opportunity for them to be as competitive as possible. The other more significant factor, Mr. President, is this precludes many local Maine companies that hire Maine employees that provide good paying jobs the opportunity to participate in some of these projects. I think it's really unfair when the taxpayers of Maine are footing a large percentage of this bill, that we deny Maine businesses, who provide good paying jobs to local people, the opportunities that are incumbent upon their being able to bid and participate in municipal projects in their communities. Thank you, Mr. President.

**THE PRESIDENT:** The Chair recognizes the Senator from Knox, Senator Miramant.

Senator **MIRAMANT**: Thank you, Mr. President. Men and women of the Senate, these bills, on the first look, can show the divide between our philosophical differences about business and labor. It doesn't need to be this. When I look at this and the labor agreements, it gives us a chance to control many aspects of a project and fix costs. By doing this ahead we can often avoid costly overruns that end up billing the State, local, or county governments on the backside. There is no guarantee that it will prevent that, but every piece of the project is laid out. As Senator Libby mentioned, some of the hiring practices keep things local, but another piece is, by controlling those costs, we know that. While it may look like without this agreement some company is going to come in lower on a bid, we've seen over and over where they come in slightly lower they take most of that money, they don't create a good labor force or a good working environment for their employees, and that creates shoddy workmanship and other non-gender work. The point is that while they hire people and don't pay them well and things don't go well, they often end up overrunning with those projects. So these are addressed ahead, have great value, and, I think, saves money in the long run. I'd urge you not to vote for this. Thank you.

**THE PRESIDENT**: The pending question before the Senate is the motion by the Senator from Somerset, Senator Whittemore 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 (#52)

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

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

EXCUSED: Senator: LANGLEY

19 Senators having voted in the affirmative and 15 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **WHITTEMORE** of Somerset to **ACCEPT** the Minority **OUGHT TO PASS** Report **PREVAILED**.

**READ ONCE.**

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

#### Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Penalize Legislators for Excessive Absences"

S.P. 372 L.D. 1046

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-66).**

Signed:

Senators:

WHITTEMORE of Somerset  
WILLETTE of Aroostook  
LIBBY of Androscoggin

Representatives:

MARTIN of Sinclair  
BABBIDGE of Kennebunk  
BEEBE-CENTER of Rockland  
BRYANT of Windham  
DOORE of Augusta  
GREENWOOD of Wales  
PICKETT of Dixfield  
TUELL of East Machias  
TURNER of Burlington

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

Signed:

Representative:

EVANGELOS of Friendship

Reports **READ.**

On motion by Senator **WHITTEMORE** of Somerset, the Majority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED.**

**READ ONCE.**

Committee Amendment "A" (S-66) **READ** and **ADOPTED.**

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

#### Divided Report

The Majority of the Committee on **TAXATION** on Bill "An Act To Attract Young Families to Maine and Keep Young Families in Maine by Expanding the Child Care Tax Credit"

S.P. 321 L.D. 930

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

Signed:

Senators:

McCORMICK of Kennebec  
DAVIS of Piscataquis  
LIBBY of Androscoggin

Representatives:

GOODE of Bangor  
BICKFORD of Auburn  
CHACE of Durham  
MOONEN of Portland  
SEAVEY of Kennebunkport  
SKOLFIELD of Weld  
STANLEY of Medway  
SUKFORTH of Appleton

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-65)**.

Signed:

Representatives:

RUSSELL of Portland  
TEPLER of Topsham

Reports **READ**.

Senator **MCCORMICK** of Kennebec moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

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

Senator **ALFOND:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I stand up here just to offer a little bit of kind of, I guess, candid advice to us. I think we all know that our state is one of the oldest states, if not the oldest state, in the country. Charlie Colgan sums up our state's challenge like this, "Maine's age distribution is out of balance. It's not that we are disproportionately old," he said, "it's that we are disproportionately not young." Let's take a look at this bill in front of us. What this bill is doing is it's amending the State's income tax credit for childcare expenses by increasing the credit from 25% to the federal tax credit allowable for child and dependent care expenses to 100% of the federal tax credit beginning January 1, 2015. Why did I put this bill in? Look folks, Charlie Colgan can't say it better than I. We are a state that's upside-down with our age and this bill is to incentivize young families to work, so that both parents can work. This bill is to incentivize young families from outside of the state of Maine to look at the state of Maine as a possible destination where they want to raise their kids. We all know that Maine is one of the best places in the country to raise children. If we could offer up to \$2,000 of a tax credit that matches the federal tax credit I think there'll be some young families that say, "You know what, Maine is sending the right signal. Maine is sending the signal that they care about work and they care about children going to great early childhood programs." I know that this bill is not going to see the light of day this time, but I hope those who follow in my footsteps and others that don't come back in the next Legislature think about this because we have to do something very quickly. Very quickly. If we can encourage more young families to send their children to

childcare and more young families to come to the state of Maine because of our childcare tax credit, I think it would be a bonus to the state of Maine. Thank you, Mr. President.

On motion by Senator **MCCORMICK** of Kennebec, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**.

Sent down for concurrence.

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

---

**SECOND READERS**

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

**House As Amended**

Bill "An Act To Increase Mileage Reimbursement and Compensation for Jurors"

H.P. 51 L.D. 57  
(C "A" H-90)

Bill "An Act To Protect the Privacy of Consumers Who Use Credit Cards for Online Purchases of Products"

H.P. 102 L.D. 144  
(C "A" H-101)

Bill "An Act To Amend the Law Governing the Gathering of Signatures for Direct Initiatives and People's Veto Referenda" (EMERGENCY)

H.P. 134 L.D. 176  
(C "A" H-98)

Bill "An Act To Create Efficiencies in Court Process"

H.P. 139 L.D. 181  
(C "A" H-91)

Bill "An Act To Allow Equipment Rental Companies To Sell Equipment Insurance"

H.P. 223 L.D. 329  
(C "A" H-80)

Bill "An Act To Designate a Youth Bear Hunting Day" (EMERGENCY)

H.P. 265 L.D. 399  
(C "A" H-99)

Bill "An Act To Provide for Direct Appeals under the Maine Juvenile Code to the Supreme Judicial Court"

H.P. 283 L.D. 416  
(C "A" H-92)

Bill "An Act To Restore the Super Credit for Substantially Increased Research and Development"

H.P. 337 L.D. 498  
(C "A" H-96)

Bill "An Act To Implement Certain Recommendations of the Criminal Law Advisory Commission Relative to the Maine Criminal Code"

H.P. 351 L.D. 512  
(C "A" H-86)

Bill "An Act To Amend the Laws Governing the Location of Motor Vehicle Excise Tax Collection for Motor Vehicles Owned by Public Utilities"

H.P. 353 L.D. 514  
(C "A" H-94)

Bill "An Act To Increase the Effectiveness of the Legislature"

H.P. 462 L.D. 681  
(C "A" H-93)

Bill "An Act To Increase Conservation District Funding"

H.P. 573 L.D. 839  
(C "A" H-88)

Bill "An Act To Permit Rate-adjustment Mechanisms for Water Utilities"

H.P. 599 L.D. 880  
(C "A" H-103)

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

---

#### ENACTORS

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

#### Emergency Measure

An Act To Amend the Requirement for a Certificate of Title for Junk and Scrap Automobiles and Vehicles

S.P. 188 L.D. 520  
(C "A" S-37)

This being an Emergency Measure and having received the affirmative vote of 34 Members of the Senate, with no Senators having voted in the negative, and 34 being more than two-thirds of the entire elected Membership of the Senate, 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.

---

#### Emergency Measure

An Act Regarding Community Paramedicine Pilot Projects

S.P. 222 L.D. 629  
(C "A" S-32)

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

---

#### Acts

An Act To Require Payment by a Carrier for Health Care Services Provided to Enrollees of the Carrier

S.P. 58 L.D. 124  
(C "A" S-47)

An Act To Add Certain Capital Goods to the Product Stewardship Exclusions

S.P. 65 L.D. 190

An Act To Prevent Organized Retail Crime

S.P. 125 L.D. 310  
(C "A" S-30)

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

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

An Act To Continue the Visual and Digital Media Loan Program and the Visual and Digital Media Loan Fund

S.P. 145 L.D. 377

An Act To Create the Sex Offender Management and Risk Assessment Advisory Commission

S.P. 147 L.D. 379  
(C "A" S-31)

An Act To Allow a Motor Vehicle Excise Tax Credit for a Vehicle No Longer in Use

S.P. 173 L.D. 444

An Act To Amend the Law Concerning Motor Vehicles at Railroad Crossings

S.P. 198 L.D. 529  
(C "A" S-46)

An Act To Make Technical Changes to Maine's Marine Resources Laws

S.P. 260 L.D. 730  
(C "A" S-41)

An Act To Amend the Maine Property Insurance Cancellation Control Laws

H.P. 657 L.D. 954

**PASSED TO BE ENACTED** and, having been signed by the President, were presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

---

An Act To Allow the Retrofit of Underground Oil Storage Tanks

S.P. 257 L.D. 727  
(C "A" S-48)



On motion by Senator **HAMPER** of Oxford, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **ENACTMENT**, in concurrence.

---

An Act Regarding Ethanol Motor Fuel

H.P. 558 L.D. 824  
(C "A" H-74)

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

#### ROLL CALL (#53)

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

NAYS: Senators: None

EXCUSED: Senator: LANGLEY

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.

---

#### Resolves

Resolve, To Study Options for a State Demand Response Program

H.P. 244 L.D. 357  
(C "A" H-75)

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

Ordered sent down forthwith.

---

Resolve, To Ensure Appropriate Personal Needs Allowances for Persons Residing in Long-term Care Facilities

H.P. 73 L.D. 90  
(C "A" H-65)

On motion by Senator **HAMPER** of Oxford, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **FINAL PASSAGE**, in concurrence.

---

#### ORDERS OF THE DAY

##### Unfinished Business

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

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

Bill "An Act To Provide Anger Management Courses or Additional Imprisonment for Domestic Violence Offenders"

H.P. 108 L.D. 150  
(C "A" H-54)

Tabled - April 21, 2015, by Senator **CUSHING** of Penobscot

Pending - **PASSAGE TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-54)**, in concurrence

(In House, April 14, 2015, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-54)**.)  
(In Senate, April 21, 2015, **READ A SECOND TIME**.)

On motion by Senator **CUSHING** of Penobscot, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (H-54), in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-67) to Committee Amendment "A" (H-54) **READ** and **ADOPTED**.

Committee Amendment "A" (H-54) as Amended by Senate Amendment "A" (S-67) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

**PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-54) AS AMENDED BY SENATE AMENDMENT "A" (S-67)** thereto, in **NON-CONCURRENCE**.

Ordered sent down forthwith for concurrence.

---

The Chair laid before the Senate the following Tabled and Later Assigned (4/30/15) matter:

JOINT RESOLUTION - Memorializing The President Of The United States And The United States Congress To Require Expansion Of Fish Hatchery Operations

H.P. 933

Tabled - April 30, 2015, by Senator **BURNS** of Washington

Pending - **ADOPTION**, in concurrence

(In House, April 29, 2015, **READ** and **ADOPTED**.)

(In Senate, April 30, 2015, **READ**.)

Senator **BURNS** of Washington requested a Division.

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

Senator **BURNS:** Thank you, Mr. President. Ladies and gentlemen of the Senate, with all due respect to the author of this Joint Resolution, I cannot support it and I just, very briefly, say why that is. Since the 1960s up through the 1970s and 1980s, we've spent untold dollars, both State and federal money, in trying to restock the Atlantic Salmon after the dissipation from our rivers and waterways. It's produced less than 1% of return from that effort. Thousands and thousands of stock fish with a very high cost. I'm very supportive of those individual and private groups. In fact, there is one in Washington County that are engaged in this effort. I'm not in favor of the Resolution. I'm very, very concerned, as many of you know, about our own landlocked stocking programs that we're engaged in, 75% of that which populate our landlocked salmon fishing throughout the state comes from Washington County, Grand Lake Stream. That hatchery, I believe, currently is in danger because of federal initiatives. That's a \$600 million industry for the state of Maine, as well as a lot of sports enthusiasts. As I read the Resolution, this would call for the President to have the United States Fish and Wildlife Service and National Marine Resource Fisheries expand their efforts and money into our state fish hatcheries and I think that would be a bad move on the part of the state of Maine. I think when something like this happens something else has got to give, and that will be our landlocked salmon efforts. So I very much oppose this Resolution. Thank you, Mr. President.

At the request of Senator **BURNS** of Washington a Division was had. 21 Senators having voted in the affirmative and 13 Senators having voted in the negative, the Joint Resolution was **ADOPTED**, in concurrence.

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

#### **PAPERS FROM THE HOUSE**

##### **House Paper**

Bill "An Act To Enable a Foster Child To Remain in a Daycare Facility Selected by a Foster Parent"

H.P. 939 L.D. 1385

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

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

---

#### Off Record Remarks

---

On motion by Senator **HAMPER** of Oxford, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

#### **Emergency Measure**

An Act To Amend the Laws Related to Public Funding of Charter Schools

H.P. 89 L.D. 131  
(C "A" H-38)

Placed on the Special Appropriations Table - April 28, 2015, by Senator **MASON** of Androscoggin

Pending - **ENACTMENT**, in concurrence

(In Senate, April 16, 2015, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-38)**, in concurrence.)

(In House, April 23, 2015, **PASSED TO BE ENACTED**.)

This being an Emergency Measure and having received the affirmative vote of 34 Members of the Senate, with no Senators having voted in the negative, and 34 being more than two-thirds of the entire elected Membership of the Senate, 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.

---

#### Off Record Remarks

---

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

On motion by Senator **BREEN** of Cumberland, **ADJOURNED** to Wednesday, May 6, 2015, at 10:00 in the morning.