

# 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  
May 14, 2015

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

Prayer by Pastor Clint Compton, Kennebec Valley Assembly of  
God in Chelsea.

**PASTOR COMPTON:** Thank you. Heavenly Father, it's really  
awesome to be here and it's awesome to be amongst such  
distinguished people. Really, Father, it's more awesome to be  
here and know that You're here. I think we all would say, Father,  
that we're thankful that we live in America, where we've been  
raised and taught and allowed to be free. God, that's such an  
amazing part of every one of our lives in this room. We thank  
You for it. God, I would invite You, in the hours that lie ahead of  
these individuals, to bless them, that You would lead them, God,  
that we would permit You, people that have prayed and have  
sought Your council, Father, Lord, that You would guide them in  
the things that they are deciding. There are so many important  
decisions that every one of these people represent and every  
man and woman in this place, Lord, I ask You that You would  
give special leading and guidance and a sense of divine direction  
in their life. Lord, for the financial decisions, my goodness, I can't  
imagine the level of financial things they deal with or the  
educational things that they must decide about. All these great  
responsibilities that come on their shoulders, God. Lord, give  
them wisdom. In Your word it talks about a spirit of wisdom and  
the revelation and the knowledge of You. Lord, I pray that every  
one of them would receive a special impartation of that and, Lord,  
that You would bless this day. What a beautiful day that we have  
here in the state of Maine. God, we're so thankful. What a lousy  
winter we had. It's wonderful, God, to have some wonderful  
weather in front of us. God, lead these people; lead them,  
instruct them, guide them, and may You be honored and may this  
state be free and blessed. In Jesus Christ's mighty name. Amen.

Pledge of Allegiance led by Senator Scott W. Cyrway of  
Kennebec County.

Reading of the Journal of Wednesday, May 13, 2015.

Doctor of the day, Lisa Letourneau, MD, MPH of Portland.

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. 527

Ordered, the House concurring, that when the Senate and House  
adjourn, they do so until Tuesday, May 19, 2015 at 10:00 in the  
morning.

**READ and PASSED.**

Ordered sent down forthwith for concurrence.

**PAPERS FROM THE HOUSE**

**Non-Concurrent Matter**

SENATE REPORTS - from the Committee on **LABOR,  
COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT**  
on Bill "An Act To Amend the Workers' Compensation Laws as  
They Pertain to Employee Representation"  
S.P. 29 L.D. 81

Majority - **Ought to Pass as Amended by Committee  
Amendment "A" (S-79)** (7 members)

Minority - **Ought Not to Pass** (6 members)

In Senate, May 12, 2015, on motion by Senator **VOLK** of  
Cumberland, the Minority **OUGHT NOT TO PASS** Report **READ**  
and **ACCEPTED**.

Comes from the House, the Majority **OUGHT TO PASS AS  
AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED  
TO BE ENGROSSED AS AMENDED BY COMMITTEE  
AMENDMENT "A" (S-79)**, in **NON-CONCURRENCE**.

On motion by Senator **VOLK** of Cumberland, the Senate  
**ADHERED**.

Sent down for concurrence.

**Non-Concurrent Matter**

SENATE REPORTS - from the Committee on **LABOR,  
COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT**  
on Bill "An Act To Improve Insurance Coverage for First  
Responders Answering a Call to Duty"  
S.P. 116 L.D. 301

Majority - **Ought to Pass as Amended by Committee  
Amendment "A" (S-77)** (7 members)

Minority - **Ought Not to Pass** (6 members)

In Senate, May 12, 2015, on motion by Senator **VOLK** of Cumberland, the Minority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

Comes from the House, the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-77)**, in **NON-CONCURRENCE**.

On motion by Senator **VOLK** of Cumberland, the Senate **ADHERED**.

Sent down for concurrence.

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

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### COMMUNICATIONS

The Following Communication: S.C. 309

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

May 12, 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 Jeffrey H. Moskowitz 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
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Representatives 10

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, Sherman of Hodgdon, Warren of Hallowell

NAYS 0

ABSENT 0

Rep. Mitchell of Penobscot Nation was absent.

Thirteen 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 Jeffrey H. Moskowitz 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.**

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Senate at Ease.

Senate called to order by the President.

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

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The Following Communication: S.C. 308

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

May 12, 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 William R. Anderson of Morrill, for reappointment as a Superior Court Justice.

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	2	Burns of Washington, Johnson of Lincoln
	Representatives	10	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, Sherman of Hodgdon, Warren of Hallowell

NAYS 0

ABSENT 1 Sen. Volk of Cumberland

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 William R. Anderson of Morrill, for reappointment as a Superior Court Justice be confirmed.

Signed,

S/David C. Burns  
Senate Chair

S/Barry J. Hobbins  
House Chair

**READ and ORDERED PLACED ON FILE.**

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

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The Following Communication: S.C. 310

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

May 11, 2015

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

Dear President Thibodeau and Speaker Eves:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Criminal Justice and Public Safety has voted unanimously to report the following bill(s) out "Ought Not to Pass":

L.D. 548	An Act To Provide a Concealed Handgun Permit for Active Military Members
L.D. 1113	An Act To Replace the Bail Code with a System of Validated Risk Assessment Tools

This is notification of the Committee's action.

Sincerely,

S/Sen. Kimberley C. Rosen  
Senate Chair

S/Rep. Lori A. Fowle  
House Chair

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

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The Following Communication: S.C. 311

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

May 11, 2015

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

Dear President Thibodeau and Speaker Eves:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Energy, Utilities and Technology has voted unanimously to report the following bill(s) out "Ought Not to Pass":

L.D. 342	An Act To Reduce the E-9-1-1 Surcharge
L.D. 1107	An Act To Improve the Laws Governing the Purchasing of Power
L.D. 1116	An Act To Authorize the Development of Thorium Energy

This is notification of the Committee's action.

Sincerely,

S/Sen. David Woodsome  
Senate Chair

S/Rep. Mark N. Dion  
House Chair

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

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The Following Communication: S.C. 312

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

May 12, 2015

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

Dear President Thibodeau and Speaker Eves:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Environment and Natural Resources has voted unanimously to report the following bill(s) out "Ought Not to Pass":

- |           |  |
|-----------|--|
| L.D. 659  | Resolve, To Increase Recycling in Maine through Increased Composting and Energy Recovery from Organic Wastes (EMERGENCY) |
| L.D. 947  | An Act To Fund State Efforts To Reduce the Landfilling of Solid Waste  |
| L.D. 1204 | An Act To Increase Recycling and Composting by Creating the Maine Recycling Fund   |
| L.D. 1359 | An Act To Assist Municipalities with the Recycling of Solid Waste by Allowing Net Electrical Billing Credits             |

This is notification of the Committee's action.

Sincerely,

S/Sen. Thomas B. Saviello Senate Chair	S/Rep. Joan W. Welsh House Chair
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**READ** and with accompanying papers **ORDERED PLACED ON FILE.**

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The Following Communication: S.C. 313

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

May 12, 2015

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

Dear President Thibodeau and Speaker Eves:

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

- |          |   |
|----------|---|
| L.D. 20  | An Act To Improve Substance Abuse Treatment   |
| L.D. 266 | An Act To Allow Access for Law Enforcement Officers to the List of Registered Primary Caregivers for Medical Marijuana Patients |
| L.D. 766 | An Act To Require a Medical Marijuana Primary Caregiver Cultivating in a Residential Building To Obtain an Electrical Permit    |

This is notification of the Committee's action.

Sincerely,

S/Sen. Eric L. Brakey Senate Chair	S/Rep. Andrew M. Gattine House Chair
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**READ** and with accompanying papers **ORDERED PLACED ON FILE.**

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The Following Communication: S.C. 314

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

May 12, 2015

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

Dear President Thibodeau and Speaker Eves:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Labor, Commerce, Research and Economic Development has voted unanimously to report the following bill(s) out "Ought Not to Pass":

- |           |   |
|-----------|---|
| L.D. 1288 | An Act To Attract Skilled Professionals and Young Families to Maine |
|-----------|---|

L.D. 1333 An Act To Ensure Economic Stability in  
Washington County

L.D. 1345 An Act To Provide Funding for Incubators for  
Business Start-ups

This is notification of the Committee's action.

Sincerely,

S/Sen. Amy F. Volk  
Senate Chair

S/Rep. Erin D. Herbig  
House Chair

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

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The Following Communication: S.C. 315

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

May 12, 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 bill(s) out "Ought Not to  
Pass":

L.D. 585 An Act Regarding the Processing of Absentee  
Ballots Prior to Election Day

L.D. 620 An Act To Allow Veterans' Organizations To  
Own and Operate Slot Machines

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.**

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The Following Communication: H.C. 148

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

May 11, 2015

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

Dear Honorable Members of the 127th Legislature:

Under the authority vested in me by Article IV, Part Third, Section  
2 of the Constitution of the State of Maine, I am hereby vetoing  
LD 516 "An Act Regarding Gaming."

The Maine State Lottery was enacted in 1973 by the people of  
Maine in a statewide referendum. It is the responsibility of the  
Bureau of Alcoholic Beverages and Lottery Operations and the  
State Liquor and Lottery Commission to administer the Lottery.  
The statutory role of the Lottery Commission is to set policy for  
state Lotteries and to promulgate and amend rules for their  
administration. The intent of this bill was to prevent a specific  
lottery game from being introduced into the State of Maine. I find  
this disconcerting for several reasons.

While it is true the State was considering the introduction of a new  
lottery draw game, known as Keno, that effort was abandoned  
months ago. Legislation is not needed to prevent the launch of  
Keno in Maine. All it required was a phone call or a letter  
expressing concerns to the Executive branch to reconsider  
introduction of this game. Too often, members of the Legislature  
assume the answer to every problem is to introduce a bill and a  
new law.

This bill attempts to restrict the Lottery's ability to develop new  
game styles and prize structure offerings. If we are going to  
operate a Lottery in the State of Maine, then it needs the flexibility  
necessary to innovate and refresh its offerings. This bill limits that  
flexibility.

Rather than advancing well-developed, thoughtful public policy  
that further defines and supports the Lottery, the Legislature has  
taken a short-cut that makes our laws worse, not better. I return  
LD 516 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 Regarding Gaming (EMERGENCY)  
H.P. 355 L.D. 516

Comes from the House, 119 members having voted in the affirmative and 27 in the negative, the veto of the Governor was Overridden and it was the vote of the House that the Bill become law notwithstanding the objections of the Governor.

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

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

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The Following Communication: H.C. 147

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

May 11, 2015

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

Dear Honorable Members of the 127th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 420 "An Act To Amend the Law Regarding Filing Fees for Proposed Transmission Line Projects."

The bill increases electric transmission filing fees to pay for additional studies. While this may be good for energy consultants, it is not good policy for the Maine ratepayer. Clearly, we want to pursue cost-effective alternatives to expensive transmission lines, but the studies for alternatives should be funded ultimately by the company that is selected to address the reliability challenge – not always the transmission and distribution utilities.

I recognize that the Public Utilities Commission has indicated that without legislation the mandate created by the last Legislature will ultimately be funded through their budget regardless. However, I do believe that the companies proposing alternatives to transmission should also be required to pay for the initial studies exploring non-transmission alternatives.

For these reasons, I return LD 420 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 Amend the Law Regarding Filing Fees for Proposed Transmission Line Projects

H.P. 287 L.D. 420

Comes from the House, 147 members having voted in the affirmative and none in the negative, the veto of the Governor was Overridden and it was the vote of the House that the Bill become law notwithstanding the objections of the Governor.

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

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

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**SENATE PAPERS**

Bill "An Act To Authorize Two General Fund Bond Issues To Improve Highways, Bridges and Multimodal Facilities"  
S.P. 530 L.D. 1415

Presented by Senator HAMPER of Oxford. (GOVERNOR'S BILL)  
Cosponsored by Representative McLEAN of Gorham and Senators: COLLINS of York, DIAMOND of Cumberland, VALENTINO of York, Representatives: GRANT of Gardiner, MARTIN of Eagle Lake, NUTTING of Oakland, PARRY of Arundel, TIMBERLAKE of Turner.

On motion by Senator **HAMPER** of Oxford, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed.

Sent down for concurrence.

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

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**ORDERS**

**Joint Orders**

On motion by Senator **MASON** of Androscoggin, under unanimous consent on behalf of Senator **SAVIELLO** of Franklin, the following Joint Order:

S.P. 528

**ORDERED**, the House concurring, that the Joint Standing Committee on Environment and Natural Resources shall report out, to the Senate, a bill related to the Department of Environmental Protection's Rule Chapter 500: Stormwater Management.

**READ and PASSED.**

Sent down for concurrence.



On motion by Senator **JOHNSON** of Lincoln, the following Joint Order:

S.P. 529

**ORDERED**, the House concurring, that the Work Group To Plan the Transition to Funding 55 Percent of Education Costs and 100 Percent of Special Education Costs is established as follows.

**1. Work Group To Plan the Transition to Funding 55 Percent of Education Costs and 100 Percent of Special Education Costs established.** The Work Group To Plan the Transition to Funding 55 Percent of Education Costs and 100 Percent of Special Education Costs, referred to in this order as "the work group," is established.

**2. Membership.** The work group consists of the following members:

A. The President of the Senate shall appoint 3 members of the Senate, including members from each of the 2 parties holding the largest number of seats in the Legislature, who are members of the Joint Standing Committee on Appropriations and Financial Affairs, the Joint Standing Committee on Taxation or the Joint Standing Committee on Education and Cultural Affairs; and

B. The Speaker of the House of Representatives shall appoint 4 members of the House of Representatives, including members from each of the 2 parties holding the largest number of seats in the Legislature, who are members of the Joint Standing Committee on Appropriations and Financial Affairs, the Joint Standing Committee on Taxation or the Joint Standing Committee on Education and Cultural Affairs.

**3. Chairs.** The first-named Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the work group.

**4. Appointments; convening of work group.** All appointments must be made no later than 30 days following the passage of this order. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. After appointment of all members, the chairs shall call and convene the first meeting of the work group. If 30 days or more after the passage of this order a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the work group to meet and conduct its business.

**5. Duties.** The work group shall plan the transition over a 4-year period to state funding of 55% of education costs and 100% of special education costs as required by the Maine Revised Statutes, Title 20-A, sections 15752 and 15753 and mandated by the voters at referendum.

**6. Staff assistance.** The Legislative Council shall provide necessary staffing services to the work group.

**7. Report.** No later than December 2, 2015, the work group shall submit a report that includes its findings and recommendations, including suggested legislation, to the Joint Standing Committee

on Appropriations and Financial Affairs, the Joint Standing Committee on Taxation and the Joint Standing Committee on Education and Cultural Affairs.

**READ.**

On motion by Senator **MASON** of Androscoggin, **TABLED** until Later in Today's Session, pending the motion by Senator **JOHNSON** of Lincoln to **PASS**.

Expression of Legislative Sentiment recognizing:

Nancie Atwell, of Edgecomb, a teacher at the Center for Teaching and Learning in Edgecomb, who won the Global Teacher Prize with a \$1,000,000 award. The Global Teacher Prize is sponsored by the Varkey GEMS Foundation, a business that provides private education to more than 140,000 students in more than 150 countries. A teacher since 1973, Ms. Atwell founded the Center for Teaching and Learning in 1990. The Center for Teaching and Learning is a nonprofit demonstration school created for the purpose of developing and disseminating methods of teaching. Ninety-seven percent of its graduates have matriculated to a postsecondary education. She is the first classroom teacher to receive the major research awards in the field of language arts: the M.L.A. Mina P. Shaughnessy Prize and the N.C.T.E. David H. Russell Award. She won the N.C.T.E. Award for Outstanding American Middle School English Teacher; was honored by the Library of Congress and the River of Words Program of the Colorado Humanities as Poetry Teacher of the Year; and was awarded an honorary doctorate by the University of New Hampshire. We send our appreciation to Ms. Atwell for her exemplary commitment to education and to serving the youth of Maine, and we congratulate her on her receiving this well-deserved honor;

SLS 453

Sponsored by Senator **JOHNSON** of Lincoln.  
Cosponsored by Senators: **EDGECOMB** of Aroostook, **LANGLEY** of Hancock, **MILLETT** of Cumberland, Representatives: **DAUGHTRY** of Brunswick, **EDGECOMB** of Fort Fairfield, **FARNSWORTH** of Portland, **HAWKE** of Boothbay Harbor, **HUBBELL** of Bar Harbor, **KORNFIELD** of Bangor, **MAKER** of Calais, **McCLELLAN** of Raymond, **PIERCE** of Falmouth, **POULIOT** of Augusta, **STEARNS** of Guilford, **TIPPING-SPITZ** of Orono.

**READ.**

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

Senator **JOHNSON:** Thank you, Mr. President. Ladies and gentlemen of the Senate, we have an exceptional honor in that one of our own, Nancie Atwell of Edgecomb, right here in Maine, is the recipient of a prize which has been described as the Nobel Prize of education. I fully understand how she achieved that. She's an exceptional teacher. I visited the school on a number of occasions and found the students there to be always knowledgeable, competent, eager, and curious. They are learning really well and that's what good teaching is all about. We

have a lot of good schools in this state, but it's wonderful that we have one of our teachers recognized on a global scale as being the best teacher in the world. I'd ask that we read this sentiment and all be proud of Nancie Atwell. Thank you.

At the request of Senator **JOHNSON** of Lincoln, the Joint Order was **READ**.

**PASSED.**

Sent down for concurrence.

**THE PRESIDENT:** The Chair is pleased to recognize in the Chamber today Nancie Atwell. Would she please rise and accept the greetings of the Senate.

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## REPORTS OF COMMITTEES

### House

#### Ought to Pass

The Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Authorize Snowmobile Registration Reciprocity with the Provinces of New Brunswick and Quebec"

H.P. 71 L.D. 88

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

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

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

Under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, in concurrence.

---

#### Ought to Pass As Amended

The Committee on **JUDICIARY** on Bill "An Act To Assist Victims of Crime To Obtain Restitution"

H.P. 527 L.D. 774

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-135)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-135)**.

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

**READ ONCE.**

Committee Amendment "A" (H-135) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

---

The Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Allow the Town of Berwick To Be Eligible for Full Pine Tree Development Zone Benefits"

H.P. 76 L.D. 93

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-128)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-128)**.

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

**READ ONCE.**

Committee Amendment "A" (H-128) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

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## Divided Report

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Resolve, To Direct the Department of Health and Human Services To Address the Growing Deficit in Room and Board Allowances Paid to Agencies Providing Residential Services to Adults with Intellectual Disabilities or Autism (EMERGENCY)

H.P. 192 L.D. 274

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-131)**.

Signed:

Senator:

HASKELL of Cumberland

Representatives:

GATTINE of Westbrook  
BURSTEIN of Lincolnville  
HAMANN of South Portland  
HYMANSON of York  
PETERSON of Rumford  
STUCKEY of Portland

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

Signed:

Senators:

BRAKEY of Androscoggin  
McCORMICK of Kennebec

Representatives:

HEAD of Bethel  
MALABY of Hancock  
SANDERSON of Chelsea  
VACHON of Scarborough

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-131)**.

Reports **READ**.

Senator **BRAKEY** of Androscoggin moved the Senate **ACCEPT** the Minority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE**.

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

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Senate at Ease.

Senate called to order by the President.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

#### **ROLL CALL (#70)**

YEAS: Senators: BAKER, BRAKEY, COLLINS, DAVIS, EDGECOMB, HAMPER, KATZ, LANGLEY, MCCORMICK, ROSEN, VOLK, WHITTEMORE, WILLETTE, WOODSOME, THE PRESIDENT – MICHAEL D. THIBODEAU

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

EXCUSED: Senator: CUSHING

15 Senators having voted in the affirmative and 19 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **BRAKEY** of Androscoggin to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE**, **FAILED**.

On motion by Senator **MASON** of Androscoggin, the Senate **RECONSIDERED** whereby it **FAILED** to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE**.

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Senate at Ease.

Senate called to order by the President.

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On motion by Senator **MASON** of Androscoggin, **TABLED** until Later in Today's Session, pending the motion by Senator **BRAKEY** of Androscoggin to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE**.

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Off Record Remarks

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#### **Divided Report**

The Majority of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Update Maine Law To Conform to New Federal Occupational Safety and Health Administration Regulations" (EMERGENCY) H.P. 475 L.D. 699

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-132)**.

Signed:

Senators:

CUSHING of Penobscot  
PATRICK of Oxford  
VOLK of Cumberland

Representatives:

HERBIG of Belfast  
AUSTIN of Gray  
BATES of Westbrook  
FECTEAU of Biddeford  
GILBERT of Jay  
LOCKMAN of Amherst  
MASTRACCIO of Sanford  
STETKIS of Canaan  
WARD of Dedham

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

Signed:

Representative:

CAMPBELL of Newfield

Comes from the House with 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-132)**.

Reports **READ**.

On motion by Senator **VOLK** of Cumberland, the Majority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**, in concurrence.

**READ ONCE.**

Committee Amendment "A" (H-132) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

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#### Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Support Transparency in Government through the Maine Capitol Connection Channel Program"

H.P. 830 L.D. 1212

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-127)**.

Signed:

Senators:

WHITTEMORE of Somerset  
LIBBY of Androscoggin  
WILLETTE of Aroostook

Representatives:

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

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

Signed:

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 Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-127)**.

Reports **READ**.

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

**READ ONCE.**

Committee Amendment "A" (H-127) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

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#### 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 (5/13/15) matter:

Bill "An Act To Exempt a Fee for a Paper or Plastic Single-use Carry-out Bag from Tax" (EMERGENCY)

S.P. 206 L.D. 590

Tabled - May 13, 2015, by Senator **MASON** of Androscoggin

Pending - **FURTHER CONSIDERATION**

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

(In Senate, April 23, 2015, **PASSED TO BE ENGROSSED**, in **NON-CONCURRENCE**.)

(In House, May 12, 2015, that Body **INSISTED**.)

On motion by Senator **SAVIELLO** of Franklin, the Senate **RECEDED** and **CONCURRED**.

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The Chair laid before the Senate the following Tabled and Later Assigned (5/13/15) matter:

JOINT ORDER - To Require the Joint Standing Committee on Veterans and Legal Affairs To Report Out a Bill Regarding the Repeal of the Access Exception for Certain Liquor Licensees

H.P. 954

Tabled - May 13, 2015, by Senator **MASON** of Androscoggin

Pending - **PASSAGE**, in concurrence

(In House, May 12, 2015, **READ** and **PASSED**.)

(In Senate, May 13, 2015, **READ**.)

**PASSED**, in concurrence.

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

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Off Record Remarks

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

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On motion by Senator **DAVIS** of Piscataquis, **ADJOURNED**, pursuant to the Joint Order, to Tuesday, May 19, 2015, at 10:00 in the morning, in memory of and lasting tribute to all of the fallen officers who have died in the line of duty.