

MAINE STATE LEGISLATURE

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Senate Legislative Record

One Hundred and Twenty-Seventh Legislature

State of Maine

Daily Edition

First Regular Session
beginning December 3, 2014

beginning at Page 1

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

In Senate Chamber
Wednesday
May 20, 2015

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

Prayer by Reverend Larry Lakey, Winslow Baptist Church.

REVEREND LAKEY: Good morning. Thank you for the opportunity and privilege to open today's session in prayer. Before I pray I'd like to share some thoughts based on some recent experiences my family and I have had together. Exactly three weeks ago today my wife and I became licensed for foster and adoptive care in the state of Maine. Of course this sort of licensing is not an overnight process. The desire to help provide a home for children in need began building in us years ago. Along the way there were documents and disclosures and inspections and seminars and interviews and approvals. We also talked to other foster and adoptive parents, those who were further ahead on a journey similar to the one we would begin. We listened to their stories; stories about completing the licensing process, about getting their homes ready, and about finally receiving the first phone call for a child to be placed with their family. We would listen, ask questions, and wonder when our phone call would come; what that day would be like for us. We didn't need to wait long. The day our license was finalized our phone call came. My purpose in telling you about my family's experience is not to highlight the need for foster and adoptive parenting in the state, nor to bring your attention to any issues as legislators. There are others far better qualified than me to do that. I am sharing this story with you in order to bring you into my moment of decision three weeks ago today, the moment when that phone call came. It came sooner than we expected and, to be forthright, at a highly inconvenient time. Our schedule was full. Our energy level was low. Our refrigerator was empty. We certainly didn't feel ready, but the call came because the need was there. It was an emergency placement. Children needed a place to stay within a few hours. My wife received the call first and then spoke with me. We agreed to talk again after a few minutes of gathering our thoughts, a task that proved much more difficult than I had anticipated. My thoughts and emotions were in a whirlwind and I searched for some degree of clarity under pressure. I prayed that I might somehow boil this decision down to its essence, down to a single principle or question that would help guide whatever choice I should make. The question that came to my mind was surprisingly simple and essential. It was this: if not me, then who? If I was not to act in this moment, who would? If I would not provide a home, where would these children go? Would I stand by, motionless and silent, while this need was left unmet? If not me, then who? That single question helped guide my decision in a moment of need. All of the preparation and anticipation only mattered if, in that moment, I chose to do the one thing that I knew I must do. The opportunity was before me. It would pass me by if I failed to act. We said

yes and for three weeks now my family has hosted two young children in our home. We have loved them, protected them, and provided for them as our own. We have been challenged, stretched, and humbled in unforgettable ways. We will never be the same and I believe we have changed for the better. I know that the honorable men and women in this Body are working hard to make our state better. I know that your work is difficult, complex, and timely, and I know that you work under tremendous pressure. My hope is that today, as you face the important business before you, the same question might help guide your decisions. Is there work that you must do because the opportunity will pass you by if you fail to act? Is there a decision that you must make because it is yours alone to make? Is there a timely issue, or perhaps a set of issues, for which the pertinent question is; if not you, then who? I respectfully invite you to join me in prayer.

Heavenly Father, thank You for this day You've given us. Thank You for the men and women in this Senate whom You've given as leaders and legislators for the State of Maine. Thank You for the difficult, complex, and timely work that is before them. Please guide them in their decisions, provide the questions that must be answered to help bring clarity to actions they must take. Give them unity. Give them wisdom. Give them resolve to do the things that they alone must do. Bless them, I pray, as they serve in this capacity. May they be challenged, stretched, and humbled in their work so that they may serve well. I pray this in the name of our Lord Jesus Christ. Amen.

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

Reading of the Journal of Tuesday, May 19, 2015.

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

Off Record Remarks

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

PAPERS FROM THE HOUSE

Non-Concurrent Matter

HOUSE REPORTS - from the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Direct the Department of Public Safety To Establish a Public Safety Answering Point for the Passamaquoddy Indian Reservation at Indian Township"

H.P. 412 L.D. 599

Majority - **Refer to the Committee on Energy, Utilities and Technology** (11 members)

Minority - **Ought Not to Pass** (2 members)

In House, May 7, 2015, the Majority Report **READ** and **ACCEPTED** and the Bill and accompanying papers **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY**.

In Senate, May 12, 2015, on motion by Senator **ROSEN** of Hancock, the Minority **OUGHT NOT TO PASS** Report **ACCEPTED**, in **NON-CONCURRENCE**.

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

On motion by Senator **ROSEN** of Hancock, the Senate **INSISTED**.

House Paper

Bill "An Act Regarding the Disposition of Certain Funds Received by the Attorney General Pursuant to a Court Order or Settlement" (EMERGENCY)

H.P. 961 L.D. 1414

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

Comes from the House, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**.

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

Joint Resolution

The following Joint Resolution:

H.P. 969

JOINT RESOLUTION CONCERNING THE RIGHTS OF PERSONS WITH INTELLECTUAL DISABILITIES AND AUTISM TO TECHNOLOGY AND INFORMATION ACCESS

WHEREAS, twenty-eight million United States citizens have cognitive disabilities such as intellectual disabilities, autism and severe, persistent mental illness or cognitive disabilities resulting from brain injury, stroke or neurodegenerative disorders such as Alzheimer's disease; and

WHEREAS, persons with cognitive disabilities are entitled to inclusion in our democratic society under federal laws such as the Americans with Disabilities Act of 1990, the Developmental Disabilities Assistance and Bill of Rights Act of 2000, the Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act of 1973, as well as under state and local laws; and

WHEREAS, the convergence of computing and communication technologies has substantially altered how people acquire, use and disseminate knowledge and information; and

WHEREAS, access to comprehensible information and usable communication technologies is necessary for all people in our society, particularly for persons with cognitive disabilities, to promote self-determination and to engage meaningfully in major aspects of life such as education, health promotion, employment, recreation and civic participation; and

WHEREAS, the vast majority of persons with cognitive disabilities have limited or no access to comprehensible information and usable communication technologies; and

WHEREAS, persons with cognitive disabilities must have access to commercially available devices and software that incorporate principles of universal design such as flexibility and ease of use for all; and

WHEREAS, technology and information access by persons with cognitive disabilities must be guided by standards and best practices such as personalization and compatibility across devices and platforms and the application of innovations, including automated and predictive technologies; and

WHEREAS, ensuring access to technology and information for persons with cognitive disabilities in the United States will create new markets and employment opportunities, decrease dependency on public services, reduce health care costs and improve the independence, productivity and quality of life of persons with cognitive disabilities; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-seventh Legislature now assembled in the First Regular Session, on behalf of the people we represent, take this opportunity to affirm our commitment to equal rights for persons with cognitive disabilities to technology and information access and we call for implementation of these rights with deliberate speed; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to Governor Paul LePage and to each member of the Maine Congressional Delegation.

Comes from the House, **READ** and **ADOPTED**.

READ and **ADOPTED**, in concurrence.

COMMUNICATIONS

The Following Communication: S.C. 322

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

May 15, 2015

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

Dear President Thibodeau and Speaker Eves:

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

- | | |
|----------|---|
| L.D. 326 | An Act To Transfer Ownership of the Monhegan Water Company |
| L.D. 558 | An Act To Amend the Community-based Renewable Energy Project Laws for Purposes of the Mayo Mill Project |
| L.D. 992 | An Act To Regulate Standards of Service for Mobile Telecommunications Services and Broadband Services |

This is notification of the Committee's action.

Sincerely,

S/Sen. David Woodsome Senate Chair	S/Rep. Mark N. Dion House Chair
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READ and with accompanying papers **ORDERED PLACED ON FILE.**

The Following Communication: S.C. 323

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

May 15, 2015

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

Dear President Thibodeau and Speaker Eves:

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

- | | |
|----------|---|
| L.D. 146 | Resolve, Regarding Legislative Review of Chapter 200: Metallic Mineral Exploration, Advanced Exploration and Mining, a Major Substantive Rule of the Department of Environmental Protection (EMERGENCY) |
| L.D. 712 | An Act To Increase Organic Waste Recycling in the State |

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.**

The Following Communication: S.C. 324

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

May 15, 2015

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

Dear President Thibodeau and Speaker Eves:

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

- | | |
|----------|--|
| L.D. 101 | An Act To Strengthen and Reform Maine's Welfare System |
| L.D. 816 | An Act To Reform Welfare and Eliminate the Welfare Cliff |
| L.D. 841 | Resolve, Directing the Department of Health and Human Services To Develop a Bus Pass Program |
| L.D. 917 | Resolve, To Improve Access to Dental Care through a Pediatric Medical Benefit |

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. 325

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

May 14, 2015

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

Dear President Thibodeau and Speaker Eves:

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

- | | |
|----------|--|
| L.D. 257 | An Act To Allow a Person To Take a 20-minute Break from Monitoring Ice Fishing Lines |
| L.D. 723 | An Act To Allow Reciprocal Recognition of New Hampshire and Maine Snowmobile Registrations |
| L.D. 746 | An Act Regarding Captive Amphibian and Reptile Permits |
| L.D. 833 | Resolve, To Direct the Department of Inland Fisheries and Wildlife To Add Koi to the List of Fish Approved for Aquariums |

This is notification of the Committee's action.

Sincerely,

S/Sen. Paul T. Davis
Senate Chair

S/Rep. Michael A. Shaw
House Chair

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

The Following Communication: S.C. 326

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

May 15, 2015

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

Dear President Thibodeau and Speaker Eves:

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

- | | |
|-----------|---|
| L.D. 424 | An Act To Allow the Use of Suppressors for Hunting Nuisance Wildlife |
| L.D. 1239 | An Act To Allow Persons To Train and Use Dogs To Hunt Coyotes (EMERGENCY) |

This is notification of the Committee's action.

Sincerely,

S/Sen. Paul T. Davis
Senate Chair

S/Rep. Michael A. Shaw
House Chair

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

The Following Communication: S.C. 327

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

May 13, 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 Judiciary has voted unanimously to report the following bill(s) out "Ought Not to Pass":

- | | |
|----------|--|
| L.D. 553 | An Act To Include a Representative of the Aroostook Band of Micmacs in the House of Representatives |
| L.D. 993 | Resolve, To Allow a Federally Recognized Indian Tribe To Conduct a Pilot Project in Hemp Cultivation |

L.D. 1094 An Act To Improve Tribal-state Relations

This is notification of the Committee's action.

Sincerely,

S/Sen. David C. Burns
Senate Chair

S/Rep. Barry J. Hobbins
House Chair

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

The Following Communication: S.C. 328

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

May 19, 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 bill(s) out "Ought Not to Pass":

L.D. 934 An Act To Create Transparency in Maine's
Economic Development Spending

L.D. 1001 An Act To Enact a New Hire Tax Credit and To
Create Initiatives To Help Families Move from
Assistance to Employment

L.D. 1164 An Act To Promote Tourism and Foster
Economic Development

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: H.C. 157

**STATE OF MAINE
CLERK'S OFFICE
2 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0002**

May 19, 2015

The Honorable Heather J.R. Priest
Secretary of the Senate
127th Maine Legislature
Augusta, Maine 04333

Dear Secretary Priest:

The House voted today to insist on its previous action whereby it accepted the Majority Ought to Pass Report of 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) and Passage to be Engrossed.

The House voted today to insist on its previous action whereby it accepted the Majority Ought to Pass Report of 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) and Passage to be Engrossed.

Sincerely,

S/Robert B. Hunt
Clerk of the House

READ and **ORDERED PLACED ON FILE.**

The Following Communication: H.C. 158

**STATE OF MAINE
CLERK'S OFFICE
2 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0002**

May 19, 2015

The Honorable Heather J.R. Priest
Secretary of the Senate
127th Maine Legislature
Augusta, Maine 04333

Dear Secretary Priest:

House Paper 558, Legislative Document 824, "An Act Regarding Ethanol Motor Fuel," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

66 voted in favor and 79 against, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

Sincerely,

S/Robert B. Hunt
Clerk of the House

READ and ORDERED PLACED ON FILE.

Senator **GRATWICK** of Penobscot was granted unanimous consent to address the Senate on the Record.

Senator **GRATWICK**: Thank you very much, Mr. President. It's a great pleasure to address the Senate. Ladies and gentlemen, I would like to honor Louis Kornreich, who is now retiring from the bench here in Maine. He is here, if he would stand up, in the back of the room with his lovely wife, Patti. Judge Kornreich and I go back a long way. One of those sorts of concentric circles, when our kids were all young together and then we grew apart together. He has been a distinguished lawyer in Bangor for many years and then a bankruptcy judge here in Maine since 2001. He has been on the bankruptcy appellate panel for the first circuit and a visiting judge in both New Hampshire and Delaware. He's been an appellate judge for the Penobscot Indian Nation. I would congratulate him on his very long, distinguished career that has benefited us all. It's a great pleasure to recognize him and to be able to give him a sentiment today. Thank you, Mr. President.

THE PRESIDENT: It's an honor for us to recognize Judge Kornreich. Would the Senate please welcome him.

ORDERS OF THE DAY

Out of order and under suspension of the Rules, the Chair laid before the Senate the following Tabled and Later Assigned (5/5/15) matter:

JOINT RESOLUTION - Memorializing the Honorable Theodore Curtis, Jr. of Orono

SLS 400

Tabled - May 5, 2015, by Senator **DILL** of Penobscot

Pending - **ADOPTION**

(In Senate, May 5, 2015, **READ**.)

The Joint Resolution was **READ**.

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

Senator **DILL**: Thank you, Mr. President. Ladies and gentlemen of the Senate, I want to take a moment out of our busy schedule to talk to you about the Honorable Ted Curtis. I've known Ted for about 20 years. Ted, as mentioned, served in both the House and Senate. Not only was Ted the first Viet Nam veteran to serve in the Legislature, as mentioned, but he actually won his primary, his first primary race, while still in Viet Nam. Ted was an officer onboard the destroyer, the U.S. Henry W. Tucker. He often

talked to me about politics and he was proud of his role in sponsoring the bill to allow 18 year olds to vote and also the returnable bottle bill. Ted was very active in the community, serving on many boards, the Orono school system, on the committee for the Maine Veteran Homes. He was also a local landlord and actually rented Representative Tipping-Spitz his first apartments. I know Ted best from spending many, many hours with Ted and his wife, Rose Marie, sorting treasures and trash at the local Kiwanis Auction. I just would say that Ted will be missed there because he was also an auctioneer extraordinaire. Finally, I'd like to say that he'll be sadly missed by all those he touched. Thank you, Mr. President.

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

Senator **CUSHING**: Thank you, Mr. President. Friends and colleagues of the Senate, I rise today to echo the sentiments offered by Senator Dill. The Honorable Ted Curtis was truly an individual who lived his beliefs. It was my honor to know him for many years and at times I would seek his advice as we moved through the political maelstroms here. Many of you know that there are individuals that you can reach out to from time to time when you just need some grounding and Ted Curtis was one of those fine individuals that always was willing to be honest and forthright. He was passionate about his community. He was passionate about the University of Maine and he certainly was passionate, even though not actively involved, in the legislative process about what we did for the citizens of Maine here. I just want to add my condolences and my respect to the Curtis family for the tremendous individual that he was and the way that he lived his life is an example to many of us. Thank you, Mr. President.

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

Senator **KATZ**: Thank you, Mr. President. Men and women of the Senate, I just wanted to add my voice to this tribute to Ted Curtis. I first met Ted Curtis when he was in this Chamber and I watched him perform as a State Senator and watched his debating skills and his fine work there. After I became an attorney, I had the pleasure of dealing with Ted on many cases over the years before he retired. He was truly a fine legislator. He was a fine person. He was a credit to the legal profession. It's a sad day on his passing. Thank you, Mr. President.

ADOPTED.

Sent down for concurrence.

THE PRESIDENT: The Chair is pleased to recognize in the Chamber today Rose Marie Curtis, wife; Lynn Curtis King, daughter; Ben King, son-in-law; Katie King, granddaughter; Sarah King, granddaughter; Abigail Curtis, daughter; Jim Clark, son-in-law; Bill MacDonald, nephew. Would they please stand and accept the condolences of the Maine Senate.

Senator **SAVIELLO** of Franklin requested and received leave of the Senate that members and staff be allowed to remove their jackets for the remainder of this Legislative Day.

Senate at Ease.

Senate called to order by the President.

REPORTS OF COMMITTEES

House

Ought to Pass

The Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Repeal Authorization for Smelt Fishing in Mud Brook in Aroostook County" (EMERGENCY)

H.P. 882 L.D. 1296

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.

The Committee on **JUDICIARY** on Bill "An Act To Update the Validation of Miscellaneous Defects and Defective Acknowledgments in the Conveyance of Real Estate"

H.P. 529 L.D. 776

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.

The Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act Regarding the Industry Partnership Assistance Collaborative's Grant Program"

H.P. 476 L.D. 700

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 **TRANSPORTATION** on Bill "An Act To Suspend the Right of an Out-of-state Toll Violator To Operate a Motor Vehicle on Maine Roads"

H.P. 682 L.D. 987

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-148)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-148)**.

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

READ ONCE.

Committee Amendment "A" (H-148) **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 **TRANSPORTATION** on Resolve, Regarding Legislative Review of Rules for Permitting Overlimit Commercial Motor Vehicles of Specified Configurations To Travel Designated Routes, a Late-filed Major Substantive Rule of the Department of Transportation (EMERGENCY)

H.P. 803 L.D. 1172

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-149)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-149)**.

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

READ ONCE.

Committee Amendment "A" (H-149) **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 **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Restrict the Raising of Money by Maine Clean Election Act Candidates"

H.P. 132 L.D. 174

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-147)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-147)**.

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

READ ONCE.

Committee Amendment "A" (H-147) **READ** and **ADOPTED**, in concurrence.

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

Divided Report

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Provide a Minor with a Defense to Prosecution in a Situation That Involves Risk of Alcohol Overdose"

H.P. 181 L.D. 263

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-142)**.

Signed:

Senators:

ROSEN of Hancock
BURNS of Washington
GERZOFKY of Cumberland

Representatives:

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

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "B" (H-143)**.

Signed:

Representatives:

CHENETTE of Saco
NADEAU of Winslow

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-142)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-142)**.

Reports **READ**.

On motion by Senator **ROSEN** of Hancock, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-142)** Report **ACCEPTED**, in concurrence.

READ ONCE.

Committee Amendment "A" (H-142) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-142)**, in concurrence.

Divided Report

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Restore Public Safety Programs in the Department of Public Safety and the Department of Professional and Financial Regulation" (EMERGENCY)
H.P. 473 L.D. 697

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-145)**.

Signed:

Senators:

ROSEN of Hancock
BURNS of Washington
GERZOFKY of Cumberland

Representatives:

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

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "B" (H-146)**.

Signed:

Representative:

LONG of Sherman

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-145)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-145)**.

Reports **READ**.

On motion by Senator **ROSEN** of Hancock, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-145)** Report **ACCEPTED**, in concurrence.

READ ONCE.

Committee Amendment "A" (H-145) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-145)**, in concurrence.

Divided Report

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Create the Crime of Operating While Fatigued"

H.P. 683 L.D. 988

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

Signed:

Senators:

ROSEN of Hancock
BURNS of Washington
GERZOFISKY of Cumberland

Representatives:

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

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-144)**.

Signed:

Representative:

CHENETTE of Saco

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

Reports **READ**.

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

Divided Report

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Allow Certain Active Duty Military Personnel To Pay the Resident Application Fee for a Concealed Handgun Permit"

H.P. 737 L.D. 1068

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-153)**.

Signed:

Senators:

ROSEN of Hancock
BURNS of Washington

Representatives:

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

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

Signed:

Senator:

GERZOFISKY of Cumberland

Representatives:

DAVITT of Hampden
LAJOIE of Lewiston
NADEAU of Winslow

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-153)**.

Reports **READ**.

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

READ ONCE.

Committee Amendment "A" (H-153) **READ** and **ADOPTED**, in concurrence.

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

Divided Report

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Reform Public Charter Schools"
H.P. 850 L.D. 1250

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

Signed:

Senators:

LANGLEY of Hancock
EDGECOMB of Aroostook
MILLETT of Cumberland

Representatives:

KORNFELD of Bangor
DAUGHTRY of Brunswick
FARNSWORTH of Portland
HUBBELL of Bar Harbor
MAKER of Calais
McCLELLAN of Raymond
PIERCE of Falmouth
POULIOT of Augusta
STEARNS of Guilford

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-152)**.

Signed:

Representative:

TIPPING-SPITZ of Orono

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

Reports **READ**.

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

Divided Report

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Limit the Use of Extended-release Hydrocodone Bitartrate"

H.P. 684 L.D. 989

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

Signed:

Senators:

BRAKEY of Androscoggin
HASKELL of Cumberland
McCORMICK of Kennebec

Representatives:

GATTINE of Westbrook
BURSTEIN of Lincolnville
HAMANN of South Portland
HEAD of Bethel
HYMANSON of York
MALABY of Hancock
SANDERSON of Chelsea
STUCKEY of Portland
VACHON of Scarborough

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

Signed:

Representative:

PETERSON of Rumford

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

Reports **READ**.

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

Divided Report

The Majority of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Allow Dental Hygienists To Prescribe Fluoride Dentifrice and Antibacterial Rinse"

H.P. 74 L.D. 91

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-139)**.

Signed:

Senators:

VOLK of Cumberland
PATRICK of Oxford

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:

Senator:
CUSHING of Penobscot

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-139)**.

Reports **READ**.

Senator **VOLK** of Cumberland moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence.

On motion by Senator **CUSHING** of Penobscot, **TABLED** until Later in Today's Session, pending the motion by Senator **VOLK** of Cumberland to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence.

Senate at Ease.

Senate called to order by the President.

Off Record Remarks

Divided Report

The Majority of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Improve Access to Dental Care through the Establishment of the Maine Board of Oral Health"

H.P. 364 L.D. 540

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

Signed:

Senators:
VOLK of Cumberland
CUSHING of Penobscot

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 To Pass as Amended by Committee Amendment "A" (H-138)**.

Signed:

Senator:
PATRICK of Oxford

Representative:
CAMPBELL of Newfield

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

Reports **READ**.

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

Divided Report

The Majority of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Resolve, To Provide for Workforce Development in the Forest Products Industry

H.P. 676 L.D. 979

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

Signed:

Senators:
CUSHING of Penobscot
PATRICK of Oxford

Representatives:
HERBIG of Belfast
BATES of Westbrook
CAMPBELL of Newfield
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 To Pass as Amended by Committee Amendment "A" (H-150)**.

Signed:

Representative:
AUSTIN of Gray

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

Reports **READ**.

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

Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Eliminate Term Limits for Legislators"

H.P. 140 L.D. 182

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

Signed:

Senators:

WHITTEMORE of Somerset
LIBBY of Androscoggin
WILLETTE of Aroostook

Representatives:

MARTIN of Sinclair
BEEBE-CENTER of Rockland
BRYANT of Windham
DOORE of Augusta
EVANGELOS of Friendship
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 To Pass as Amended by Committee Amendment "A" (H-140)**.

Signed:

Representative:

BABBIDGE of Kennebunk

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

Reports **READ**.

Senator **WHITTEMORE** of Somerset moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence.

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 (#77)

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

NAYS: Senators: ALFOND, GERZOFKY

EXCUSED: Senator: BREEN

32 Senators having voted in the affirmative and 2 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **WHITTEMORE** of Somerset to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence, **PREVAILED**.

Divided Report

Eleven members of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Increase the Penalty for Failing To Carry Proof of Motor Vehicle Financial Responsibility" H.P. 343 L.D. 504

Reported in Report "A" that the same **Ought Not to Pass**.

Signed:

Senators:

ROSEN of Hancock
BURNS of Washington
GERZOFKY of Cumberland

Representatives:

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

One member of the same Committee on the same subject reported in Report "B" that the same **Ought to Pass as Amended by Committee Amendment "A" (H-154)**.

Signed:

Representative:

NADEAU of Winslow

One member of the same Committee on the same subject reported in Report "C" that the same **Ought to Pass as Amended by Committee Amendment "B" (H-155)**.

Signed:

Representative:
FOWLE of Vassalboro

Comes from the House with Report "A", **OUGHT NOT TO PASS READ** and **ACCEPTED**.

Reports **READ**.

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

Senate

Ought to Pass Pursuant to Joint Order

Senator SAVIELLO for the Committee on **ENVIRONMENT AND NATURAL RESOURCES** on Resolve, Regarding the Department of Environmental Protection's Rule Chapter 500: Stormwater Management (EMERGENCY)

S.P. 535 L.D. 1427

Reported that the same **Ought to Pass**, pursuant to Joint Order, S.P. 528.

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

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

Sent down for concurrence.

Divided Report

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Require the Department of Health and Human Services To Distribute Information Regarding Down Syndrome to Providers of Prenatal and Postnatal Care and to Genetic Counselors"

S.P. 403 L.D. 1134

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

Signed:

Senators:
BRAKEY of Androscoggin
McCORMICK of Kennebec

Representatives:
HEAD of Bethel
MALABY of Hancock
PETERSON of Rumford
SANDERSON of Chelsea
VACHON of Scarborough

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

Signed:

Senator:
HASKELL of Cumberland

Representatives:
GATTINE of Westbrook
BURSTEIN of Lincolnville
HAMANN of South Portland
HYMANSON of York
STUCKEY of Portland

Reports **READ**.

Senator **BRAKEY** of Androscoggin moved the Senate **ACCEPT** the Majority **OUGHT TO PASS** Report.

THE PRESIDENT: The Chair recognizes the Senator from Somerset, Senator Whittemore.

Senator **WHITTEMORE:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I would like to share with you a very short story. Seventeen years ago my son and daughter-in-law announced to my wife and I that they were going to have a baby. Several months later my daughter-in-law was told that there was a strong possibility the baby would be a Down Syndrome baby. Abortion was not an option for them. One of our eight grandchildren was born on the day that he was due to arrive and today he is a normal, very active honor roll student and soon to follow his brother in the Maine Maritime program. L.D. 1134 will give many parents-to-be very valuable information to help them make a very important life decision. I urge you to support L.D. 1134. Thank you.

On motion by Senator **BRAKEY** of Androscoggin, the Majority **OUGHT TO PASS** Report **ACCEPTED**.

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

Sent down for concurrence.

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

ENACTORS

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

Emergency Measure

An Act To Update Maine Law To Conform to New Federal Occupational Safety and Health Administration Regulations
H.P. 475 L.D. 699
(C "A" H-132)

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 To Permit Hair Braiding without a Barbering or Cosmetology License
S.P. 296 L.D. 847
(C "A" S-82)

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 the Board of Dental Examiners
H.P. 794 L.D. 1156

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 Resolve

Resolve, To Modify the Deed for a Parcel of Property in the Town of Carrabassett Valley
S.P. 413 L.D. 1161

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

Ordered sent down forthwith.

Emergency Resolve

Resolve, Directing the Department of Professional and Financial Regulation To Study the Dental Practice Laws and Recommend Changes To Streamline the Licensure and Scope of Practice Provisions

H.P. 828 L.D. 1210
(C "A" H-129)

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

Ordered sent down forthwith.

**Pursuant to Constitution
Public Land**

An Act To Release a Restriction on 2 Parcels of Former State Land in Greenbush Currently Owned by Anita P. Haskell
H.P. 847 L.D. 1247

In accordance with the provisions of Article IX, Section 23 of the Constitution, this requires the affirmative vote of two-thirds of the entire elected Membership of the Senate, 34 Senators having voted in the affirmative and 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.

**Pursuant to Constitution
Public Land**

Resolve, Authorizing the Director of the Bureau of Parks and Lands To Convey the Parcel of Land in Kittery Known as John Paul Jones Memorial Park to the Town of Kittery
S.P. 278 L.D. 780
(C "A" S-80)

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

Acts

An Act To Authorize Snowmobile Registration Reciprocity with the Provinces of New Brunswick and Quebec
H.P. 71 L.D. 88

An Act To Preserve the Integrity of Maine's Shellfish Industry by Increasing the Penalty for Interfering with Permitted Harvest
S.P. 93 L.D. 255
(C "A" S-84)

An Act To Authorize a Temporary Medical Transfer of an Elver Individual Fishing Quota
H.P. 240 L.D. 353
(H "A" H-133 to C "A" H-63)

An Act To Eliminate Certain Fees for Security Freezes and Allow Security Freezes for Minors
S.P. 150 L.D. 382
(S "A" S-83 to C "A" S-38)

An Act To Require Public Schools To Offer Instruction Related to Cardiopulmonary Resuscitation and the Use of an Automated External Defibrillator
H.P. 380 L.D. 556
(C "A" H-122)

An Act To Allow B.Y.O.B. Function Permit Holders To Hold Multiple Events at the Same Location
S.P. 228 L.D. 635
(C "A" S-75)

An Act To Modify Unemployment Insurance Successor Law
H.P. 477 L.D. 701
(C "A" H-120)

An Act To Sustain Maine's Primary Care Professional Workforce
S.P. 270 L.D. 740
(C "A" S-56)

An Act To Assist Victims of Crime To Obtain Restitution
H.P. 527 L.D. 774
(C "A" H-135)

An Act To Amend the Public Accountancy Laws
H.P. 634 L.D. 914

An Act Regarding Travel Insurance in the Maine Insurance Code
H.P. 672 L.D. 975
(C "A" H-119)

An Act To Promote Patient Choice and Access to Health Care
H.P. 675 L.D. 978
(C "A" H-118)

An Act To Make the Law Regarding Critical Incident Stress Management Teams More Beneficial and Effective
S.P. 448 L.D. 1243

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 Amend the Laws Governing Pine Tree Development Zone Benefits for the Town of Berwick and the City of Sanford
H.P. 76 L.D. 93
(C "A" H-128)

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

An Act Extending Workers' Compensation Benefits to Certain Employees of the Office of the State Fire Marshal Who Contract Cancer
S.P. 59 L.D. 125
(C "A" S-76)

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

An Act Regarding the Sick Days of an Employee Who Is Terminated While on Sick Leave
S.P. 174 L.D. 445
(C "A" S-78)

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

An Act To Address Unmet Public Transportation Needs
H.P. 579 L.D. 845
(C "A" H-121)

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

An Act To Define Prosthetic and Orthotic Devices for Purposes of the Sales Tax Law
H.P. 695 L.D. 1000
(C "A" H-110)

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

An Act To Enhance Funding Opportunities for the Youth Conservation Corps

S.P. 366 L.D. 1040
(C "A" S-86)

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

An Act To Support Transparency in Government through the Maine Capitol Connection Channel Program

H.P. 830 L.D. 1212
(C "A" H-127)

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

An Act To Penalize Legislators for Excessive Absences

S.P. 372 L.D. 1046
(C "A" S-66)

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

Senator **DIAMOND:** Thank you, Mr. President. Ladies and gentlemen of the Senate, before we pass this bill, An Act to Penalize Legislators for Excessive Absences, I don't want the people of the state to get the wrong idea. I'm somewhat of a traditionalist and I'm also a little old fashion. I understand that. I think and believe strongly that the Maine Legislature has a tradition of honor for almost 200 years. I'll admit to you today that I love this institution and I also respect all that it stands for. Every one of you work extremely hard. This is not an 8 to 5 job. You not only work hard here, but you work hard back home. You work hard in committees. I think that the people of the state of Maine need to know this and I would probably defend each and every one of you if anyone spoke differently because I think people misunderstand sometimes all that goes with this job, which we asked for and we're not complaining. This bill title sends a message which I think is inappropriate based on all that I've just said about how hard we all work and what this legislature really is. Mr. President, I want the record to show and I want the people to know how proud they should be, and can be, of this institution, how proud they can be of the people representing them in both Bodies, how committed each and every one of you are, and how dedicated you are to serving your constituents. They can be proud of each and every Senator and each and every State Representative and, Mr. President, I don't want that to be changed or that image to be scarred in any way by a title of a bill. Thank you, Mr. President.

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 PRESIDENT: The Chair recognizes the Senator from Sagadahoc, Senator Baker.

Senator **BAKER:** Thank you, Mr. President. I rise to concur with absolutely everything that the good Senator from Cumberland has said, Senator Diamond. Absolutely, we work beyond any expectations and beyond what the public could ever know. It is those rare, rare instances where, at the request of constituents, I think they do have a right to know that the accountability exists in the event of abuse, which is, again, incredibly rare. Thank you, Mr. President.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#78)

YEAS: Senators: BAKER, BRAKEY, BURNS, COLLINS, CUSHING, DAVIS, DILL, EDGEComb, GRATWICK, HAMPER, HASKELL, HILL, JOHNSON, KATZ, LANGLEY, LIBBY, MASON, MCCORMICK, MILLETT, MIRAMANT, ROSEN, SAVIELLO, VALENTINO, VOLK, WHITEMORE, WILLETTE, WOODSOME, THE PRESIDENT – MICHAEL D. THIBODEAU

NAYS: Senators: ALFOND, CYRWAY, DIAMOND, DUTREMBLE, GERZOFsky, PATRICK

EXCUSED: Senator: BREEN

28 Senators having voted in the affirmative and 6 Senators 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.

An Act To Provide Consumers of Health Care with Information Regarding Health Care Costs

S.P. 229 L.D. 636
(C "A" S-74)

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

Resolve

Resolve, Authorizing the Bureau of General Services To Offer Certain Property to Kennebec County for 6 Months Prior to Listing the Property with Private Real Estate Brokers

S.P. 47 L.D. 114
(C "A" S-52)

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

Ordered sent down forthwith.

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act Regarding the Maine Registry of Certified Nursing Assistants and Direct Care Workers"

H.P. 972 L.D. 1426

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.

ORDERS OF THE DAY

The Chair laid before the Senate the following Tabled and Later Assigned (4/23/15) matter:

JOINT RESOLUTION - Making Application To The Congress Of The United States Calling For A Constitutional Convention To Propose An Amendment To The United States Constitution To Require A Balanced Federal Budget And Further Fiscal Restraints

S.P. 499

Tabled - April 23, 2015, by Senator **CUSHING** of Penobscot

Pending - motion by Senator **THIBODEAU** of Waldo to **ADOPT** (Roll Call Ordered)

(In Senate, April 23, 2015, on motion by Senator **THIBODEAU** of Waldo, **READ**.)

Senator **ALFOND** of Cumberland requested and received leave of the Senate to withdraw his request for a Roll Call.

Senator **THIBODEAU** of Waldo requested and received leave of the Senate to withdraw his motion to **ADOPT**.

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

Sent down for concurrence.

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

Bill "An Act To Amend the Laws Regarding the Maine Organ and Tissue Donation Fund" (EMERGENCY)

S.P. 197 L.D. 528

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

Pending - **CONSIDERATION**

(In Senate, April 29, 2015, **PASSED TO BE ENACTED**, in concurrence.)

(In Senate, May 13, 2015, Veto Communication (S.C. 301) **READ** and **ORDERED PLACED ON FILE**.)

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

Senator **DIAMOND:** Thank you, Mr. President. Ladies and gentlemen of the Senate, just a brief explanation I think is due you based on this bill and where it's ended up. This organ donation bill was pretty much put in, or actually put in, by the Secretary of State's Office. It was strictly meant to be housekeeping. I've had a conversation with the State Treasurer and we all agree that we can fix this without this bill, so I just wanted the Senators to know, Mr. President, the background.

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 (#79)

YEAS: Senators: None

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

EXCUSED: Senator: BREEN

No Senator having voted in the affirmative and 34 Senators having voted in the negative, with 1 Senator being excused, and none 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 Chair laid before the Senate the following Tabled and Later Assigned (5/14/15) matter:

Bill "An Act Regarding Gaming" (EMERGENCY)
H.P. 355 L.D. 516
(C "A" H-24)

Tabled - May 14, 2015, by Senator **MASON** of Androscoggin

Pending - **CONSIDERATION**

(In Senate, April 29, 2015, **PASSED TO BE ENACTED**, in concurrence.)

(In House, May 13, 2015, Veto **OVERRIDDEN** and the Bill **PASSED TO BE ENACTED**.)

(In Senate, May 14, 2015, Veto Communication (H.C. 148), **READ** and **ORDERED PLACED ON FILE**.)

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 (#80)

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

NAYS: Senators: BRAKEY, CUSHING, EDGECOMB, MCCORMICK, ROSEN, WILLETTE

EXCUSED: Senator: BREEN

28 Senators having voted in the affirmative and 6 Senators having voted in the negative, with 1 Senator being excused, and 28 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

The Chair laid before the Senate the following Tabled and Later Assigned (5/19/15) matter:

HOUSE REPORTS - from the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Allow York County To Better Provide Rescue and Ambulance Services"

H.P. 124 L.D. 166

Majority - **Ought Not to Pass** (11 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (H-124)** (2 members)

Tabled - May 19, 2015, by Senator **WHITTEMORE** of Somerset

Pending - **ACCEPTANCE OF EITHER REPORT**

(In House, May 14, 2015, Reports **READ**. Bill and accompanying papers **COMMITTED** to the Committee on **STATE AND LOCAL GOVERNMENT**.)

(In Senate, May 19, 2015, Reports **READ**.)

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

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (5/19/15) matter:

Bill "An Act To Establish a Tax-free Savings Program for Individuals with Disabilities"

H.P. 967 L.D. 1421

Tabled - May 19, 2015, by Senator **WHITTEMORE** of Somerset

Pending - **REFERENCE**

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

(In House, May 19, 2015, **REFERRED** to the Committee on **TAXATION**.)

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

Off Record Remarks

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

On motion by Senator **MASON** of Androscoggin, **ADJOURNED** until Thursday, May 21, 2015, at 10:00 in the morning, in memory of and lasting tribute to the Honorable Theodore Curtis Jr. of Orono.