

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
June 4, 2015

Senate called to order by President Pro Tempore Garrett P. Mason of Androscoggin County.

Prayer by Reverend Ed Hatch, Palermo Christian Church.

REVEREND HATCH: According to the Christian faith the Apostle Paul wrote in Second Corinthians 5:15 that Christ died for all, that those who lived will no longer live for themselves but for Him who, for their sakes, died and was raised. Self-centeredness is a real issue in all of our lives. Self-centeredness is behind wars and marital discord. It's why we get upset when the person in front of us is going to slow, as well as being upset at the person who passes us, although we do have great glee when we meet them at the next light. Many people are looking at what you are doing today with great self-interest at the impact of your decisions on their lives. You are in a hard place. You have to deal with your own consciences. You have to represent your own constituents. You are tasked with doing what is good for the state of Maine and sometimes these ideals conflict with one another. Mixed into this is party loyalty, as well as your own ambition and goals. You have difficult decisions to make as your interests conflict with the interests of others. I'm grateful and humbled by the invitation to come and pray before you today. My great advisor and my person who has the greatest wisdom, my wife, said to me, "These people need prayer for wisdom." She has been following some of the things that you have been doing and the long hours that you have been working and the difficult decisions. She said, "I'm thankful that I'm not one of them." Today I come to pray with you and for you, for wisdom both on behalf of my wife and also on behalf of God, because we all really do need it. Let us bow for prayer.

Almighty God, we come before You today with grateful hearts. In many other places the differences and disagreements that coexist with the difficult decisions that this Body of people need to make would be met with power, violence, and suppression of descent. We are thankful that we can peacefully express our views with freedom and liberty. I pray for the men and women before us this morning. Though they are here, some may be also struggling with issues and problems, sadness and pain, stressors that demand their time and energies. I pray that if any have come here stressed that You may give them focus and perspective to do what needs to be done, that they would do it in a way that would honor You. I pray for the business that is before them. Their decisions this session will affect my family and me. Their ability to get things done will impact many people in our great state. Help them to focus on doing what is right and best. Help them to leave self-interests behind and to focus on doing what is good for the people in the state of Maine and may they be able to say at the end of this day that what they did was good for all of us. Give them wisdom and give them strength for today. I pray this in the name of my Lord and Savior, Jesus Christ. Amen.

Pledge of Allegiance led by Senator Thomas B. Saviello of Franklin County.

Reading of the Journal of Wednesday, June 3, 2015.

Off Record Remarks

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

COMMUNICATIONS

The Following Communication: S.C. 403

**STATE OF MAINE
127TH LEGISLATURE
OFFICE OF THE PRESIDENT**

June 4, 2015

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

Dear Secretary Priest:

Pursuant to my authority under Senate Rule 201.3, I am pleased to appoint the Senator from Androscoggin, Senator Mason to serve as President Pro Tempore. With this appointment Senator Mason will serve as President Pro Tempore for the start of the regularly scheduled session on June 4, 2015.

Please let me know if you have any questions regarding this appointment.

Sincerely,

S/Michael D. Thibodeau
President of the Senate

READ and ORDERED PLACED ON FILE.

PAPERS FROM THE HOUSE

Non-Concurrent Matter

HOUSE REPORTS - from the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Provide Enhanced Mental Health Services to the County Prison Population"

H.P. 438 L.D. 657

Majority - **Ought Not to Pass** (10 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (H-222)** (3 members)

In House, May 29, 2015, the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-222)**.

In Senate, June 1, 2015, on motion by Senator **ROSEN** of Hancock, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**, in **NON-CONCURRENCE**.

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

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

Non-Concurrent Matter

HOUSE REPORTS - from the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Protect Earned Pay"

H.P. 456 L.D. 675

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-215)** (7 members)

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

In House, June 2, 2015, the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-215)**.

In Senate, June 3, 2015, on motion by Senator **VOLK** of Cumberland, the Minority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**, in **NON-CONCURRENCE**.

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

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

Non-Concurrent Matter

HOUSE REPORTS - from the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Protect Preemployment Credit Privacy"

H.P. 795 L.D. 1157

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

Minority - **Ought to Pass as Amended by Committee Amendment "A" (H-213)** (6 members)

In House, June 1, 2015, the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-213)**.

In Senate, June 3, 2015, on motion by Senator **VOLK** of Cumberland, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**, in **NON-CONCURRENCE**.

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

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

Non-Concurrent Matter

HOUSE REPORTS - from the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Establish Primary Energy Goals for the State"

H.P. 892 L.D. 1314

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

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

In House, June 1, 2015, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

In Senate, June 2, 2015, on motion by Senator **WOODSOME** of York, the Minority **OUGHT TO PASS** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**, in **NON-CONCURRENCE**.

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

On motion by Senator **WOODSOME** of York, the Senate **INSISTED**.

Off Record Remarks

COMMUNICATIONS

The Following Communication: S.C. 399

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

June 2, 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 Thomas E. Humphrey of Sanford, for appointment as a Supreme Judicial 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	3	Burns of Washington, Johnson of Lincoln, Volk of Cumberland
	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		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 Thomas E. Humphrey of Sanford, for appointment as a Supreme Judicial Court Justice be confirmed.

Signed,

S/David C. Burns
Senate Chair

S/Barry J. Hobbins
House Chair

READ and ORDERED PLACED ON FILE.

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

In accordance with 3 M.R.S.A., Chapter 6, Section 158, and with Joint Rule 506 of the 127th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#139)

YEAS: Senators: None

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

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of the Honorable **Thomas E. Humphrey** of Sanford for appointment as a Supreme Judicial Court Justice was **CONFIRMED**.

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

The Following Communication: S.C. 400

**STATE OF MAINE
127TH LEGISLATURE**

May 26, 2015

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

Dear Secretary Priest,

Pursuant to our authority under Title 30-A, §5047, we are pleased to appoint the following people to the Statewide Homeless Council effective May 28, 2015:

Elizabeth Szatkowski of Portland for Region I
Donna Kelley of Belfast for Region II
Joshua D'Alessio of Bangor for Region III

Please let me know if you have any questions regarding these appointments.

Sincerely,

S/Michael D. Thibodeau
President of the Senate

S/Mark W. Eves
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 401

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

June 2, 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. 1355 An Act To Improve Residential Renewable Energy Use

This is notification of the Committee's action.

Sincerely,

S/Sen. David Woodsome S/Rep. Mark N. Dion
Senate Chair House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 402

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

June 3, 2015

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

Dear President Thibodeau and Speaker Eves:

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

L.D. 1316 An Act Regarding the Employment of Certified Nursing Assistants and Direct Care Workers

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: H.C. 186

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

June 3, 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 former 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 Require the Prevailing Wage To Be Paid on All Public Works Projects for Which State Funding Is Used" (S.P. 50) (L.D. 117) and Passage to be Engrossed.

The House voted today to insist on its former action whereby it accepted Report "A" Ought to Pass of the Committee on Labor, Commerce, Research and Economic Development on Bill "An Act To Require Large Employers To Report Compensation Information" (S.P. 355) (L.D. 1015) 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. 179

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

June 1, 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 556, "An Act To Require Public Schools To Offer Instruction Related to Cardiopulmonary Resuscitation and the Use of an Automated External Defibrillator."

As I wrote to the 125th Legislature regarding LD 1139 and to the 126th Legislature regarding LD 1366, CPR is an important, life-saving technique. I encourage all Maine citizens to undertake training so they are prepared in an emergency. Automated External Defibrillators have saved a number of lives over the years and should be at the ready during large public gatherings.

However, I regularly hear from community members who work and teach in our schools and from parents who serve on our school boards, pleading for relief from burdensome, unfunded mandates and the intrusion of Augusta into the classroom.

This bill is no exception. Supporters argue that all that is required for this training is a few deflated soccer balls, but they neglect the cost of our most valuable school resource: our teachers. Mandating that teaching time be diverted to implement a statewide program is costly to our schools and subverts the control of our local school boards.

If the Legislature truly believes this policy is necessary and requires a state law, the bill should be resubmitted with a reasonable estimate of total cost to our schools. Otherwise, I encourage them to work with each community rather than pass a new state law.

For these reasons, I return LD 556 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 Require Public Schools To Offer Instruction Related to Cardiopulmonary Resuscitation and the Use of an Automated External Defibrillator

H.P. 380 L.D. 556

Comes from the House, 131 members having voted in the affirmative and 15 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.

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.

The President Pro Tempore 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 (#140)

YEAS: Senators: ALFOND, BAKER, BREEN, BURNS, COLLINS, CUSHING, CYRWAY, DIAMOND, DILL, DUTREMBLE, EDGEComb, GERZOFsky, GRATWICK, HAMPER, HASKELL, HILL, JOHNSON, KATZ, LANGLEY, LIBBY, MILLETT, MIRAMANT, PATRICK, ROSEN, SAVIELLO, THIBODEAU, VALENTINO, VOLK, WHITTEMORE, WOODSOME, THE PRESIDENT PRO TEMPORE - GARRETT P. MASON

NAYS: Senators: BRAKEY, DAVIS, MCCORMICK, WILLETTE

31 Senators having voted in the affirmative and 4 Senators having voted in the negative, and 31 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.

SENATE PAPERS

Bill "An Act To Merge the Maine Educational Loan Authority with the Finance Authority of Maine"

S.P. 544 L.D. 1443

Presented by Senator LANGLEY of Hancock. (GOVERNOR'S BILL)

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

Sent down for concurrence.

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

Senate at Ease.

Senate called to order by President Pro Tempore
GARRETT P. MASON of Androscoggin County.

REPORTS OF COMMITTEES

House

Ought to Pass Pursuant to Joint Order

The Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Establish a Bag Limit for Brook Trout on Portions of Webster Stream in Piscataquis County" (EMERGENCY)
H.P. 985 L.D. 1442

Reported that the same **Ought to Pass**, pursuant to Joint Order, H.P. 953.

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

The Committee on **JUDICIARY** on Bill "An Act Regarding Legal Representation in Certain Eviction Actions"
H.P. 910 L.D. 1338

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 **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act To Revise the Animal Welfare Laws"
H.P. 706 L.D. 1023

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-274)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-274)**.

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

READ ONCE.

Committee Amendment "A" (H-274) **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 **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Ensure Equitable Support of Education for Maine Students in School Administrative District No. 6 and School Administrative District No. 44"
H.P. 743 L.D. 1082

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-261)**.

Comes from the House with the Report **READ** and the Bill and accompanying papers **INDEFINITELY POSTPONED**.

Report **READ**.

Senate at Ease.

Senate called to order by President Pro Tempore
GARRETT P. MASON of Androscoggin County.

On motion by Senator **CUSHING** of Penobscot, **TABLED** until Later in Today's Session, pending **ACCEPTANCE OF THE REPORT**, in **NON-CONCURRENCE**.

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Improve Educational Assessments of Maine Students" (EMERGENCY)
H.P. 872 L.D. 1276

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-280)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-280)**.

Report **READ**.

On motion by Senator **LANGLEY** of Hancock, **TABLED** until Later in Today's Session, pending **ACCEPTANCE OF THE REPORT**, in concurrence.

The Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Allow the Establishment of Regional Municipal Utility Districts To Support Telecommunications, Broadband Communications and Energy Infrastructure"

H.P. 632 L.D. 912

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-267).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-267).**

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

READ ONCE.

Committee Amendment "A" (H-267) **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 **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Improve the Safety and Survival of 9-1-1 Callers and First Responders"

H.P. 856 L.D. 1256

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-268).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-268).**

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

READ ONCE.

Committee Amendment "A" (H-268) **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 **ENVIRONMENT AND NATURAL RESOURCES** on Bill "An Act Concerning the Review of Certain Projects under the Site Location of Development Laws"

H.P. 631 L.D. 911

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-271).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-271).**

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

READ ONCE.

Committee Amendment "A" (H-271) **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 **HEALTH AND HUMAN SERVICES** on Resolve, To Reduce MaineCare Spending through Targeted Prevention Services

H.P. 565 L.D. 831

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-281).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-281).**

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

READ ONCE.

Committee Amendment "A" (H-281) **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 **HEALTH AND HUMAN SERVICES** on Resolve, To Create the Commission To Study a Stable Continuum of Care for Persons with Intellectual Disabilities and Autism

H.P. 730 L.D. 1061

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-259).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-259).**

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

READ ONCE.

Committee Amendment "A" (H-259) **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 **JUDICIARY** on Bill "An Act To Create Transparency in the Mortgage Foreclosure Process"
H.P. 267 L.D. 401

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-257)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-257)**.

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

READ ONCE.

Committee Amendment "A" (H-257) **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 **JUDICIARY** on Bill "An Act To Clarify the Mortgage Foreclosure Sale Process"
H.P. 785 L.D. 1147

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-258)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-258)**.

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

READ ONCE.

Committee Amendment "A" (H-258) **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 Resolve, To Establish the Advisory Committee on Real Estate License Law (EMERGENCY)
H.P. 614 L.D. 895

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-256)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-256)**.

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

READ ONCE.

Committee Amendment "A" (H-256) **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 **TAXATION** on Bill "An Act To Provide a Tax Reduction for Modifications To Make a Home More Accessible for a Person with a Disability"
H.P. 252 L.D. 365

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-277)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-277)**.

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

READ ONCE.

Committee Amendment "A" (H-277) **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 Regarding the Sale of Hard Cider"
H.P. 429 L.D. 616

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-265)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-265)**.

Report **READ**.

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

The Committee on **VETERANS AND LEGAL AFFAIRS** on Resolve, To Establish the Commission To Strengthen and Align the Services Provided to Maine's Veterans (EMERGENCY)
H.P. 497 L.D. 721

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-255)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-255)**.

Report **READ**.

On motion by Senator **LIBBY** 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 (#141)

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

NAYS: Senators: None

35 Senators having voted in the affirmative and no Senator having voted in the negative, the **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-255)** Report **ACCEPTED**, in concurrence.

READ ONCE.

Committee Amendment "A" (H-255) **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 Allow for Super Cribbage Tournaments" H.P. 878 L.D. 1292

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-266)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-266)**.

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

READ ONCE.

Committee Amendment "A" (H-266) **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 **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act To Prevent the Infestation of Firewood by Invasive Species" H.P. 789 L.D. 1151

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-276)**.

Signed:

Senators:
DILL of Penobscot
SAVIELLO of Franklin

Representatives:
HICKMAN of Winthrop
BLACK of Wilton
CHAPMAN of Brooksville
DUNPHY of Old Town
EDGEComb of Fort Fairfield
KINNEY of Knox
MAREAN of Hollis
McELWEE of Caribou
NOON of Sanford
SAUCIER of Presque Isle

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

Signed:

Senator:
EDGEComb of Aroostook

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-276)**.

Reports **READ**.

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

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

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

Senator **DILL**: Thank you, Mr. President. Ladies and gentlemen of the Senate, I just thought I'd bring to the forefront what this bill does. It basically sets up a response team, or response group, to check into firewood problems with invasive insects. As many of you may know, sitting on our doorstep is both the Emerald Ash Bore and the Asian Longhorn Beetle. If these should get into the

state of Maine they would both be devastating insects. One of the major ways of getting in is through the possibility of coming in on firewood. If you look at other states that's handled the Asian Longhorn Beetle, the way of handling that is basically a scorched earth policy. That is it takes out any host trees within several square miles of where the infestation is found. This would be devastating if this got into our actual areas where we have Maples for maple syrup. I just urge everyone to follow my light and vote for the Ought to Pass. Thank you.

THE PRESIDENT PRO TEMPORE: The Chair recognizes the Senator from Aroostook, Senator Edgecomb.

Senator **EDGEComb**: Thank you, Mr. President. Ladies and gentlemen of the Senate, because the Maine Forestry Service already has authority to conduct the actions defined in the bill, the additional statutory authorities are unnecessary. Secondly, creating another formal structure will not provide any significant additional benefit to either the department's programs or to the forest resources. Thirdly, the various programs within the department already have non-lapsing dedicated accounts that could accept funds for specific projects. This response team could include folks that are already employed in the department, or employees from the department, such as forest rangers, foresters, entomologists, and these people will, I'm certain with they have a telephone or cellphone, make contact and the Commissioner will know about this almost immediately and even private foresters and other people even in the private sector that are aware of this will identify these two beetles that the good Senator had mentioned. I think the response team is really too little too late and we need to vote Ought Not to Pass on this unnecessary legislation.

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

Senator **SAVIELLO**: Thank you, Mr. President. Ladies and gentlemen of the Senate, I originally voted for this bill and changed my mind after reading Dave Strubles' testimony to the committee, which has been just mentioned by my good Chair. I would just say that he basically feels that he has the tools already in his hands. He did testify neither for nor against. He felt that he could take action if necessary. That's why I changed my vote and I will be voting in favor of the Ought Not to Pass. Thank you.

THE PRESIDENT PRO TEMPORE: The pending question before the Senate is the motion by the Senator from Aroostook, Senator Edgecomb to Accept the Minority Ought Not to Pass Report, in Non-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 (#142)

YEAS: Senators: BAKER, BRAKEY, BURNS, COLLINS, CUSHING, CYRWAY, DAVIS, EDGEComb, HAMPER, KATZ, LANGLEY, MCCORMICK, ROSEN, SAVIELLO, THIBODEAU, VOLK, WHITTEMORE, WILLETTE, WOODSOME, THE PRESIDENT PRO TEMPORE - GARRETT P. MASON

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

20 Senators having voted in the affirmative and 15 Senators having voted in the negative, the motion by Senator **EDGEComb** of Aroostook to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE**, **PREVAILED**.

Sent down for concurrence.

Divided Report

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act Providing a Good Samaritan Defense to Individuals Reporting a Drug Overdose"
H.P. 486 L.D. 710

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-237)**.

Signed:

Senators:
ROSEN of Hancock
GERZOFISKY of Cumberland

Representatives:
FOWLE of Vassalboro
CHENETTE of Saco
DAVITT of Hampden
LAJOIE of Lewiston
NADEAU of Winslow
WARREN of Hallowell

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

Signed:

Senator:
BURNS of Washington

Representatives:
GERRISH of Lebanon
LONG of Sherman
THERIAULT of China
TIMMONS of Cumberland

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-237)**.

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-237) **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 Redefine the Method by Which the Department of Education Determines Cost Sharing for School Construction and Renovation Projects for Municipalities within a School Administrative Unit"

H.P. 402 L.D. 578

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
McCLELLAN of Raymond
PIERCE of Falmouth
STEARNS of Guilford
TIPPING-SPITZ of Orono

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-263)**.

Signed:

Representatives:

MAKER of Calais
POULIOT of Augusta

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 **EDUCATION AND CULTURAL AFFAIRS** on Resolve, To Impose a 2-year Delay on the Use of Standardized Tests To Evaluate Teachers (EMERGENCY)
H.P. 517 L.D. 764

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

Signed:

Senators:

LANGLEY of Hancock
EDGEComb of Aroostook

Representatives:

HUBBELL of Bar Harbor
MAKER of Calais
McCLELLAN of Raymond
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-264)**.

Signed:

Senator:

MILLETT of Cumberland

Representatives:

KORNFELD of Bangor
DAUGHTRY of Brunswick
FARNSWORTH of Portland
PIERCE of Falmouth
TIPPING-SPITZ of Orono

Comes from the House with the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-264)**.

Reports **READ**.

Senator **LANGLEY** of Hancock moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE**.

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

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

Senator **MILLETT**: Thank you, Mr. President. I rise in opposition to the motion before the Chamber. We recently, the Education Committee, voted unanimously to remove the Smarter Balance testing as the Maine Education Assessment, the standardized test. We are now back to square zero as to what we're going to be using to measure student growth and performance. This is important because our teacher evaluation and performance laws require that we use a standardized test to be part of the teacher performance and evaluation system. The first year that is going to be required to utilize the standardized test will be the first year of a new test that we will be choosing in the next months. We don't know how that test is going to perform. It could be as much of a debacle as the Smarter Balance test has been. Yet, we are going to be, in current law, utilizing those results as the baseline for teacher assessment. I would say that this is not good public policy. This is unfair to our teachers. We should give at least one year to see how the test goes, allow for some tweaking if that's necessary, and then we will be in good shape to move forward. I ask that you vote against the motion before us. Thank you.

THE PRESIDENT PRO TEMPORE: The Chair recognizes the Senator from Hancock, Senator Langley.

Senator **LANGLEY**: Thank you, Mr. President. Sorry I was a little late on my light there. I would ask folks to support the Majority Ought Not to Pass Report. As we are working through this, this legislation is hinged onto other legislation. That is the Department of Education Rule, Chapter 180, which is the performance evaluation, professional growth systems. We enacted that and in that we have a pilot program in there that uses standardized test data. We just recently delayed that pilot program for a year. They need to have some data to work with in this pilot program and those pilot programs are really to run and to see how that data effects. In a pilot program, when you are done, you have the ability to change, modify, and then change course if you need to. This would allow us to keep working towards that. I don't see any real detrimental effects for being able to keep this in there. In fact, it will give good information and maybe cause for some reconstruction of those pilot programs going forward. It's just to kind of keep moving forward and let us do our work without pushing out or delaying even further. Thank you, Mr. President.

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

Senator **MILLETT**: Thank you, Mr. President. I just rise to respectfully disagree, that there actually are going to be consequences for our teachers. The data that will be utilized from the first year of the testing will be part of their assessment. It will be part of their evaluation, even though it is part of a pilot year of the evaluation systems, that data will be utilized in teacher evaluations. Thank you.

THE PRESIDENT PRO TEMPORE: The pending question before the Senate is the motion by the Senator from Hancock, Senator Langley to Accept the Majority Ought Not to Pass Report, in Non-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 (#143)

YEAS: Senators: BRAKEY, BURNS, COLLINS, CYRWAY, EDGEComb, HAMPER, KATZ, LANGLEY, MCCORMICK, ROSEN, THIBODEAU, VOLK, WHITTEMORE, WILLETTE, WOODSOME, THE PRESIDENT PRO TEMPORE - GARRETT P. MASON

NAYS: Senators: ALFOND, BAKER, BREEN, CUSHING, DAVIS, DIAMOND, DILL, DUTREMBLE, GERZOFKY, GRATWICK, HASKELL, HILL, JOHNSON, LIBBY, MILLETT, MIRAMANT, PATRICK, SAVIELLO, VALENTINO

16 Senators having voted in the affirmative and 19 Senators having voted in the negative, the motion by Senator **LANGLEY** of Hancock to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE**, **FAILED**.

Senator **CUSHING** of Penobscot moved to **TABLE** until Later in Today's Session, pending **FURTHER CONSIDERATION**.

Senate at Ease.

Senate called to order by President Pro Tempore **GARRETT P. MASON** of Androscoggin County.

Senator **CUSHING** of Penobscot requested and received leave of the Senate to withdraw his motion to **TABLE** until Later in Today's Session.

Same Senator moved the Senate **RECONSIDER** whereby it **FAILED** to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE**.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending motion by same Senator to **RECONSIDER** whereby the Senate **FAILED** to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE**.

Divided Report

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Increase the Affordability of College Tuition and Attract Professionals to Maine"

H.P. 779 L.D. 1141

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-262)**.

Signed:

Senator:

MILLETT of Cumberland

Representatives:

KORNFELD of Bangor
DAUGHTRY of Brunswick
FARNSWORTH of Portland
HUBBELL of Bar Harbor
PIERCE of Falmouth
TIPPING-SPITZ of Orono

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

Signed:

Senators:

LANGLEY of Hancock
EDGECOMB of Aroostook

Representatives:

MAKER of Calais
McCLELLAN of Raymond
POULIOT of Augusta
STEARNS of Guilford

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-262)**.

Reports **READ**.

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

READ ONCE.

Committee Amendment "A" (H-262) **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 **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Remove the 100-megawatt Limit on Hydropower under the Renewable Resources Laws"
H.P. 90 L.D. 132

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

Signed:

Senator:

HILL of York

Representatives:

DION of Portland
BABBIDGE of Kennebunk
BEAVERS of South Berwick
DeCHANT of Bath
GROHMAN of Biddeford
RYKERSON of Kittery

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-270)**.

Signed:

Senators:

WOODSOME of York
MASON of Androscoggin

Representatives:

DUNPHY of Embden
HIGGINS of Dover-Foxcroft
O'CONNOR of Berwick
WADSWORTH of Hiram

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

Reports **READ**.

Senator **WOODSOME** of York moved the Senate **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-270)** Report, in **NON-CONCURRENCE**.

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

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

Senator **BRAKEY:** Thank you, Mr. President. I just want to speak to this very briefly because this is an issue that I have been, while I'm not on the Energy Committee, following for the last couple of years and am very passionate about. It seems like we often talk a lot in the Legislature about trying to expand opportunities in our state for clean, renewable energy, particularly energy that is affordable to the Maine people. Hydroelectric energy meets all those qualifications. It is clean. It is renewable. Most importantly, it is affordable. More hydroelectric energy in this state would help bring down the price of energy for Maine's people, who are struggling to heat their homes and keep the power on, especially with the long winters that we have here in our state. Unfortunately, there are certain barriers in the way to allow us to import more hydroelectric energy into the state. This bill, which would remove the 100 megawatt cap, would allow us to bring more hydroelectric energy into the state. I think for all those who would like to see greener, cleaner, affordable energy for the people of Maine, this is a commonsense step forward and I would hope that my colleagues will join me in supporting the Ought to Pass Report.

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

Senator **JOHNSON:** Thank you, Mr. President. Ladies and gentlemen, we can buy power from Hydro-Quebec today. They wanted to sell it to us at a competitive market rate. What this bill is about is taking the renewable energy credits, that could be actually accomplishing some of what the Senator spoke of, encouraging renewable production in the state of Maine, and would apply that to any purchases from the already existing, already developed, already funded by the Canadian government, hydropower generated Hydro-Quebec. They would qualify for those rates of being applicable to purchase of electricity from them and, thereby, using rate payer money to pay a higher price to Canada for that power than what we could buy it for today. Makes no sense.

THE PRESIDENT PRO TEMPORE: The pending question before the Senate is the motion by the Senator from York, Senator Woodsome to Accept the Minority Ought to Pass as Amended by Committee Amendment "A" (H-270) Report, in Non-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 (#144)

YEAS: Senators: BRAKEY, BURNS, COLLINS, CUSHING, CYRWAY, DAVIS, EDGEComb, HAMPER, LANGLEY, MCCORMICK, ROSEN, SAVIELLO, THIBODEAU, VOLK, WHITTEMORE, WILLETTE, WOODSOME, THE PRESIDENT PRO TEMPORE - GARRETT P. MASON

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

18 Senators having voted in the affirmative and 17 Senators having voted in the negative, the motion by Senator **WOODSOME** of York to **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-270)** Report, in **NON-CONCURRENCE**, **PREVAILED**.

READ ONCE.

Committee Amendment "A" (H-270) **READ** and **ADOPTED**.

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

Ordered sent down forthwith for concurrence.

Divided Report

The Majority of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Ensure That Telephone Utility Reorganizations Advance the Economic Development and Information Access Goals of the State"

H.P. 601 L.D. 882

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

Signed:

Senators:

WOODSOME of York
HILL of York
MASON of Androscoggin

Representatives:

BEAVERS of South Berwick
DeCHANT of Bath
DUNPHY of Embden
GROHMAN of Biddeford
HIGGINS of Dover-Foxcroft
O'CONNOR of Berwick
WADSWORTH of Hiram

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-285)**.

Signed:

Representatives:

DION of Portland
BABBIDGE of Kennebunk
RYKERSON of Kittery

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

Reports **READ**.

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

Divided Report

The Majority of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Allow a Local Distributed Energy Pilot Program"

H.P. 879 L.D. 1293

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

Signed:

Senators:

WOODSOME of York
HILL of York
MASON of Androscoggin

Representatives:

DION of Portland
BABBIDGE of Kennebunk
BEAVERS of South Berwick
DeCHANT of Bath
DUNPHY of Embden
GROHMAN of Biddeford
HIGGINS of Dover-Foxcroft
O'CONNOR of Berwick
WADSWORTH of Hiram

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

Signed:

Representative:

RYKERSON of Kittery

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

Reports **READ**.

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

Divided Report

The Majority of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Amend the Community-based Renewable Energy Program"

H.P. 888 L.D. 1310

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-269)**.

Signed:

Senators:

WOODSOME of York
HILL of York
MASON of Androscoggin

Representatives:

DION of Portland
BABBIDGE of Kennebunk
BEAVERS of South Berwick
DeCHANT of Bath
DUNPHY of Embden
GROHMAN of Biddeford
HIGGINS of Dover-Foxcroft
RYKERSON of Kittery

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

Signed:

Representatives:

O'CONNOR of Berwick
WADSWORTH of Hiram

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-269)**.

Reports **READ**.

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

READ ONCE.

Committee Amendment "A" (H-269) **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 **HEALTH AND HUMAN SERVICES** on Bill "An Act To Expand Access To Lifesaving Opioid Overdose Medication"

H.P. 98 L.D. 140

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-248)**.

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
PETERSON of Rumford
STUCKEY of Portland
VACHON of Scarborough

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

Signed:

Representative:

SANDERSON of Chelsea

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-248) AS AMENDED BY HOUSE AMENDMENT "A" (H-278)** thereto.

Reports **READ**.

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

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence.

Divided Report

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Improve Program Integrity Activities within the Department of Health and Human Services"
H.P. 288 L.D. 421

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

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** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.

Reports **READ**.

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

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

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

Senator **HASKELL**: Thank you very much, Mr. President. Members of the Senate, I would like to encourage you to reject the pending motion of Ought Not to Pass so we could go on and put into place what would be an appropriate bill regarding government transparency and accountability. That's what this bill is all about. The State's management of a significant number of public dollars in our Health and Human Services program is comprehensive and is actually well coordinated. The department manages multiple programs which deliver services to citizens all across our state and these programs spend billions of dollars annually and the integrity of each of these programs must be maintained through efforts that are comprehensive, fair, and based on facts. The public has a right to know and understand what these are. Preventing and detecting fraudulent abuses and wasteful practices is an essential responsibility that we take very seriously here in the state of Maine and here in the Senate. One of the considerations here is what a failure to do really strong integrity-based programs does is put dollars at risk. This serves us all well when we do good integrity and good transparency regarding these programs. There is a requirement here. I won't go into the whole bill, but just understand that many of the fraud, waste, and abuse programs that are going on within the department, none of which are in and of themselves not doing the right thing, are imbedded within the individual programs. It's going to be important for us, as we go forward and as these programs get more complicated, to have a more centralized method of determining transparency, whether or not these programs are doing what they are supposed to be doing, and have reports back to the committee that are not from the individual sectors of the department which are managing the programs. I encourage you to take a look at what this bill actually does and make sure that we can provide the highest level of transparency and reporting on the issues regarding these programs. I urge you to vote no on the pending motion. Thank you, Mr. President.

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

Senator **BRAKEY**: Thank you, Mr. President. With respect to my colleague from Cumberland, I appreciate her earnest desire to have more information. That being said, as we reviewed this bill, those on the Minority Report, the Ought Not to Pass Report, this very much appeared to us to be a "make work" bill. How many reports do we need to receive? I'm sure many of us, through all of our committees, receive so many reports already and I know that we all work diligently to read each and every one of those reports that comes before us, especially with the workload that's before us. The truth is, when we have questions, and when there's information that we would like from the department, we can summon the department to come to address our committee

at any time to address particular topics. This bill would just create another report that has to be generated, man hours have to go into in order to send the report, and we hope that everyone will have an opportunity to read. Is it really worth the time and energy that goes into it when we can simply ask the department to come before our committee? I would really hope that this Body would follow my light and support the motion of Ought Not to Pass.

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

Senator **HASKELL:** Thank you very much, Mr. President. Ladies and gentlemen of the Senate, while I appreciate the comments of my colleague from Androscoggin, I would tell you that what this type or style of reporting is designed to do is to get us away from the multiple individual, separate, and variable reports that come from individual departments and begin to coordinate and put those together in a readable form, one that can be compared from department to department and program to program so that we are able to see those things. I would respectfully disagree that this creates more reports. I believe that it creates a method by which we can consolidate and provide a report that might actually get read by the committee when it comes forward. Thank you.

THE PRESIDENT PRO TEMPORE: The pending question before the Senate is the motion by the Senator from Androscoggin, Senator Brakey to Accept the Minority Ought Not to Pass Report, in Non-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 (#145)

YEAS: Senators: BAKER, BRAKEY, BURNS, COLLINS, CUSHING, CYRWAY, DAVIS, EDGEComb, HAMPER, KATZ, LANGLEY, MCCORMICK, ROSEN, SAVIELLO, THIBODEAU, VOLK, WHITTEMORE, WILLETTE, WOODSOME, THE PRESIDENT PRO TEMPORE - GARRETT P. MASON

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

20 Senators having voted in the affirmative and 15 Senators having voted in the negative, the motion by Senator **BRAKEY** of Androscoggin to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE**, **PREVAILED**.

Sent down for concurrence.

Off Record Remarks

Divided Report

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Feed Rural Citizens of the State" H.P. 721 L.D. 1052

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

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** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.

Reports **READ**.

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

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

Divided Report

The Majority of the Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Expand Deer Hunting Opportunities for Junior Hunters"

H.P. 100 L.D. 142

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-273)**.

Signed:

Senators:

DAVIS of Piscataquis
DUTREMBLE of York

Representatives:

SHAW of Standish
ALLEY of Beals
HILLIARD of Belgrade
LYFORD of Eddington
MARTIN of Sinclair
WOOD of Greene

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

Signed:

Senator:

CYRWAY of Kennebec

Representatives:

COREY of Windham
CRAFTS of Lisbon
REED of Carmel
SHORT of Pittsfield

(Representative DANA of the Passamaquoddy Tribe - of the House - supports the Majority **Ought To Pass as Amended** Report.)

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-273)**.

Reports **READ**.

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

READ ONCE.

Committee Amendment "A" (H-273) **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 **MARINE RESOURCES** on Bill "An Act Regarding Interstate Shellfish Depuration" (EMERGENCY)

H.P. 962 L.D. 1416

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

Signed:

Senators:

BAKER of Sagadahoc
LANGLEY of Hancock

Representatives:

KUMIEGA of Deer Isle
ALLEY of Beals
BATTLE of South Portland
HAWKE of Boothbay Harbor
PIERCE of Dresden
SAWICKI of Auburn
TUELL of East Machias

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-286)**.

Signed:

Senator:

MIRAMANT of Knox

Representatives:

BLUME of York
DEVIN of Newcastle
McCREIGHT of Harpswell

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

Reports **READ**.

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

Senate

Ought to Pass

Senator VOLK for the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Clarify the Used Car Information Laws"

S.P. 514 L.D. 1388

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

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

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

Ought to Pass As Amended

Senator EDGECOMB for the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act To Clarify Maine's Fertilizer Quality Control Laws"

S.P. 329 L.D. 938

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-181)**.

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

READ ONCE.

Committee Amendment "A" (S-181) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Senator LANGLEY for the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Resolve, To Create the Task Force on School Leadership (EMERGENCY)

S.P. 368 L.D. 1042

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-162)**.

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

READ ONCE.

Committee Amendment "A" (S-162) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Senator LANGLEY for the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Implement the Recommendations of the Commission To Study College Affordability and College Completion" (EMERGENCY)

S.P. 524 L.D. 1406

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-163)**.

Report **READ**.

On motion by Senator **CUSHING** of Penobscot, **TABLED** until Later in Today's Session, pending **ACCEPTANCE OF THE REPORT**.

Senator WOODSOME for the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Increase the Beneficial Reuse of Waste Materials and To Promote Community-based Renewable Energy"

S.P. 205 L.D. 589

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-164)**.

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

READ ONCE.

Committee Amendment "A" (S-164) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Senator BRAKEY for the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Preserve MaineCare Assisted Living by Providing a Cost-of-living Adjustment to Private Nonmedical Institutions and Adult Family Care Homes"

S.P. 380 L.D. 1078

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-168)**.

Report **READ**.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#146)

YEAS: Senators: ALFOND, BAKER, BRAKEY, BREEN, BURNS, COLLINS, CUSHING, CYRWAY, DAVIS, DIAMOND, DILL, DUTREMBLE, EDGECOMB, GERZOFKY, GRATWICK, HAMPER, HASKELL, HILL, JOHNSON, KATZ, LANGLEY, LIBBY, MCCORMICK, MILLETT, MIRAMANT, PATRICK, ROSEN, SAVIELLO, THIBODEAU, VALENTINO, VOLK, WHITTEMORE, WILLETTE, WOODSOME, THE PRESIDENT PRO TEMPORE - GARRETT P. MASON

NAYS: Senators: None

35 Senators having voted in the affirmative and no Senator having voted in the negative, the **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-168)** Report **ACCEPTED**.

READ ONCE.

Committee Amendment "A" (S-168) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Senator BRAKEY for the Committee on **HEALTH AND HUMAN SERVICES** on Resolve, To Support and Encourage the Expansion of Adult Family Care Services at Residential Care Facilities

S.P. 381 L.D. 1079

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-166)**.

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

READ ONCE.

Committee Amendment "A" (S-166) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Senator DAVIS for the Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Allow Nonresident College Students To Obtain Resident Hunting, Fishing and Trapping Licenses"

S.P. 94 L.D. 256

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-170)**.

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

READ ONCE.

Committee Amendment "A" (S-170) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Senator DAVIS for the Committee on **INLAND FISHERIES AND WILDLIFE** on Resolve, To Ensure the Stocking of Inland Waters in the State

S.P. 429 L.D. 1202

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-171)**.

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

READ ONCE.

Committee Amendment "A" (S-171) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Senator WHITTEMORE for the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Amend the Boundaries of the Capitol Area" (EMERGENCY)

S.P. 516 L.D. 1390

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-179)**.

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

READ ONCE.

Committee Amendment "A" (S-179) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Senator McCORMICK for the Committee on **TAXATION** on Bill "An Act To Provide Tax Fairness and To Lower Medical Expenses for Patients under the Maine Medical Use of Marijuana Act"

S.P. 312 L.D. 867

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-178)**.

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

READ ONCE.

Committee Amendment "A" (S-178) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Senator COLLINS for the Committee on **TRANSPORTATION** on Bill "An Act To Improve the Safety of Vulnerable Users in Traffic and To Clarify the Responsibilities of Bicyclists and Pedestrians"

S.P. 466 L.D. 1301

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-177)**.

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

READ ONCE.

Committee Amendment "A" (S-177) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Divided Report

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Make Possession of a Firearm with an Altered or Obscured Serial Number a Class C Crime"

S.P. 412 L.D. 1160

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-165)**.

Signed:

Senators:

ROSEN of Hancock
BURNS of Washington
GERZOFISKY of Cumberland

Representatives:

FOWLE of Vassalboro
CHENETTE of Saco
DAVITT of Hampden
LAJOIE of Lewiston
NADEAU of Winslow
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:

Representatives:

GERRISH of Lebanon
LONG of Sherman
THERIAULT of China

Reports **READ**.

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

READ ONCE.

Committee Amendment "A" (S-165) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Divided Report

The Majority of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** on Bill "An Act To Promote Recycling Program Integration and Efficiencies"

S.P. 498 L.D. 1366

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-169)**.

Signed:

Senators:

SAVIELLO of Franklin
BRAKEY of Androscoggin
BREEN of Cumberland

Representatives:

WELSH of Rockport
BUCKLAND of Farmington
CAMPBELL of Orrington
DUCHESNE of Hudson
HANLEY of Pittston
HARLOW of Portland
WHITE of Washburn

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

Signed:

Representatives:

CHIPMAN of Portland
MARTIN of Eagle Lake
TUCKER of Brunswick

Reports **READ**.

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

READ ONCE.

Committee Amendment "A" (S-169) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Divided Report

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Repeal the Certificate of Need Requirement for Hospitals"

S.P. 264 L.D. 734

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
PETERSON of Rumford
STUCKEY of Portland

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-167)**.

Signed:

Senators:

BRAKEY of Androscoggin
McCORMICK of Kennebec

Representatives:

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

Reports **READ**.

Senator **BRAKEY** of Androscoggin moved the Senate **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report.

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

Senator **BRAKEY:** Thank you, Mr. President. We, in this Body and in the hall of the Legislature and certainly in the Health and Human Services Committee, talk a lot about the cost of healthcare and in and around that conversation often times we talk a lot about, with healthcare costs going up, how we can accommodate that by shifting the cost around and making other people pay for it. Rarely, unfortunately, do we get to talk about actual proposals that would have an impact on actually bringing down the cost of healthcare and I'm pleased today that we have one such of those proposals here before us today which would have a real impact on lowering the cost of healthcare for the people of Maine. This bill, L.D. 734, "An Act to Repeal the Certificate of Need Requirement for Hospitals." I will note that the title is slightly off because it also includes nursing facilities. It would repeal the entire Certificate of Need requirement.

You might remember that we did have a similar bill to this earlier in this session, so I won't go into great detail about everything to do with the Certificate of Need, but I will just go over

some of the details to refresh people's memories. The Certificate of Need is a requirement that healthcare providers, in order to expand services so as to perhaps create a new hospital or to expand an existing hospital, must first receive permission from the State government and demonstrate that need for those services exists in the community. As you can imagine, this creates tremendous opportunity when new providers are attempting to enter a marketplace. This creates tremendous opportunity for existing providers to lobby the government to make sure that they don't have additional competition. After all, what business wouldn't? Who wants competition? As we know, competition helps create better environments for consumers and lowers the price while raising the quality.

The history of this, this policy originally came out in 1974 as a part of a federal policy on the National Health Planning Resource and Development Act. The thought process at the time was that one of the reasons that healthcare costs were high was because we had too much healthcare, we had too much investment in healthcare, and we had an over-supply of healthcare. The thinking was that if you restricted supply cost and price would go down. Of course, that is contrary to even the most basic economics 101 class, I know I took it in high school, where we learned that as supply goes up price goes down because competition brings down the price as people have to compete for their customers.

After that was passed in 1974, just twelve years later the federal government reversed itself. They looked at the trends and they saw that this did not do what it was intended to. It did not bring down the price of healthcare. In 1986 the federal government repealed this law. However, some states chose to keep it in place, including Maine. Here we are, all these years later, years later since it was repealed on the federal level, and we can compare and we can see states that kept the Certificate of Need and states that did not keep the Certificate of Need and we can see the difference in the cost of healthcare. The average healthcare cost per person in a state that does not have a Certificate of Need, does not have this barrier to entry and this restriction on new competition, is \$6,526. The average cost for healthcare per person in states with Certificate of Need is 11% higher, \$7,230. In Maine, our situation is even worse. We are 31% higher than states without a Certificate of Need. Our average cost per capita is \$8,521. That makes Maine the fourth most expensive state in the nation to purchase healthcare.

I would propose that if we were to move forward on this, repeal the Certificate of Need as many states have done, we will find that we will be taking a step forward to reduce costs for Maine patients.

I do want to talk a little bit just to bring in some other sources on this so you don't need to take my word for it. There was a report by the FTC and the Department of Justice as they looked into this policy. I just want to quote from that report. "Existing competitors have exploited the Certificate of Need process to thwart or delay new competition to protect their own supra-competitive revenues. Such behavior, commonly called "Rent Seeking," is a well-recognized consequence of certain regulatory interventions in the market. During our hearings we gathered evidence of the wide-spread recognition that existing competitors use the Certificate of Need process to forestall competitors from entering an incumbent's marketplace."

I won't spend much more time on this. I think I've laid out many of the facts that we would need to know to make a decision on this. I would just bring it back to this; we can look at the

numbers. States without a Certificate of Need, states without this government intervention that restricts competition, see healthcare prices that are lower than states with this restriction. We are the fourth most expensive state in the country for healthcare and I think it's about time that we do something that would actually bring down the price of healthcare for Maine people who are struggling to make ends meet. Thank you, Mr. President. I appreciate the time and I hope members of this Body will follow my light.

Off Record Remarks

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

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

Senator **HASKELL**: Thank you very much, Mr. President. Ladies and gentlemen of the Senate, many of the comments that my colleague from Androscoggin has made are accurate. However, this is not a free market. The entities that are under consideration here, the hospitals and the nursing homes, do not operate in free market conditions. I'm going to just briefly read a couple of pieces of testimony. I also want to refer to the Government Oversight Committee's report, which I don't have in front of me but which we referenced before, regarding the need to continue this Certificate of Need program. This is from the President and CEO of Maine Healthcare Association, Mr. Rick Erb, who is speaking here on behalf of nursing homes and PNMIs. "The empty nursing home beds don't serve the best interest of anybody in Maine's nursing home. They need to operate near capacity to stay in business and they also need to have a mix of private pay as well as government pay. If we open a free market, which could encourage nursing homes who only accept private pay to come in, we're going to find that our costs are going to go up and the number of nursing homes accepting Medicare and Medicaid are going to go down. That's going to create a problem for us." That is not the typical free market access problem that was being discussed by my colleague. In his discussion, he has also indicated to us, nothing that is of any great surprise, we've already got trouble funding the facilities, the nursing facilities, that we have now.

Maine has recently updated its Certificate of Need laws. It's been doing that continually since it went into place in 1978, I believe. We increased the threshold from \$1 million to \$5 million a few years ago, which is a major step which has really helped the current facilities to modernize.

From Eastern Maine Hospital Association, Lisa Harvey-McPherson was here to talk to us about how this impacts hospitals. She says in her testimony, "Over time various Legislatures have evaluated the CON and have implemented changes that increased the regulatory burden and then later relaxed the regulatory burden. The Certificate of Need program should exist to balance the investment of resources and the provision of care to Maine citizens." Again she repeats, "Healthcare is not a free market." "Maine's Certificate of Need

process," she goes on, "supports investment of resources for the critical healthcare needs of our community; maintaining a delicate balance of competition, quality, and volume of services." I'll go off her testimony here to just reiterate that much of this has to do with not simply competition but also access and volume of services, particularly in a rural state such as ours. She goes on to say, "In a predominantly rural state this balance is critical to maintain local access to essential healthcare, including primary care and emergency room service." In her final statement, "In the end the Certificate of Need provides a regulatory investment framework that reflects the realities of conducting the business of healthcare in a market dominated by government payers and a commitment to care and services, irrespective of ability to pay. We strongly urge you to oppose this legislation." This is from the hospitals.

I would encourage you to reject the current motion and reject losing our Certificate of Need program, which has evolved and has provided significant improvements because of the CON process where projects that have gone before them have been able to evolve, grow, and adjust to meet the needs of people in the state of Maine. Thank you, Mr. President.

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

Senator **GRATWICK**: Thank you very much, Mr. President. Ladies and gentlemen of the Senate, I, too, rise in opposition. I have been a practicing doctor here for 40 years. I have actually been here before the CON. The CON is by no means perfect, but it has worked to restrain prices as much as possible, I think, which I think we can do in this rural state. I would take exception to what the good Senator from Androscoggin had said before and reiterate what Senator Haskell said, which is to say that healthcare is not, indeed, a free market. This is not the usual economic model and I think that if you base your ideas upon that it's probably not correct. Second, I think it's important to realize that healthcare does not go by the usual rules. We can do a great deal more to restrain costs in Maine. I think this will have exactly the opposite effect. That has certainly been my experience, working on the inner parts of the Eastern Maine Medical Center as they've dealt with these issues over times. I would strongly urge that we not repeal this CON. Thank you, Mr. President.

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

Senator **BRAKEY**: Thank you, Mr. President. I apologize for rising a second time. I just wanted to note, very briefly, that many of the states that are without Certificate of Need requirements are, in fact, rural states and they have significantly lower costs per capita on healthcare than we do. Additionally, I would like to point out, and again highlight, that we are, in fact, the fourth most expensive state in the country for the cost of healthcare per person. That does not suggest to me that the system that we have now is currently working as well as some might suggest. Thank you very much.

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

Senator **GRATWICK**: Thank you very much, Mr. President. Again, I rise just very briefly to say we all learned in the tenth grade how to figure out which statistics we should have to punch up a particular point of view. It is an extraordinarily complicated area. You cannot summarize it into statistics. Thank you, Mr. President.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#147)

YEAS: Senators: BAKER, BRAKEY, BURNS, COLLINS, CUSHING, CYRWAY, DAVIS, EDGEComb, HAMPER, LANGLEY, MCCORMICK, SAVIELLO, THIBODEAU, VOLK, WHITTEMORE, WILLETTE, WOODSOME, THE PRESIDENT PRO TEMPORE - GARRETT P. MASON

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

18 Senators having voted in the affirmative and 17 Senators having voted in the negative, the motion by Senator **BRAKEY** of Androscoggin to **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report **PREVAILED**.

READ ONCE.

Committee Amendment "A" (S-167) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Divided Report

The Majority of the Committee on **JUDICIARY** on Bill "An Act To Clarify the Use of Lawyer's Trust Account Funds When the Owner Is Not Known or Cannot Be Located"

S.P. 399 L.D. 1130

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

Signed:

Senators:
BURNS of Washington
VOLK of Cumberland

JOHNSON of Lincoln

Representatives:

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

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-180)**.

Signed:

Representatives:

SHERMAN of Hodgdon
WARREN of Hallowell

Reports **READ**.

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

Sent down for concurrence.

Divided Report

The Majority of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act Regarding Advanced Practice Registered Nurse Requirements" S.P. 342 L.D. 970

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

Signed:

Senators:

VOLK of Cumberland
PATRICK of Oxford

Representatives:

HERBIG of Belfast
AUSTIN of Gray
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" (S-176)**.

Signed:

Senator:

CUSHING of Penobscot

Reports **READ**.

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

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:

Acts

An Act To Help Municipalities Prepare for Changes in Sea Level
H.P. 274 L.D. 408
(C "A" H-68)

An Act Relative to the Escheat of United States Savings Bonds
S.P. 320 L.D. 929
(C "A" S-155)

An Act To Allow Certificate of Approval Holders under the Liquor Licensing Laws To Donate Alcohol to Nonprofit Organizations
S.P. 424 L.D. 1197
(C "A" S-152)

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

Ordered sent down forthwith.

An Act To Improve the Quality of Life of Persons with Serious Illnesses
S.P. 280 L.D. 782

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

THE PRESIDENT PRO TEMPORE: The Chair recognizes the Senator from Hancock, Senator Langley.

Senator **LANGLEY:** Thank you, Mr. President. Women and men of the Senate, I rise before you today in support of L.D. 782, a simple but terribly important bill. Too many Mainers suffer from serious illness. We all know this because of the important health policy issues we deal with in this Chamber and because we all

likely know someone who has suffered from a serious illness. For too long our healthcare system has placed the focus on treating disease first and then the patient. Our healthcare system is starting to evolve where we are no longer treating people as the diseases they carry. We are treating people as whole people. This bill is about giving more Mainers access to care that addresses the patient's quality of life and puts the patient at the center of their care and in the driver's seat and making informed decisions about their care and support from their healthcare team and caregivers. This type of care is called palliative care. While many of you think of end of life care when you hear the words palliative care, it's important to know that this is a common misperception. End of life care is only one piece of palliative care. Palliative care is an important extra layer of support for patients of any age and at any stage of a serious disease. Palliative care is about ensuring that a patient has a high quality of life during treatment for disease. It's about team based care that works with the patient, the family, and the caregivers. It's about improved pain and symptom management and it's about understanding the patient's goals and explaining treatment options so the patients can choose what's best. It's something that can be life changing for patients that receive it, as it improves patient satisfaction and can extend life while also lowering care costs.

Mr. President, I first learned about palliative care during my wife's battle with breast cancer. Her care was superb and based on a team approach and lead by my wife, who saw her role as the leader of this team and me as her co-captain and servant. We believe that her recovery was in great respects due to this approach. During my wife's battle with breast cancer my niece's husband was diagnosed with Stage 4 colon cancer and ultimately passed at a young age of 32. His palliative care was excellent and the approach was patient centered. My niece will be forever grateful for the way he and she, as well as our family, were treated. Patient centered and lead care is vital to the success of our healthcare system.

Despite the growing availability and promise of palliative care, far too many patients still do not have access to it in Maine or nationwide. Some of these individuals shared their stories at the public hearing and there are many reasons for barriers to accessing palliative care, including lack of patient awareness; provider misconceptions; too few doctors, nurses, social workers, and other members of the care team trained in this specialty; as well as system issues. This bill brings together experts from Maine by the Maine Hospice Council to help identify barriers that exist in Maine and help identify ways to improve access to palliative care. This is commonsense approach to a critically important issue. As you can see by the letter distributed on your desk, a wide range of stakeholders, including organizations representing patients, elders, hospitals, doctors, nurses, social workers, and religious organizations, support the bill. L.D. 782 is about fundamentally addressing the patient's quality of life, whether it be for another 50 years or in their last five months. Please follow my light and support this important bill. Thank you, Mr. President.

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

Senator **BRAKEY:** Thank you, Mr. President. I can't say it better than Senator Langley did, so I will keep my comments very brief. I just want to say, as the Chairman for the Health and Human

Services Committee, this was a unanimous Ought to Pass Report. This is a wonderful bill. Palliative care enables our doctors and patients to consider not just length of life but also quality of life. For many people that's a very important balance to consider. Again, I cannot say it any better than my colleague just has, so I'll just say thank you for the opportunity to speak and I would encourage a yea vote on this motion. Thank you.

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

Senator **HASKELL:** Thank you very much, Mr. President. Ladies and gentlemen of the Senate, I'll speak briefly to the matter of palliative care. I first, like many others, became knowledgeable about palliative care during hospice treatment for my husband who passed away. The palliative care was an important part of his care. That was then and this is now. What I came to realize and understand in the course of the public hearing was something that I hadn't realized and that's the evolution of palliative care into a growing and evolving medical specialty. There are specialists out there on palliative care now. They are integrated. They are going to continue to be integrated into our medical care practices at all levels. I think that, for me, was one of the more interesting and important parts of what I was listening to during the public hearing. As a medical specialty, this gives these individuals an opportunity to improve the patient's quality of life. Of the many things that they do, looking at the whole person beyond the disease is relief from symptoms, depressing, nutritional challenges, pain, stress, and all of those things which on the side of what the individual is dealing with while the doctor is dealing with what the disease is, while the medication is dealing with what the disease is. Palliative care professionals are dealing with what the patient is going through. This is an extraordinary, important, and, I think, of overwhelming value for people in this state, as we are an aging population and a few more of us now have all of those aches and pains that I have just talked about. When you add those on top of disease, to be able to have somebody working with you is extraordinarily important and I urge your support. Thank you.

THE PRESIDENT PRO TEMPORE: The pending question before the Senate is Enactment. 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 (#148)

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

NAYS: Senators: None

35 Senators having voted in the affirmative and no Senator having voted in the negative, was **PASSED TO BE ENACTED** and, having been signed by the President Pro Tempore, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

An Act To Remove Limitations on Reciprocity for Concealed Handguns Permits

S.P. 313 L.D. 868

On motion by Senator **CUSHING** of Penobscot, 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 (#149)

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

NAYS: Senators: None

35 Senators having voted in the affirmative and no Senator having voted in the negative, was **PASSED TO BE ENACTED** and, having been signed by the President Pro Tempore, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

An Act To Expand the Educational Opportunity Tax Credit
S.P. 504 L.D. 1374
(C "A" S-151)

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

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

Senate at Ease.

Senate called to order by President Pro Tempore
GARRETT P. MASON of Androscoggin County.

ORDERS OF THE DAY

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

HOUSE REPORT - from the Committee on **EDUCATION AND
CULTURAL AFFAIRS** on Bill "An Act To Ensure Equitable
Support of Education for Maine Students in School Administrative
District No. 6 and School Administrative District No. 44"
H.P. 743 L.D. 1082

Report - **Ought to Pass as Amended by Committee
Amendment "A" (H-261)**

Tabled - June 4, 2015, by Senator **CUSHING** of Penobscot

Pending - **ACCEPTANCE OF REPORT**, in **NON-
CONCURRENCE**

(In House, June 3, 2015, Report **READ** and the Bill and
accompanying papers **INDEFINITELY POSTPONED**.)

(In Senate, June 4, 2015, Report **READ**.)

On motion by Senator **CUSHING** of Penobscot, Bill and
accompanying papers **INDEFINITELY POSTPONED**, in
concurrence.

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

SENATE REPORT - from the Committee on **EDUCATION AND
CULTURAL AFFAIRS** on Bill "An Act To Implement the
Recommendations of the Commission To Study College
Affordability and College Completion" (EMERGENCY)
S.P. 524 L.D. 1406

Report - **Ought to Pass as Amended by Committee
Amendment "A" (S-163)**

Tabled - June 4, 2015, by Senator **CUSHING** of Penobscot

Pending - **ACCEPTANCE OF REPORT**

(In Senate, June 4, 2015, Report **READ**.)

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#150)

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

NAYS: Senators: None

35 Senators having voted in the affirmative and no Senator
having voted in the negative, the **OUGHT TO PASS AS
AMENDED BY COMMITTEE AMENDMENT "A" (S-163)** Report
ACCEPTED.

READ ONCE.

Committee Amendment "A" (S-163) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Off Record Remarks

RECESSED until the sound of the bell.

After Recess

Senate called to order by President Pro Tempore
GARRETT P. MASON of Androscoggin County.

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

ENACTORS

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

Act

An Act To Authorize the Carrying of Concealed Handguns without
a Permit

S.P. 245 L.D. 652
(S "B" S-153, S "C" S-174;
S "D" S-175 to C "A" S-119)

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

Off Record Remarks

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

On motion by Senator **CUSHING** of Penobscot, **ADJOURNED** to Friday, June 5, 2015, at 10:00 in the morning.