

# MAINE STATE LEGISLATURE

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



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

Senate Legislative Record

One Hundred and Twenty-Seventh Legislature

State of Maine

Daily Edition

First Regular Session  
beginning December 3, 2014

beginning at Page 1

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

In Senate Chamber  
Tuesday  
June 23, 2015

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

Prayer by Pastor Don Drake, Deering Center Community Church  
in Portland.

**PASTOR DRAKE:** Thank you, Mr. President. I'd like to begin  
with a reading from Proverbs this morning. It's about gaining  
wisdom and I know that you have many deliberations and  
challenges ahead and I hope that these words will be words of  
encouragement to you.

My child, listen to what I say and treasure my commands.  
Tune your ears to wisdom and concentrate on understanding.  
Cry out for insight and ask for understanding. Search for them as  
you would for silver. Seek them like hidden treasures. Then you  
will understand what it means to fear the Lord and you will gain  
knowledge of God, for the Lord grants wisdom, from his mouth  
comes knowledge and understanding. He grants a treasure of  
commonsense to the honest. He's a shield to those who walk  
with integrity. He guards the path of the just and protects those  
who are faithful to him. Then you will understand what is right,  
just, and fair and you will find the right way to go for wisdom will  
enter your heart and knowledge will fill you with joy. Wise choices  
will watch over you. Understanding will keep you safe.

Let us bow our heads in prayer. Lord, first and foremost, we  
thank You for Your presence. We thank You for Your love and  
grace. We pray Your blessing upon each and every one that is  
gathered here today. Lord, they are devoted to You and they are  
devoted to leading and guiding this great state of Maine. As we  
gather this morning we, like the entire nation, are mindful of the  
tragedy that has happened in South Carolina, but through that  
tragedy Your love and grace, Your forgiveness, Your  
reconciliation is shining forth. That same grace resides here in  
this Chamber. Father, I pray that You would guide and direct. I  
pray that this will not be a burden but a joy for each and every  
member. May Your blessing be upon this Senate, Your blessing  
be upon our Governor, and, Lord God, may Your great blessing  
be upon the great state of Maine. We pray this and thank You in  
Jesus' name. Amen.

Pledge of Allegiance led by Senator Nathan L. Libby of  
Androscoggin County.

Reading of the Journal of Monday, June 22, 2015.

Off Record Remarks

PAPERS FROM THE HOUSE

Non-Concurrent Matter

SENATE REPORTS - from the Committee on **HEALTH AND  
HUMAN SERVICES** on Resolve, To Require the Department of  
Health and Human Services To Request a Waiver To Prohibit the  
Use of Food Supplement Benefits for the Purchase of Taxable  
Food Items (EMERGENCY)

S.P. 195 L.D. 526  
(C "A" S-298)

Majority - **Ought to Pass as Amended by Committee  
Amendment "A" (S-298)** (9 members)

Minority - **Ought to Pass as Amended by Committee  
Amendment "B" (S-299)** (4 members)

In Senate, June 18, 2015, on motion by Senator **BRAKEY** of  
Androscoggin, the Majority **OUGHT TO PASS AS AMENDED BY  
COMMITTEE AMENDMENT "A" (S-298)** Report **READ** and  
**ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS  
AMENDED BY COMMITTEE AMENDMENT "A" (S-298)**.

Comes from the House, the Minority **OUGHT TO PASS AS  
AMENDED BY COMMITTEE AMENDMENT "B" (S-299)** Report  
**READ** and **ACCEPTED** and the Resolve **PASSED TO BE  
ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT  
"B" (S-299)**, in **NON-CONCURRENCE**.

Senator **BRAKEY** of Androscoggin moved the Senate **INSIST**.

Senator **JOHNSON** of Lincoln moved the Senate **RECEDE** and  
**CONCUR**.

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

Senator **JOHNSON:** Thank you, Mr. President. I'd like to speak  
just briefly to the importance of our Receding and Concurring on  
this matter. In Maine, we still have, according to Feeding America  
in 2014, nearly one in four Maine children that were food  
insecure. While this bill, under the current report that's been  
moved, would take care of our not expending SNAP dollars on  
things that are not nutritious, there is still a significant obstacle for  
those who are food insecure to afford to eat healthier. I hope that  
you would join me in receding and concurring with the House's  
movement that would provide for both the wise expenditure of  
money and the matching dollars and education and accessibility  
of healthier food to help people overcome and eat more  
nutritiously. Thank you, Mr. President.

---

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

---

**THE PRESIDENT:** The pending question before the Senate is the motion by the Senator from Lincoln, Senator Johnson to Recede and Concur. 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 (#328)**

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

NAYS: Senators: BAKER, BRAKEY, BURNS, COLLINS, CUSHING, CYRWAY, DAVIS, DIAMOND, EDGEComb, HAMPER, KATZ, LANGLEY, LIBBY, MASON, MCCORMICK, MIRAMANT, ROSEN, SAVIELLO, WHITTEMORE, WILLETTE, WOODSOME, THE PRESIDENT - MICHAEL D. THIBODEAU

EXCUSED: Senator: VOLK

12 Senators having voted in the affirmative and 22 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **JOHNSON** of Lincoln to **RECEDE** and **CONCUR FAILED**.

On motion by Senator **BRAKEY** of Androscoggin, the Senate **INSISTED**.

Sent down for concurrence.

---

**COMMUNICATIONS**

The Following Communication: S.C. 473

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

22 June 2015

The 127<sup>th</sup> Legislature of the State of Maine  
State House  
Augusta, ME

Dear Honorable Members of the 127<sup>th</sup> 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 636, "An Act To Provide Consumers of Health Care with Information Regarding Health Care Costs."

This bill requires insurance carriers to provide on their websites certain information to consumers regarding prescription drug coverage. Long have I been in favor of providing more information to consumers regarding health care costs, because I believe it encourages people to become educated purchasers of medical services.

This bill, however, creates unnecessary regulation that overlaps with existing federal law and regulation on the exact same issues. This bill is slightly different from federal regulation, and so we are forcing the insurance carriers in Maine to comply with the Affordable Care Act as well as the slightly different Maine law. There is no reason to be even more prescriptive than the Affordable Care Act.

For these reasons, I return LD 636 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 Provide Consumers of Health Care with Information Regarding Health Care Costs

S.P. 229 L.D. 636

The President laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor? In accordance with Article IV, Part Third, Section 2, of the Constitution, the vote will be taken by the Yeas and Nays. A vote of yes will be in favor of the Bill. A vote of no will be in favor of sustaining the veto of the Governor."

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#329)**

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

NAYS: Senators: BRAKEY, EDGEComb, WILLETTE

EXCUSED: Senator: VOLK

31 Senators having voted in the affirmative and 3 Senators having voted in the negative, with 1 Senator being excused, 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.

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

---

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 Following Communication: S.C. 474

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

22 June 2015

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

Dear Honorable Members of the 127th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 819, "An Act Regarding the Taxation of Kombucha."

Kombucha is a small sub-category of wine. It is beverage alcohol under federal rules and Maine law. There is no defensible public policy reason why this category of beverage alcohol should receive special treatment. It is unfortunate that the sponsor chose to submit a bill that does nothing to help Maine taxpayers rather than to work to lower taxes for all Maine people.

For this reason, I return LD 819 unsigned and vetoed and I urge the legislature to sustain it.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Bill:

An Act Regarding the Taxation of Kombucha  
S.P. 293 L.D. 819

The President laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor? In accordance with Article IV, Part Third, Section 2, of the Constitution, the vote will be taken by the Yeas and Nays. A vote of yes will be in favor of the Bill. A vote of no will be in favor of sustaining the veto of the Governor."

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#330)**

YEAS: Senators: ALFOND, BRAKEY, BREEN, BURNS, COLLINS, CUSHING, DAVIS, DIAMOND, DILL, DUTREMBLE, GERZOFISKY, GRATWICK, HAMPER, HASKELL, HILL, JOHNSON, KATZ, LANGLEY, LIBBY, MASON, MCCORMICK, MILLETT, MIRAMANT, PATRICK, ROSEN, SAVIELLO, VALENTINO, WHITEMORE, WOODSOME, THE PRESIDENT - MICHAEL D. THIBODEAU

NAYS: Senators: BAKER, CYRWAY, EDGECOMB, WILLETTE

EXCUSED: Senator: VOLK

30 Senators having voted in the affirmative and 4 Senators having voted in the negative, with 1 Senator being excused, and 30 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

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

---

The Following Communication: S.C. 475

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

22 June 2015

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

Dear Honorable Members of the 127th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 1441, "An Act To Establish the Public Higher Education Systems Coordinating Committee."

Earlier this month, the leaders of the University of Maine System and Maine Community College System entered into a historic agreement that improves credit transferability throughout the State of Maine, making higher education in Maine more accessible and affordable. This has been a long time coming and did not take place because of a Committee created by statute. It was the result of the Chancellor, the Interim President, the Boards, and the appropriate staff collaborating together.

Surely, the Legislature has more faith in our public institutions of higher education than to believe the leaders would

not meet with each other unless compelled by law. The existing Education Coordinating Committee has been ineffective for years. I would have been happy to support the repeal of that Committee, but I will not support a new legislative mandate that is likely to be equally ineffective. For this reason, I return LD 1441 unsigned and vetoed and I urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Bill:

An Act To Establish the Public Higher Education Systems  
Coordinating Committee

S.P. 543 L.D. 1441

The President laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor? In accordance with Article IV, Part Third, Section 2, of the Constitution, the vote will be taken by the Yeas and Nays. A vote of yes will be in favor of the Bill. A vote of no will be in favor of sustaining the veto of the Governor."

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

#### ROLL CALL (#331)

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

NAYS: Senators: None

EXCUSED: Senator: VOLK

34 Senators having voted in the affirmative and no Senator having voted in the negative, with 1 Senator being excused, and 34 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

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

---

Senate at Ease.

Senate called to order by the President.

---

#### ENACTORS

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

#### Constitutional Amendment

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Require That Signatures on a Direct Initiative of Legislation Come from Each Congressional District  
S.P. 272 L.D. 742  
(H "A" H-417 to C "A" S-129)

Comes From the House, **FAILED FINAL PASSAGE.**

On motion by Senator **SAVIELLO** of Franklin, Bill and accompanying papers **COMMITTED** to the Committee on **VETERANS AND LEGAL AFFAIRS**, in **NON-CONCURRENCE.**

Sent down for concurrence.

---

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

#### PAPERS FROM THE HOUSE

##### Non-Concurrent Matter

SENATE REPORTS - from the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Increase Allowed Investments under the Maine New Markets Capital Investment Program"  
S.P. 112 L.D. 297

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-294)** (7 members)

Minority - **Ought to Pass as Amended by Committee Amendment "B" (S-295)** (6 members)

In Senate, June 19, 2015, Reports **READ**. On motion by Senator **LIBBY** of Androscoggin, the Bill **COMMITTED** to the Committee on **TAXATION**.

Comes from the House, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-294)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-294)**, in **NON-CONCURRENCE.**

Senator **MASON** of Androscoggin moved the Senate **INSIST**.

Senator **ALFOND** of Cumberland moved the Senate **RECEDE** and **CONCUR**.

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

**THE PRESIDENT:** The Chair recognizes the Senator from Oxford, Senator Patrick.

Senator **PATRICK:** Thank you, Mr. President. Ladies and gentlemen of the Senate, colleagues and friends, I stand here to support the Recede and Concur motion. The intent of the New Markets Program was to provide tax incentives to private investors so that the \$250 million of private capital would be invested in Maine businesses. The statute is very clear. The Maine New Markets Capital Investment Program is established to encourage new investment in economically distressed areas of the state. The State was willing to give a 39% refundable tax credit to investors. A reasonable person would infer that private investors would be risking \$152.5 million of their own capital in new investments in Maine businesses. Now we all know that that has not been the case and that we have big problems with this program. I want to quote from one of Richardson's *Portland Press Herald* articles. "A *Press Herald* examination showed that nearly half of what has been invested in low income communities, about \$91 million on paper, never made it to the designated companies for new upgrades or expansions. Instead the money was used to pay off old loans or stayed on the books for less than 24 hours through the use of a financial tool known as same day loan."

Mr. President, that in lies what I would call sham transactions. Based on that \$91 million that was never invested, Maine taxpayers will be paying out more than \$35 million. That's the real kicker here. Even though out-of-state financiers misuse this program, abuse one day loans, and, in many cases, made no real investments, Maine taxpayers will be paying out tens of millions of dollars to them for phony investments for years to come. Clearly, something is wrong and something needs to be done. The bill before you seeks to address this situation. It does it in a few commonsense things. One, it cracks down on the types of phony financial maneuvers that can be used to extract tax credits and taxpayer dollars without making any real investments. It puts stronger taxpayer and consumer protections in place in this program, such as eliminating one day loans, and puts stronger consumer definitions in the law. It requests that the Government Oversight Committee thoroughly review this program. We need to press pause and really look at what has happened. Finally, the bill ensures that we seek taxpayer money back in cases of sham transactions, defined by the IRS as a transaction where the economic activities that give rise to the tax benefit do not occur.

I, for one, Mr. President, heard the citizens scream loudly that something has got to be done and if you support the Recede and Concur motion something will be done to take care of this. Thank you, Mr. President.

**THE PRESIDENT:** The pending question before the Senate is the motion by the Senator from Cumberland, Senator Alfond to Recede and Concur. 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 (#332)

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

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

**EXCUSED:** Senator: VOLK

15 Senators having voted in the affirmative and 19 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **ALFOND** of Cumberland to **RECEDE** and **CONCUR FAILED**.

On motion by Senator **MASON** of Androscoggin, the Senate **INSISTED**.

Sent down for concurrence.

---

## Non-Concurrent Matter

SENATE REPORTS - from the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Integrate the State's General Assistance and Temporary Assistance for Needy Families Programs"

S.P. 136 L.D. 368  
(C "A" S-200)

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

Minority - **Ought to Pass as Amended by Committee Amendment "A" (S-200)** (6 members)

In Senate, June 18, 2015, on motion by Senator **BRAKEY** of Androscoggin, the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-200)**.

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

On motion by Senator **BRAKEY** of Androscoggin, the Senate **INSISTED**.

Sent down for concurrence.

---

## Non-Concurrent Matter

SENATE REPORTS - from the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Create a 9-month Time Limit on General Assistance Benefits"

S.P. 361 L.D. 1035  
(C "A" S-85)

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

Minority - **Ought to Pass as Amended by Committee Amendment "A" (S-85)** (6 members)

In Senate, May 21, 2015, on motion by Senator **BRAKEY** of Androscoggin, the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-85)**.

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

On motion by Senator **BRAKEY** of Androscoggin, the Senate **INSISTED**.

Sent down for concurrence.

---

**Non-Concurrent Matter**

SENATE REPORTS - from the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Prioritize Use of Available Resources in General Assistance Programs"

S.P. 362 L.D. 1036  
(C "A" S-194)

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

Minority - **Ought to Pass as Amended by Committee Amendment "A" (S-194)** (6 members)

In Senate, June 18, 2015, on motion by Senator **BRAKEY** of Androscoggin, the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-194)**.

Comes from the House, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**, in **NON-CONCURRENCE**.  
On motion by Senator **BRAKEY** of Androscoggin, the Senate **INSISTED**.

Sent down for concurrence.

---

**Non-Concurrent Matter**

SENATE REPORTS - from the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Increase Accountability in Maine's Welfare Programs"

S.P. 505 L.D. 1375  
(C "A" S-237)

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

Minority - **Ought to Pass as Amended by Committee Amendment "A" (S-237)** (5 members)

In Senate, June 18, 2015, on motion by Senator **BRAKEY** of Androscoggin, the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-237)**.

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

On motion by Senator **BRAKEY** of Androscoggin, the Senate **INSISTED**.

Sent down for concurrence.

---

**Non-Concurrent Matter**

HOUSE REPORTS - from the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Establish the Forensic Treatment Fund To Establish a Behavioral Assessment and Safety Evaluation Unit"

H.P. 974 L.D. 1428  
(C "A" H-334)

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

Minority - **Ought to Pass as Amended by Committee Amendment "A" (H-334)** (5 members)

In House, June 17, 2015, Reports **READ** and the Bill and accompanying papers **COMMITTED** to the Committee on **HEALTH AND HUMAN SERVICES**.

In Senate, June 17, 2015, on motion by Senator **BRAKEY** of Androscoggin, 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-334)**, in **NON-CONCURRENCE**.

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

Senator **BRAKEY** of Androscoggin moved the Senate **INSIST**.

Senator **HASKELL** of Cumberland moved the Senate **RECEDE** and **CONCUR**.

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:** The Chair recognizes the Senator from Cumberland, Senator Haskell.



Senator **HASKELL**: Thank you very much, Mr. President. Ladies and gentlemen of the Senate, I hope that you would follow my light and reject the Insist motion so we can go on. As we discussed, this bill, which is by the Insist motion, would not move forward. I think that the opportunity to have the Health and Human Services Committee work on this in-depth, as opposed to the very short opportunity that we had to work on it, would be of great value to our state and I think that this behavioral assessment and safety evaluation unit would be a good idea, but it really does need to have more information and I would be delighted, in the Health and Human Services Committee, to be working on it. Thank you.

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

Senator **BRAKEY**: Thank you, Mr. President. I hope that we will reject the Recede and Concur motion so we can move on to the motion to Insist. This is a bill of a somewhat timely nature. It addresses an ongoing problem and there is work that needs to take place now. It's a Governor's Bill. If the other Chamber does not do the responsible thing and Concur with us then the Governor can put in a new bill at any time. Thank you very much.

---

Senate at Ease.

Senate called to order by the President.

---

On motion by Senator **MASON** of Androscoggin, **TABLED** until Later in Today's Session, pending the motion by Senator **HASKELL** of Cumberland to **RECEDE** and **CONCUR**. (Roll Call Ordered)

---

#### **Non-Concurrent Matter**

HOUSE REPORTS - from the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Authorize a Casino To Benefit Federally Recognized Indian Tribes in the State"  
H.P. 990 L.D. 1446

Majority - **Ought to Pass** (12 members)

Minority - **Ought Not to Pass** (1 member)

In House, June 18, 2015, the Majority **OUGHT TO PASS** Report **READ** and **ACCEPTED**, and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-459)**.

In Senate, June 22, 2015, on motion by Senator **CYRWAY** of Kennebec, the Minority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**, in **NON-CONCURRENCE**.

Comes from the House, that Body **INSISTED** and **ASKED FOR A COMMITTEE OF CONFERENCE**.

On motion by Senator **CYRWAY** of Kennebec, the Senate **INSISTED**.

---

#### **COMMUNICATIONS**

The Following Communication: H.C. 292

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

June 22, 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 Minority Ought Not to Pass Report of the Committee on Health and Human Services on Bill "An Act To Promote Equity in Business Opportunity for Tobacco Specialty Stores" (S.P. 295) (L.D. 821)

The House voted today to insist on its former action whereby it accepted the Majority Ought to Pass as Amended Report of the Committee on Taxation on Bill "An Act To Amend the Property Tax Fairness Credit" (S.P. 24) (L.D. 76) and Passage to be Engrossed.

The House voted today to insist on its former action whereby it accepted the Majority Ought to Pass Report of the Committee on Health and Human Services on Bill "An Act To Remove from the Maine Medical Use of Marijuana Act the Requirement That a Patient's Medical Condition Be Debilitating" (H.P. 22) (L.D. 23) 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. 293

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

June 22, 2015

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

Dear Secretary Priest:

House Paper 471, Legislative Document 695, "An Act To Clarify Statewide Assessment Program Options," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

90 voted in favor and 54 against, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

House Paper 486, Legislative Document 710, "An Act Providing a Good Samaritan Defense to Individuals Reporting a Drug Overdose," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

85 voted in favor and 59 against, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

House Paper 680, Legislative Document 985, "An Act To Align Maine's School Marketing Law with Current Federal Food Standards," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

85 voted in favor and 59 against, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

House Paper 792, Legislative Document 1154, "An Act To Provide for the Establishment of Benefit Corporations," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

88 voted in favor and 56 against, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

Sincerely,

Robert B. Hunt  
Clerk of the House

**READ and ORDERED PLACED ON FILE.**

---

## REPORTS OF COMMITTEES

### House

#### Ought to Pass As Amended

The Committee on **JUDICIARY** on Bill "An Act Regarding the Treatment of Forensic Patients"

H.P. 941 L.D. 1391

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-479).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-479) AND HOUSE AMENDMENT "A" (H-487).**

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

**READ ONCE.**

Committee Amendment "A" (H-479) **READ** and **ADOPTED**, in concurrence.

House Amendment "A" (H-487) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-479) AND HOUSE AMENDMENT "A" (H-487)**, in concurrence.

---

### Divided Report

The Majority of the Committee on **JUDICIARY** on Bill "An Act To Protect Certain Information under the Maine Human Rights Act"  
H.P. 802 L.D. 1171

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-476).**

Signed:

Senators:

JOHNSON of Lincoln  
VOLK of Cumberland

Representatives:

HOBBINS of Saco  
EVANGELOS of Friendship  
GINZLER of Bridgton  
HERRICK of Paris  
McCREIGHT of Harpswell  
MONAGHAN of Cape Elizabeth  
MOONEN of Portland  
SHERMAN of Hodgdon  
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

Representative:

GUERIN of Glenburn

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-476)**.

Reports **READ**.

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

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

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

Senator **JOHNSON:** Thank you, Mr. President. Ladies and gentlemen, I'm hoping you will join me in defeating the Ought Not to Pass motion. This is a very reasonable bill looking to protect personal and confidential information, such as information about minors, social security numbers, medical records, etcetera, while they are involved in the process of a human rights claim investigation. The final report would be public but the confidential information would be protected by this process. I hope you will join me in honoring that. Thank you.

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

Senator **BURNS:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I would hope you would support the Minority Report. This bill is not necessary. There have not been breaches. There have not been problems to bring this forth. This would seek to exclude from public access important materials, important information, including criminal background, personal information, that should be accessible by the public if somebody is going to move ahead with a civil rights complaint and, in order to have transparency, this information should be available for public access. Thank you.

**THE PRESIDENT:** The pending question before the Senate is the motion by the Senator from Washington, Senator Burns 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 (#333)**

**YEAS:** Senators: BAKER, BRAKEY, BURNS, COLLINS, CUSHING, CYRWAY, DAVIS, EDGECOMB, HAMPER, LANGLEY, MASON, MCCORMICK, ROSEN, SAVIELLO, WHITTEMORE, WILLETTE, WOODSOME, THE PRESIDENT - MICHAEL D. THIBODEAU

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

**EXCUSED:** Senator: VOLK

18 Senators having voted in the affirmative and 16 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **BURNS** of Washington to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE**, **PREVAILED**.

Sent down for concurrence.

---

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

---

**Divided Report**

Six members of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Stop the Abuse of Electronic Benefits Transfer Cards"

H.P. 420 L.D. 607

Reported in Report "**A**" that the same **Ought to Pass as Amended by Committee Amendment "A" (H-245)**.

Signed:

Senator:

BRAKEY of Androscoggin

Representatives:

HEAD of Bethel

MALABY of Hancock

PETERSON of Rumford

SANDERSON of Chelsea

VACHON of Scarborough

Five members of the same Committee on the same subject reported in Report "**B**" that the same **Ought to Pass as Amended by Committee Amendment "B" (H-246)**.

Signed:

Senators:

HASKELL of Cumberland  
McCORMICK of Kennebec

Representatives:

GATTINE of Westbrook  
BURSTEIN of Lincolnville  
HYMANSON of York

Two members of the same Committee on the same subject reported in Report "**C**" that the same **Ought Not to Pass**.

Signed:

Representatives:

HAMANN of South Portland  
STUCKEY of Portland

Comes from the House with Report "**B**" **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "B" (H-246) READ and ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-246) AS AMENDED BY HOUSE AMENDMENT "A" (H-402)** thereto.

Reports **READ**.

Senator **BRAKEY** of Androscoggin moved the Senate **ACCEPT** Report "**A**" **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-245)**, 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:** The Chair recognizes the Senator from Cumberland, Senator Haskell.

Senator **HASKELL:** Thank you very much, Mr. President. Regarding L.D. 607, I know that the titles can sometimes make you go 'which bill is this that we're talking about?' because they all seek to do some positive things. In this case both Report A and Report B are positive reports that indicate that this should move forward. This is the bill that would put the picture on your EBT card if it was a card that you needed to have replaced. On replacement cards a picture would be required. As you know, there has been an issue of pictures on cards going on for a bit now with the department. As a matter of fact, when the department put the first pictures on EBT cards in place it did not do rule making or engage stakeholders, such as the grocers or the retailers or the beneficiaries, in that implementation and as a result of it that implementation did come under some scrutiny by the department, the U.S. Department of Agriculture, and they sent to the department a number of suggestions for what they carefully called 'corrective actions' that were needed in order to be able to use photos on cards and it is not a simple process of just saying 'we're going to do that.' Because this is a federal program, you need to follow the federal guidelines and so there is one report here, the report which is before you now, which does not ask that the rules that are being established comport with the federal rules. If we were able to move on to another one, I think you would find that it simply suggests that when you put this program

in place that you do it in compliance with the U.S.D.A. regulations. Thank you.

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

Senator **BRAKEY:** Thank you, Mr. President. I rise to speak in support of the motion. This bill would require that any time a replacement EBT card is issued it has a photo of the card holder. Free of cost, as the infrastructure of putting photos on EBT cards is already in place. This is an absolutely commonsense and reasonable measure. Every single person in this Chamber has an ID card on them right now with their photo that allows them to access this building. We all have a driver's license with our photo on it. It is not unreasonable to expect that a card issued to allow people to spend taxpayer money would have a photo on it. If you believe this is a radical proposal, I would offer in response the information that Massachusetts currently requires a photo on EBT cards.

A photo of the card holder helps to protect the card from being stolen and to prevent the sale of the card for use in illegal transactions. We are well past the point of such transactions being simple anecdotal. The Maine Drug Enforcement Agency testified in front of the HHS Committee that in the last year a total of 40 State of Maine EBT cards in another's name were seized during 25 separate drug enforcement operations. The MDEA shared the story of several busts, but I will only relay one to you here today. In October 2014, MDEA received a complaint regarding the selling of controlled prescription drugs at a Lewiston residence. MDEA investigation led to the seizure of controlled prescription drugs and four EBT cards.

It is clear something needs to be done and a photo on an EBT card is a simple, reasonable step that will discourage folks from selling their EBT cards in exchange for drugs. Every time an EBT card is sold for drugs someone who is truly in need of assistance, including the children of these criminals, is going without. Mr. President, thank you for the opportunity to speak in support of this commonsense reform and I urge the members of this Body to follow my light.

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

Senator **HASKELL:** Thank you very much, Mr. President. Ladies and gentlemen of the Senate, I would suggest that there are a couple of things that I agree with in what my colleague indicated, and that is that this is going to happen only when you have to have a replacement card. I think that that also helps us understand that not all of those cards were necessarily sold in those drug deals. If your card is stolen should it be your picture on there that puts you in jail? Not necessarily. It has to be the fact that there was a sale. That's a whole different issue. I also would remind people that these cards are not restricted to the person who uses them, like our cards that allow us in this building. Its use is restricted to the individual whose card it is. That is not true for these benefit cards because many people who are perhaps disabled or elderly have family members or friends who do their shopping for them and they are allowed to use those cards. They are allowed to use them by federal law. Our law does not restrict it to the individual who's on the card and so I would suggest that the commonsense suggestion here is if we're going to do this let's do it correctly. Let's do it in a way that

comports with the law and doesn't put us at risk of additional sanctions. Thank you.

**THE PRESIDENT:** The pending question before the Senate is the motion by the Senator from Androscoggin, Senator Brakey to Accept Report "A" Ought to Pass as Amended by Committee Amendment "A" (H-245), 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 (#334)

YEAS: Senators: BAKER, BRAKEY, BREEN, BURNS, COLLINS, CUSHING, CYRWAY, DAVIS, DIAMOND, DILL, DUTREMBLE, EDGECOMB, HAMPER, HILL, KATZ, LANGLEY, LIBBY, MASON, MCCORMICK, PATRICK, ROSEN, SAVIELLO, VALENTINO, WHITTEMORE, WILLETTE, WOODSOME, THE PRESIDENT - MICHAEL D. THIBODEAU

NAYS: Senators: ALFOND, GERZOFKY, GRATWICK, HASKELL, JOHNSON, MILLETT, MIRAMANT

EXCUSED: Senator: VOLK

27 Senators having voted in the affirmative and 7 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **BRAKEY** of Androscoggin to **ACCEPT** Report **"A" OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-245)**, in **NON-CONCURRENCE**, **PREVAILED**.

**READ ONCE.**

Committee Amendment "A" (H-245) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-245)**, in **NON-CONCURRENCE**.

---

**Divided Report**

Six members of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Require Screening and Testing for Illegal Substances of Beneficiaries under the Temporary Assistance for Needy Families Program"

H.P. 955 L.D. 1407

Reported in Report **"A"** that the same **Ought to Pass as Amended by Committee Amendment "A" (H-460)**.

Signed:

Senators:  
BRAKEY of Androscoggin  
McCORMICK of Kennebec

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

Six members of the same Committee on the same subject reported in Report **"B"** that the same **Ought Not to Pass**.

Signed:

Senator:  
HASKELL of Cumberland

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

One member of the same Committee on the same subject reported in Report **"C"** that the same **Ought to Pass as Amended by Committee Amendment "B" (H-461)**.

Signed:

Representative:  
PETERSON of Rumford

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

Reports **READ**.

Senator **BRAKEY** of Androscoggin moved the Senate **ACCEPT** Report **"A" OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-460)**, 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:** The Chair recognizes the Senator from Cumberland, Senator Haskell.

Senator **HASKELL:** Thank you very much, Mr. President. Ladies and gentlemen of the Senate, this is a program which would require screening and testing for drugs for beneficiaries of TANF. This would be one that would be screening without any suspicion of whether or not somebody was a drug user or not. The screening would be applied to everybody. The screening that is to be used in this program is called the SASSI test, which is the Substance Abuse Subtle Screening Inventory Institute. It is their test that would be used. The SASSI organization has suggested that this is an inappropriate screening program for these types of benefits. They have suggested that this is not to be used for this purpose. However, it is suggested that in this bill we would be using that test in order to prescreen people, everyone who applies. The results of that screening, if they came back positive, you would be required to take a urinalysis and if you were

determined to have drugs in your system you would be disallowed. The federal government, U.S.D. A., on SNAP benefits, the food and nutrition services policy prohibits states from mandating drug testing of SNAP applicants and recipients. It goes on to talk about the reasons that they do that.

This program was instituted in Mississippi, and I think this will give you some sense of it. They did 55,081 tests of individuals, they screened that many people. Out of those, 72 of those came back as potentially candidates and, of those 72, there were eight who tested positive for drugs. I know that there are people who will say, 'well, good enough. Those eight ought not to be getting their benefits' and I can understand that people are spending their money on those drugs, but I have to tell you that none of those are positive. There are false positives. There are false positives in every test and what you're going to basically be doing here is cutting off the lifeline for these individuals. We are only doing this for drugs. We are not doing it for the most rampant use of drugs in our population, and that's alcohol. We're not offering any programs to those people in order to be able to help them get off alcohol, which in every class I ever went to they always said alcohol is a drug, alcohol is a drug, alcohol is a drug, but apparently not for this program. Those are the only places in which this bill attempts to provide any kind of support for people to get over their addictions and I think that this is the wrong direction for us to go. I think it's certainly a waste of time on the part of the administration of this program. I think there are far better things that people could be doing when they interact with recipients and being able to help them move forward and find ways to move towards work as opposed to using a screening program not appropriate for this use and not providing them services, except for one particular category that's called out here. Thank you, Mr. President.

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

Senator **BRAKEY:** Thank you, Mr. President. I rise to support the motion before us. I want to say that public benefits are a vital resource for low income families. While there's been much mentioned about the need for these benefits to be temporary, I believe the most important word in the program title of Temporary Assistance for Needy Families is families. This word indicates that there are children in the home and these benefits should be used to clothe, feed, and house them. Unfortunately, all too often these benefit cards have been found in conjunction with drug busts, where they have been trafficked as cash. When this happens these resources are not being used for the children in the home. L.D. 1407 seeks to institute a questionnaire that all seeking financial assistance via TANF benefits must complete upon application. If the results of the screening indicate a reasonable likelihood that the applicant may have a substance abuse disorder, the department will then require this individual to submit to a drug test. If that test comes back positive for illegal drugs, the applicant may still receive benefits; however they must participate in a substance abuse disorder treatment program. If the questionnaire doesn't indicate a reasonable likelihood of a substance abuse disorder, no further testing is required and the application process continues on the regular course.

Private employers often require drug testing as a condition of employment for a multitude of reasons ranging from safety to a zero tolerance drug policy. Applicants and employees know that they may to be tested at any time and if they fail it could put their

job at risk. The vast majority of individuals who utilize the TANF program do so responsibly. As I mentioned already, many recent drug busts have revealed several benefit cards that have been trafficked as cash to pay for drugs. DHHS Committee often hears testimony on the ravages of drug addiction and we know well that the rate of drug affected babies being born in Maine is growing. L.D. 1407 provides another potential tool to help us identify individuals at risk for drug addiction and help get them into an intervention program that they need. Last year more Maine people lost their lives to drug overdose than car accidents. We had almost 1,000 babies born addicted to drugs. Again, benefit cards are being found in the possession of drug dealers during busts, dealers who are not benefit recipients. I'd also reiterate that the most important word in the program name is families. There are children involved and every dollar being spent for illicit drugs is a dollar not going to care for the child or children in the home. While not all who suffer from drug addiction are on the lower end of the socio-economic scale, the fact that we do have beneficiaries of TANF benefits trafficking the cards to pay for illicit drugs is very real. L.D. 1407 will add another tool for the department to use to help identify applicants who may be at risk and help them get into an intervention program, ensuring that public assistance is being used in the manner for which it is intended and help stabilize families in need. Thank you very much, Mr. President. I hope the Body will follow my light.

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

Senator **KATZ:** Thank you, Mr. President. Men and women of the Senate, I thank my colleague from Androscoggin for his usual thoughtful and eloquent presentation of this bill and I think I understand the thinking behind the bill. We have very scarce tax dollars in the state of Maine and we ought to be spending them wisely and shouldn't be sending them to people who take drugs and are law breakers. I ask why the list is so short. Why just TANF benefits? What about those of us who take mortgage interest deductions? We're getting a benefit from the state taxes. Those who deduct their interest on their student loans or take advantage of Pine Tree Zone financing or tax increment financing. What about all those expenditures of public dollars and why aren't we drug testing those people as well? When we add those to the list, Mr. President, this person would be more inclined to support the legislation. Thank you.

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

Senator **MIRAMANT:** Thank you, Mr. President. I'd like to pose a question to the Body?

**THE PRESIDENT:** The Senator may pose his question.

Senator **MIRAMANT:** Thank you, Mr. President. With the list of options for the recipients who may test positive, has a program been established and is the funding in place for that program or are they supposed to take that out of their \$350 a month that they are trying to feed their family with?

**THE PRESIDENT:** The Senator from Knox, Senator Miramant poses a question through the Chair to anyone who may wish to answer. The Chair recognizes the Senator from Cumberland, Senator Haskell.

Senator **HASKELL:** Thank you very much, Mr. President. Ladies and gentlemen of the Senate, in response to your question, there are no additional resources provided here for services for those individuals. While I'm standing here I'd also indicate there are 73 questions on the list. They are only in one language. They have the potential to be difficult to be answered by some individuals. I would also let you know that if you take that number that I gave you of 55,000 and you talk about what the number of people who are receiving this benefit is, the odds are, and it's played out in other states with the numbers as well, we're talking about perhaps one or two people. Ladies and gentlemen, thank you.

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

Senator **CYRWAY:** Thank you, Mr. President. I just wanted to state that I agree with Senator Brakey today but also Senator Katz brought up a good point. I thought that the difference is that the people that he mentioned are people that are actually trying to work. We also, when you get into the drug culture, many times they're working at a different angle and many times what we deal with in law enforcement is that they're living off the state and they are drug dealing. This is what we want to eliminate. I've seen where people are having a pretend business and I've even seen green card people have caregiver cards, but then also their business is basically closed and business will, say, go out the back door or whatever and know business is going there and you wonder how they have an RV, an ATV, a four-wheeler, and a large boat. I haven't got any of those things and I've worked hard all my life. I'm just saying that this is the time we really could make a difference and hold people accountable and at least let's screen them and if they're not using I'm all for giving benefits to people, but if they're abusing our system and taking money from people that are working hard and trying to make a living and then go and we give this to the drug dealers that are out there taking advantage of our youths and taking advantage of our people. We have to pay to put them in jail, to put them through the judicial system. There's a lot of cost that we're putting out there and paying the tax dollars. I think it makes sense to just do a little screening. Thank you, Mr. President.

**THE PRESIDENT:** The pending question before the Senate is the motion by the Senator from Androscoggin, Senator Brakey to Accept Report "A" Ought to Pass as Amended by Committee Amendment "A" (H-460), 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 (#335)

**YEAS:** Senators: BAKER, BRAKEY, BURNS, COLLINS, CUSHING, CYRWAY, DAVIS, DIAMOND, DUTREMBLE, EDGEComb, HAMPER, LANGLEY, MASON, MCCORMICK, ROSEN, SAVIELLO, WHITTEMORE, WILLETTE, WOODSOME, THE PRESIDENT - MICHAEL D. THIBODEAU

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

**EXCUSED:** Senator: VOLK

20 Senators having voted in the affirmative and 14 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **BRAKEY** of Androscoggin to **ACCEPT** Report "**A**" **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-460)**, in **NON-CONCURRENCE**, **PREVAILED**.

**READ ONCE.**

Committee Amendment "A" (H-460) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-460)**, in **NON-CONCURRENCE**.

## ENACTORS

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

### Emergency Measure

An Act Regarding the Mountain View Youth Development Center  
H.P. 166 L.D. 234  
(C "A" H-489)

This being an Emergency Measure and having received the affirmative vote of 34 Members of the Senate, with no Senators having voted in the negative, and 34 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and, having been signed by the President, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

## Acts

An Act To Clarify a Recently Enacted Law Designed To Expand the Number of Qualified Educators  
S.P. 191 L.D. 522  
(C "A" S-310)

An Act To Allow a Former Spouse of a Member of the Maine Public Employees Retirement System To Begin Collecting Benefits When the Former Spouse Reaches the Member's Retirement Age

H.P. 556 L.D. 822  
(C "A" H-490)

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

Ordered sent down forthwith.

---

Off Record Remarks

---

An Act Regarding Timber Harvesting on Land Managed by the Bureau of Parks and Lands

H.P. 254 L.D. 388  
(C "A" H-297)

On motion by Senator **MASON** of Androscoggin, Bill and accompanying papers **INDEFINITELY POSTPONED**, in **NON-CONCURRENCE**.

Sent down for concurrence.

---

An Act To Lower Energy Costs and Increase Access to Solar Energy for Agricultural Businesses

S.P. 376 L.D. 1073  
(C "A" S-253)

On motion by Senator **SAVIELLO** of Franklin, Bill and accompanying papers **COMMITTED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY**, in **NON-CONCURRENCE**.

Sent down for concurrence.

---

An Act To Attract Entrepreneurs to the State

S.P. 481 L.D. 1332  
(S "A" S-250 to C "A" S-228)

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

---

**ORDERS OF THE DAY**

**Unfinished Business**

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

The Chair laid before the Senate the following Tabled and Later Assigned (6/22/15) matter:

An Act To Establish the Municipal Gigabit Broadband Network Access Fund

H.P. 818 L.D. 1185  
(S "A" S-257 to C "A" H-288)

Tabled - June 22, 2015, by Senator **CUSHING** of Penobscot

Pending - **ENACTMENT**, in concurrence

(In Senate, June 18, 2015, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-288) AS AMENDED BY SENATE AMENDMENT "A" (S-257)** thereto, in **NON-CONCURRENCE**.)

(In House, June 22, 2015, **PASSED TO BE ENACTED**.)

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

Ordered sent down forthwith.

---

The Chair laid before the Senate the following Tabled and Later Assigned (6/22/15) matter:

Bill "An Act To Promote Minimum Wage Consistency"  
S.P. 494 L.D. 1361  
(C "A" S-142)

Tabled - June 22, 2015, by Senator **MASON** of Androscoggin

Pending - motion by Senator **VOLK** of Cumberland to **INSIST** and **ASK FOR A COMMITTEE OF CONFERENCE**

(In Senate, June 18, 2015, the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-142)**.)

(In House, June 22, 2015, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**, in **NON-CONCURRENCE**.)

On motion by Senator **VOLK** of Cumberland, the Senate **INSISTED** and **ASKED FOR A COMMITTEE OF CONFERENCE**.

Sent down for concurrence.



---

Senate at Ease.

Senate called to order by the President.

---

Off Record Remarks

---

**RECESSED** until the sound of the bell.

After Recess

Senate called to order by the President.

---

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

---

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

#### REPORTS OF COMMITTEES

##### House

##### Divided Report

The Majority of the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act Regarding the Disposition of Certain Funds Received by the Attorney General Pursuant to a Court Order or Settlement" (EMERGENCY)

H.P. 961 L.D. 1414

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

Signed:

Senator:

VALENTINO of York

Representatives:

ROTUNDO of Lewiston  
FREY of Bangor  
GATTINE of Westbrook  
GRANT of Gardiner  
JORGENSEN of Portland  
MARTIN of Eagle Lake

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

Signed:

Senators:

HAMPER of Oxford

KATZ of Kennebec

Representatives:

NUTTING of Oakland  
SIROCKI of Scarborough  
TIMBERLAKE of Turner  
WINSOR of Norway

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

Reports **READ**.

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

---

Senate at Ease.

Senate called to order by the President.

---

Senator **KATZ** of Kennebec requested and received leave of the Senate to withdraw his motion to **ACCEPT** the Minority **OUGHT TO PASS** Report, in **NON-CONCURRENCE**.

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

---

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

#### COMMUNICATIONS

The Following Communication: H.C. 267

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

June 22, 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 87, "Resolve, To Implement the Recommendations of the Commission To Continue the Study of Long-term Care Facilities."

This bill requires the Department of Health and Human Services to amend its rules so that the cost of direct care staff continuing education is a direct care cost component instead of a

routine cost component. The direct care component is intended to directly fund the care of patients in the nursing facility, and is adjusted based on the needs and acuity of the facility. Staff training does not change based on the acuity within the facility, and so it makes sense to reimburse training costs dollar-for-dollar through the routine cost component. This bill will not have a significant impact, positive or negative, on the fiscal outlook of nursing facilities.

For these reasons, I return LD 87 unsigned and vetoed. I strongly encourage the Legislature to sustain it.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Resolve:

Resolve, To Implement the Recommendations of the Commission To Continue the Study of Long-term Care Facilities (EMERGENCY)

H.P. 70 L.D. 87

Comes from the House, 128 members having voted in the affirmative and 10 in the negative, the veto of the Governor was Overridden and it was the vote of the House that the Bill become law notwithstanding the objections of the Governor.

The President laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor? 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 (#336)**

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

NAYS: Senators: None

EXCUSED: Senator: VOLK

34 Senators having voted in the affirmative and no Senator having voted in the negative, with 1 Senator being excused, and 34 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor

be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

The Following Communication: H.C. 268

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

June 22, 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 279, "An Act Regarding Payment under the Business Equipment Tax Reimbursement Program".

The Business Equipment Tax Reimbursement Program (BETR) is designed to encourage capital investment in Maine. The program reimburses taxpayers for local property taxes already paid on qualified business property first placed in service in Maine after April 1, 1995.

This legislation seeks to undermine the BETR program by suspending reimbursements that would otherwise be issued to a business when they are delinquent in the payment of personal property taxes to a single municipality in the state. If the business does not pay the tax due by the end of the BETR program's five month application period, their eligibility for the suspended reimbursement is terminated. This means that not only do businesses otherwise entitled for reimbursement under the BETR program not receive payment, but the municipality owed back taxes continues to go unpaid. No one wins under this proposal.

Additionally, LD 279 uses an arbitrary dollar value as the threshold for when reimbursement under the BETR program is suspended. This legislation also fails to account for agreements that may exist between municipalities and businesses attempting to settle their personal property tax debt. Perhaps equally important, it fails to recognize that disbursements under the BETR are made to reimburse businesses for taxes already paid on personal property and that reimbursements made through the program can be used to settle other past due tax obligations.

A hallmark of our administration has been to make Maine a more business friendly state. This legislation attempts to do the exact opposite by preventing the State of Maine from honoring commitments made to businesses through the BETR program. The result is a law that unfairly targets businesses that chose to make capital investments in both our state and local communities. For these reasons, I return LD 279 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Bill:

An Act Regarding Payment under the Business Equipment Tax Reimbursement Program

H.P. 197 L.D. 279

Comes from the House, 126 members having voted in the affirmative and 12 in the negative, the veto of the Governor was Overridden and it was the vote of the House that the Bill become law notwithstanding the objections of the Governor.

The President laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor? 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 (#337)**

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

NAYS: Senators: None

EXCUSED: Senator: VOLK

34 Senators having voted in the affirmative and no Senator having voted in the negative, with 1 Senator being excused, and 34 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

---

The Following Communication: H.C. 269

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

June 22, 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 470, "An Act to Allow Children's Residential Care Facilities To Ensure the Safety of Their Residents."

I am in favor of the intent of this bill, which is to prevent residents of children's care facilities from bringing in items that can be used for self-harm or harm to others. My concern with the bill stems from its breadth. I fear that "items that would endanger the health and safety of the resident or other residents" will be construed too broadly, and that children will have property confiscated inappropriately under this statute. If the items were more clearly defined, I would have less difficulty with this bill.

For these reasons, I return LD 470 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 Allow Children's Residential Care Facilities To Ensure the Safety of Their Residents

H.P. 309 L.D. 470

Comes from the House, 132 members having voted in the affirmative and 8 in the negative, the veto of the Governor was Overridden and it was the vote of the House that the Bill become law notwithstanding the objections of the Governor.

The President laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor? 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 (#338)**

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

NAYS: Senators: None

EXCUSED: Senator: VOLK

34 Senators having voted in the affirmative and no Senator having voted in the negative, with 1 Senator being excused, and 34 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

---

The Following Communication: H.C. 270

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

June 22, 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 550, "An Act To Improve the Process for Obtaining an Adjustment in State Valuation Due to Sudden and Severe Reduction in Municipal Valuation."

I do not believe that this legislation sufficiently addresses the underlying cause of the problem it seeks to solve. For decades, municipalities have been overtaxing business property in Maine, particularly large businesses, which has artificially lowered the property tax paid by the residential property owners in that community. Then, when the businesses close, go bankrupt, or flee the State, the municipalities cry out for relief from all Maine taxpayers. If municipalities were to value businesses to reflect the fair market value on a more regular basis, it would mitigate the sudden and severe reduction in municipal valuation.

This bill would provide relief for municipalities that could have avoided an undesirable outcome by implementing sensible, fair valuation practices. This bill will not prevent other municipalities from finding themselves in a similar, avoidable situation. While I appreciate the intent of this bill and its sponsor, this is not a solution that benefits the people of Maine.

For this reason, I return LD 550 unsigned and vetoed and 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 Improve the Process for Obtaining an Adjustment in State Valuation Due to Sudden and Severe Reduction in Municipal Valuation (EMERGENCY)

H.P. 374 L.D. 550

Comes from the House, 114 members having voted in the affirmative and 26 in the negative, the veto of the Governor was Overridden and it was the vote of the House that the Bill become law notwithstanding the objections of the Governor.

The President laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor? 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 (#339)**

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

NAYS: Senators: EDGECOMB, WILLETTE

EXCUSED: Senator: VOLK

32 Senators having voted in the affirmative and 2 Senators having voted in the negative, with 1 Senator being excused, and 32 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

---

The Following Communication: H.C. 271

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

June 22, 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 670, "An Act To Amend the Laws Governing the Unlawful Cutting of Trees."

This bill would enact such a tortuous statutory scheme for landowners to recover damages when one of their trees is unlawfully cut that this law can only benefit one class of citizens –

Maine's trial lawyers. This proposal creates four ways to establish the cut trees' value. It distinguishes between ornamental and fruit trees and whether the land the tree is on is zoned for residential or non-residential use. Perhaps most bizarre is the inclusion of punitive damages in this statute – damages designed not to make a plaintiff whole but, rather, to punish outrageous behavior.

In addition, landowners need not be concerned that this statute now requires that they jump through these various and sundry legal hoops because this bill also includes an attorney's fees provision. Attorney's fees, however, simply are not enough; under this statute the cost of "professional services," be they legal or otherwise, are also recoverable.

Lastly, to add insult to injury, this bill is supposedly designed to deter those who would damage or kill trees that are not on their property, but it conflicts with the law that allows a neighbor to do just that. When a neighbor cuts off branches that hang over his boundary line, many times these cuts result in the demise of the entire tree. Yet, this tree cutting is lawful because he's a neighbor, which makes this bill nonsensical.

For these reasons, I return LD 670 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Bill:

An Act To Amend the Laws Governing the Unlawful Cutting of Trees

H.P. 451 L.D. 670

Comes from the House, 108 members having voted in the affirmative and 36 in the negative, the veto of the Governor was Overridden and it was the vote of the House that the Bill become law notwithstanding the objections of the Governor.

The President laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor? 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 (#340)**

YEAS: Senators: ALFOND, BAKER, BRAKEY, BREEN, BURNS, COLLINS, CUSHING, CYRWAY, DAVIS, DIAMOND, DILL, DUTREMBLE, EDGEComb, GERZOFsky, GRATWICK, HAMPER, HASKELL, HILL, JOHNSON, KATZ, LANGLEY, LIBBY, MASON, MCCORMICK, MILLETT, MIRAMANT, PATRICK, ROSEN, SAVIELLO, VALENTINO,

WHITTEMORE, WOODSOME, THE PRESIDENT -  
MICHAEL D. THIBODEAU

NAYS: Senator: WILLETTE

EXCUSED: Senator: VOLK

33 Senators having voted in the affirmative and 1 Senator having voted in the negative, with 1 Senator being excused, and 33 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

The Following Communication: H.C. 274

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

June 22, 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 716, "An Act to Amend the Fees for Snowmobile Registrations and To Create the Snowmobile Trail Fund Donation Sticker."

Laid bare, this bill is a fee hike. Traditionally, I have not supported fee increases during my Administration because the State should focus on delivering services more efficiently, not picking Mainer's pockets. I seriously considered not vetoing this proposal as it wound its way through the legislative process. LD 716, however, arrives at my desk just as the Legislature has completed its work on the biennial budget. If the Legislature has its way, State government will grow by over \$300 million over the next biennium. Given the Legislature's complete abdication of any responsibility for fiscal prudence, I cannot, in good conscience, acquiesce to yet another scheme to grow State revenues.

For this reason, I return LD 716 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Bill:

An Act To Amend the Fees for Snowmobile Registrations and To Create the Snowmobile Trail Fund Donation Sticker (EMERGENCY)

H.P. 492 L.D. 716

Comes from the House, 126 members having voted in the affirmative and 17 in the negative, the veto of the Governor was Overridden and it was the vote of the House that the Bill become law notwithstanding the objections of the Governor.

The President laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor? 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 (#341)**

YEAS: Senators: ALFOND, BAKER, BREEN, COLLINS, CUSHING, CYRWAY, DAVIS, DIAMOND, DILL, DUTREMBLE, GERZOFKY, GRATWICK, HAMPER, HASKELL, HILL, JOHNSON, KATZ, LANGLEY, LIBBY, MCCORMICK, MILLETT, MIRAMANT, PATRICK, SAVIELLO, VALENTINO, WHITTEMORE, WOODSOME

NAYS: Senators: BRAKEY, BURNS, EDGECOMB, MASON, ROSEN, WILLETTE, THE PRESIDENT - MICHAEL D. THIBODEAU

EXCUSED: Senator: VOLK

27 Senators having voted in the affirmative and 7 Senators having voted in the negative, with 1 Senator being excused, and 27 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

---

The Following Communication: H.C. 275

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

June 22, 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 830, "An Act To Eliminate the Dual Licensing of Physician Assistants."

As promised, I am vetoing all bills sponsored by Democrats, who vote for the job-killing, pro-welfare agenda set by the Maine People's Alliance, but have stifled the voice of the Maine people by preventing them from voting on the elimination of the income tax.

These legislators were elected to serve the people of Maine, but they choose to operate behind closed doors to advance their own partisan agendas. Rather than work with me to at least give the Maine people a chance to vote on lowering or eliminating the income tax, they closed the door. They defend the status quo and they cut the people out of the process.

I will not sit by and watch a handful of Democrats disenfranchise the people they were elected to represent. I want to ensure that each piece of legislation gets the widest possible representation in Augusta.

Therefore, in order for legislation sponsored by Democrats to become law, they will have to follow the procedure for reconsideration of a veto, which requires two-thirds support of the Legislature and a roll call. Instead of allowing them to pass bills out of the public eye and with no accountability, I believe the Maine people deserve to see how their elected officials voted on each piece of legislation.

For this reason, I return LD 830 unsigned and vetoed.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Bill:

An Act To Eliminate the Dual Licensing of Physician Assistants  
H.P. 564 L.D. 830

Comes from the House, 140 members having voted in the affirmative and 4 in the negative, the veto of the Governor was Overridden and it was the vote of the House that the Bill become law notwithstanding the objections of the Governor.

The President laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor? 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 (#342)**

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

NAYS: Senators: None

EXCUSED: Senator: VOLK

34 Senators having voted in the affirmative and no Senator having voted in the negative, with 1 Senator being excused, and 34 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

---

The Following Communication: H.C. 276

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

June 22, 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 846, "An Act To Expedite Final Hearings in Certain Foreclosure Cases."

As promised, I am vetoing all bills sponsored by Democrats, who vote for the job-killing, pro-welfare agenda set by the Maine People's Alliance, but have stifled the voice of the Maine people by preventing them from voting on the elimination of the income tax.

These legislators were elected to serve the people of Maine, but they choose to operate behind closed doors to advance their own partisan agendas. Rather than work with me to at least give the Maine people a chance to vote on lowering or eliminating the income tax, they closed the door. They defend the status quo and they cut the people out of the process.

I will not sit by and watch a handful of Democrats disenfranchise the people they were elected to represent. I want to ensure that each piece of legislation gets the widest possible representation in Augusta.

Therefore, in order for legislation sponsored by Democrats to become law, they will have to follow the procedure for reconsideration of a veto, which requires two-thirds support of the

Legislature and a roll call. Instead of allowing them to pass bills out of the public eye and with no accountability, I believe the Maine people deserve to see how their elected officials voted on each piece of legislation.

For this reason, I return LD 846 unsigned and vetoed.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Bill:

An Act To Expedite Final Hearings in Certain Foreclosure Cases  
H.P. 580 L.D. 846

Comes from the House, 140 members having voted in the affirmative and 4 in the negative, the veto of the Governor was Overridden and it was the vote of the House that the Bill become law notwithstanding the objections of the Governor.

The President laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor? 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 (#343)**

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

NAYS: Senators: None

EXCUSED: Senator: VOLK

34 Senators having voted in the affirmative and no Senator having voted in the negative, with 1 Senator being excused, and 34 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

---

The Following Communication: H.C. 277

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

June 22, 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 891, "An Act to Help Municipalities Dispose of Certain Abandoned Property."

This bill grants municipalities the authority to take possession and dispose of a mobile home and all related personal property when the property is deemed abandoned. When the Legislature wants to allow municipalities to take people's personal property away, they should have to follow the procedure for reconsideration of a veto, which requires two-thirds support of the Legislature and a roll call. Instead of allowing them to pass this bill out of the public eye and with no accountability, I believe the Maine people deserve to see how their elected officials voted on this bill.

For these reasons, I return LD 891 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 Help Municipalities Dispose of Certain Abandoned Property

H.P. 610 L.D. 891

Comes from the House, 123 members having voted in the affirmative and 21 in the negative, the veto of the Governor was Overridden and it was the vote of the House that the Bill become law notwithstanding the objections of the Governor.

The President laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor? 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 (#344)**

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

NAYS: Senators: None

EXCUSED: Senator: VOLK

34 Senators having voted in the affirmative and no Senator having voted in the negative, with 1 Senator being excused, and 34 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

---

The Following Communication: H.C. 278

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

June 22, 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 913, "An Act To Expand Public Opportunities for Wildlife Management Education."

This bill proposes to increase hunting, fishing and trapping licenses by \$1 and to deposit this fee increase into the would-be Species Management Education Fund. As the Legislature well knows, I typically do not support fee increases, even if it is only a dollar here and there. Unlike members of the Legislature, I believe it is the job of elected officials to keep government's hand out of Mainers' pockets.

My biggest concern with this bill, however, is not the proposed fee increase. Rather, my strongest objection to this bill is how disingenuous in design this legislation is. This bill has nothing to do with any systematic public education by the Department of Inland Fisheries and Wildlife. Instead, this bill seeks to build a campaign war chest to help cover the costs of anticipated, future ballot question campaigns. Buried in the middle of this bill is the mere suggestion that funds generated pursuant to this proposed law may be used during a ballot question campaign; when in reality, that is the sole intent of this bill.



As recent history has shown, I certainly support the ability of State agencies to carry out their mission and to exercise their 1st Amendment rights. Clearly, license fee increases and a new fund at the Department are not needed for these activities to take place. Future campaigns must rely on a winning message in order to generate sufficient resources to spread that message. Let us not look to government as a *deus ex machine* to solve all of life's problems, including campaign fundraising.

For these reasons, I return this underhanded bill 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 Expand Public Opportunities for Wildlife Management Education

H.P. 633 L.D. 913

Comes from the House, 116 members having voted in the affirmative and 28 in the negative, the veto of the Governor was Overridden and it was the vote of the House that the Bill become law notwithstanding the objections of the Governor.

The President laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor? 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 (#345)**

YEAS: Senators: ALFOND, BAKER, BREEN, BURNS, COLLINS, CUSHING, DAVIS, DIAMOND, DILL, DUTREMBLE, GERZOFISKY, GRATWICK, HAMPER, HASKELL, HILL, JOHNSON, KATZ, LANGLEY, LIBBY, MILLETT, MIRAMANT, PATRICK, SAVIELLO, VALENTINO, WHITEMORE, WOODSOME

NAYS: Senators: BRAKEY, CYRWAY, EDGECOMB, MASON, MCCORMICK, ROSEN, WILLETTE, THE PRESIDENT - MICHAEL D. THIBODEAU

EXCUSED: Senator: VOLK

26 Senators having voted in the affirmative and 8 Senators having voted in the negative, with 1 Senator being excused, and 26 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

The Following Communication: H.C. 279

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

June 22, 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 952, "An Act Regarding the Licensure of Funeral Service Providers."

As promised, I am vetoing all bills sponsored by Democrats, who vote for the job-killing, pro-welfare agenda set by the Maine People's Alliance, but have stifled the voice of the Maine people by preventing them from voting on the elimination of the income tax.

These legislators were elected to serve the people of Maine, but they choose to operate behind closed doors to advance their own partisan agendas. Rather than work with me to at least give the Maine people a chance to vote on lowering or eliminating the income tax, they closed the door. They defend the status quo and they cut the people out of the process.

I will not sit by and watch a handful of Democrats disenfranchise the people they were elected to represent. I want to ensure that each piece of legislation gets the widest possible representation in Augusta.

Therefore, in order for legislation sponsored by Democrats to become law, they will have to follow the procedure for reconsideration of a veto, which requires two-thirds support of the Legislature and a roll call. Instead of allowing them to pass bills out of the public eye and with no accountability, I believe the Maine people deserve to see how their elected officials voted on each piece of legislation.

For this reason, I return LD 952 unsigned and vetoed.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Bill:

An Act Regarding the Licensure of Funeral Service Providers  
H.P. 655 L.D. 952

Comes from the House, 131 members having voted in the affirmative and 13 in the negative, the veto of the Governor was Overridden and it was the vote of the House that the Bill become law notwithstanding the objections of the Governor.

The President laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor? 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 (#346)**

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

NAYS: Senators: None

EXCUSED: Senator: VOLK

34 Senators having voted in the affirmative and no Senator having voted in the negative, with 1 Senator being excused, and 34 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

---

The Following Communication: H.C. 281

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

June 22, 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 1049, "An Act To Further Define Duties for Persons Who Hold Powers of Attorney or Act as Agents for Residents of Long-term Care Facilities."

This bill requires someone holding power of attorney for a long-term care facility resident to ensure that the resident's bill from the facility is paid. It also allows the facility to pursue legal action against the individual with power of attorney in the event the bills are not paid.

I absolutely am in favor of ensuring that residents' bills are paid to a long-term care facility. This is a significant financial worry for the facilities, and we must do what we can to support the viability of our nursing homes. My concern is that this bill does not go far enough. I believe the failure of an individual with power of attorney to pay for a resident's bills should be elevated to criminal status.

For these reasons, I return LD 1049 unsigned and vetoed. I strongly encourage the Legislature to sustain it.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Bill:

An Act To Further Define Duties for Persons Who Hold Powers of Attorney or Act as Agents for Residents of Long-term Care Facilities

H.P. 718 L.D. 1049

Comes from the House, 142 members having voted in the affirmative and 2 in the negative, the veto of the Governor was Overridden and it was the vote of the House that the Bill become law notwithstanding the objections of the Governor.

The President laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor? 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 (#347)**

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

NAYS: Senator: WILLETTE

EXCUSED: Senator: VOLK

33 Senators having voted in the affirmative and 1 Senator having voted in the negative, with 1 Senator being excused, and 33 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.

**ROLL CALL (#348)**

The Following Communication: H.C. 282

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

June 22, 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 1076, "Resolve, Directing the Department of Health and Human Services To Increase Public Awareness about and Access to Federal Resources Related to Vaccine Injuries."

This resolve directs the Department of Health and Human Services to place on its website a link to resources about the federal Vaccine Injury Compensation Program and the Vaccine Adverse Event Reporting System. Those links are already on the Department's website under the Immunization Program section. There is no need to pass a resolve to tell the Administration to do something that was accomplished years ago.

For these reasons, I return LD 1076 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 Resolve:

Resolve, Directing the Department of Health and Human Services To Increase Public Awareness about and Access to Federal Resources Related to Vaccine Injuries

H.P. 739 L.D. 1076

Comes from the House, 135 members having voted in the affirmative and 9 in the negative, the veto of the Governor was Overridden and it was the vote of the House that the Bill become law notwithstanding the objections of the Governor.

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

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

NAYS: Senators: CYRWAY, DAVIS, MCCORMICK, MIRAMANT, WILLETTE

EXCUSED: Senator: VOLK

29 Senators having voted in the affirmative and 5 Senators having voted in the negative, with 1 Senator being excused, and 29 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

The Following Communication: H.C. 283

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

June 22, 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 1086, "An Act To Implement the Recommendations of the Right to Know Advisory Committee To Create a Remedy for Unduly Burdensome and Oppressive Requests."

This bill seeks to amend the Freedom of Access Act (FOAA) to authorize an Executive Branch agency to deny a request for public records on the basis that the request is unduly burdensome or oppressive. That said, the only option for the agency seeking to avoid having to fill an unduly burdensome request is to engage in an unduly burdensome court process.

Ironically, the bill does not have much impact on the Legislature, itself. This is so because the Legislature has exempted the vast majority of its own documents "including working papers, drafts and interoffice and intraoffice memoranda used or maintained by any Legislator, legislative agency or legislative employee ..." from the requirements of FOAA. I oppose this bill because despite the fact that our government is supposed to operate as three separate but equal branches of government all of which should be transparent in their processes, the Legislature does not hold itself to the same standard.

Instead, it makes the Executive Branch alone shoulder the weight of government transparency.

For these reasons, I return LD 1086 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 Implement the Recommendations of the Right To Know Advisory Committee To Create a Remedy for Unduly Burdensome and Oppressive Requests

H.P. 747 L.D. 1086

Comes from the House, 119 members having voted in the affirmative and 24 in the negative, the veto of the Governor was Overridden and it was the vote of the House that the Bill become law notwithstanding the objections of the Governor.

The President laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor? 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 (#349)**

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

NAYS: Senators: CYRWAY, DAVIS, EDGECOMB, MCCORMICK, WHITTEMORE, WILLETTE

EXCUSED: Senator: VOLK

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

---

The Following Communication: H.C. 284

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

June 22, 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 1087, "An Act To Implement the Recommendations of the Right to Know Advisory Committee Concerning Response Deadlines and Appeals."

Much like LD 1086, this bill seeks to amend the Freedom of Access Act (FOAA) to authorize an Executive Branch agency to deny a request for public records after reviewing records subject to the request. That said, this bill further establishes that an Executive Branch agency that seeks to deny a records request in whole or in part must still provide a written response within 5 days of the receipt of the request and is still subject to court process for the denial.

Like LD 1086, the bill does not have much impact on the Legislature, itself. This is so because the Legislature has exempted the vast majority of its own documents "including working papers, drafts and interoffice and intraoffice memoranda used or maintained by any Legislator, legislative agency or legislative employee ..." from the requirements of FOAA. I oppose this bill because despite the fact that our government is supposed to operate as three separate but equal branches of government all of which should be transparent in their processes, the Legislature does not hold itself to the same standard. Instead, it makes the Executive Branch alone shoulder the weight of government transparency.

For these reasons, I return LD 1087 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 Implement the Recommendations of the Right To Know Advisory Committee Concerning Response Deadlines and Appeals

H.P. 748 L.D. 1087

Comes from the House, 120 members having voted in the affirmative and 24 in the negative, the veto of the Governor was Overridden and it was the vote of the House that the Bill become law notwithstanding the objections of the Governor.

The President laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor? 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 (#350)**

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

NAYS: Senators: CYRWAY, DAVIS, EDGECOMB, MCCORMICK, ROSEN, WILLETTE

EXCUSED: Senator: VOLK

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

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

---

The Following Communication: H.C. 285

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

June 22, 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 1088, "An Act To Implement the Recommendations of the Right to Know Advisory Committee."

Much like LDs 1086 and 1087, this bill also seeks to amend the Freedom of Access Act (FOAA) in ways that impact Executive Branch agencies, including clarifying that additional agency records are public records.

Like LDs 1086 and 1087, the bill does not have much impact on the Legislature, itself. This is so because the Legislature has exempted the vast majority of its own documents "including working papers, drafts and interoffice and intraoffice memoranda used or maintained by any Legislator, legislative agency or legislative employee ..." from the requirements of FOAA. I oppose this bill because despite the fact that our government is supposed to operate as three separate but equal branches of government all of which should be transparent in their processes, the Legislature does not hold itself to the same standard. Instead, it makes the Executive Branch alone shoulder the weight of government transparency.

For these reasons, I return LD 1088 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 Implement Recommendations of the Right To Know  
Advisory Committee

H.P. 749 L.D. 1088

Comes from the House, 125 members having voted in the affirmative and 19 in the negative, the veto of the Governor was Overridden and it was the vote of the House that the Bill become law notwithstanding the objections of the Governor.

The President laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor? 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 (#351)**

YEAS: Senators: ALFOND, BAKER, BRAKEY, BREEN, BURNS, COLLINS, CUSHING, DIAMOND, DILL, DUTREMBLE, EDGECOMB, GERZOFISKY, GRATWICK, HAMPER, HASKELL, HILL, JOHNSON, KATZ, LANGLEY, LIBBY, MASON, MILLETT, MIRAMANT, PATRICK, ROSEN, SAVIELLO, VALENTINO, WHITTEMORE, WOODSOME, THE PRESIDENT - MICHAEL D. THIBODEAU

NAYS: Senators: CYRWAY, DAVIS, MCCORMICK, WILLETTE

EXCUSED: Senator: VOLK

30 Senators having voted in the affirmative and 4 Senators having voted in the negative, with 1 Senator being excused, and 30 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

---

The Following Communication: H.C. 287

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

June 22, 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 1173, "An Act To Improve School Administrative Efficiency and Expand Capacity for Professional Growth for Educators with Regional Collaborative Programs and Services."

This bill would add professional growth to the list of items for which Funds for the Efficient Delivery of Educational Services (FEDES) money in the Department could be expended. This is not the purpose of this fund or its accompanying rules.

The express purpose of including FEDES funds in this year's budget was to fund collaboration among school districts that would result in ongoing savings, with those savings passed on for classroom instruction. Lowering the cost of education in Maine and giving our teachers the resources they need should be a top priority for state government and FEDES funds are an essential incentive toward this goal. Diverting these funds to other purposes would diminish this effort.

In addition, Department of Education regulations, Ch. 122, Sec. 4, Item (4)(C) already allows for expanded access to professional development, making this change to the statute unnecessary.

For these reasons, I return LD 1173 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 Improve School Administrative Efficiency and Expand Capacity for Professional Growth for Educators with Regional Collaborative Programs and Services

H.P. 805 L.D. 1173

Comes from the House, 125 members having voted in the affirmative and 19 in the negative, the veto of the Governor was Overridden and it was the vote of the House that the Bill become law notwithstanding the objections of the Governor.

The President laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor? 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 (#352)**

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

NAYS: Senators: None

EXCUSED: Senator: VOLK

34 Senators having voted in the affirmative and no Senator having voted in the negative, with 1 Senator being excused, and 34 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

---

The Following Communication: H.C. 288

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

June 22, 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 1186, "An Act To Promote Professional Training and Security in Maine Courts."

As promised, I am vetoing all bills sponsored by Democrats, who vote for the job-killing, pro-welfare agenda set by the Maine People's Alliance, but have stifled the voice of the Maine people by preventing them from voting on the elimination of the income tax.

These legislators were elected to serve the people of Maine, but they choose to operate behind closed doors to advance their own partisan agendas. Rather than work with me to at least give the Maine people a chance to vote on lowering or eliminating the income tax, they closed the door. They defend the status quo and they cut the people out of the process.

I will not sit by and watch a handful of Democrats disenfranchise the people they were elected to represent. I want to ensure that each piece of legislation gets the widest possible representation in Augusta.

Therefore, in order for legislation sponsored by Democrats to become law, they will have to follow the procedure for reconsideration of a veto, which requires two-thirds support of the Legislature and a roll call. Instead of allowing them to pass bills out of the public eye and with no accountability, I believe the Maine people deserve to see how their elected officials voted on each piece of legislation.

For this reason, I return LD 1186 unsigned and vetoed.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Bill:

An Act To Promote Professional Training and Security in Maine Courts (EMERGENCY)

H.P. 819 L.D. 1186

Comes from the House, 128 members having voted in the affirmative and 16 in the negative, the veto of the Governor was Overridden and it was the vote of the House that the Bill become law notwithstanding the objections of the Governor.

The President laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor? 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 (#353)**

YEAS: Senators: ALFOND, BAKER, BRAKEY, BREEN, BURNS, COLLINS, CUSHING, CYRWAY, DAVIS, DIAMOND, DILL, DUTREMBLE, EDGECOMB, GERZOFKY, GRATWICK, HAMPER, HASKELL, HILL, JOHNSON, KATZ, LANGLEY, LIBBY, MASON, MCCORMICK, MILLETT, MIRAMANT, PATRICK, ROSEN, SAVIELLO, VALENTINO,

WHITTEMORE, WILLETTE, WOODSOME, THE PRESIDENT - MICHAEL D. THIBODEAU

NAYS: Senators: None

EXCUSED: Senator: VOLK

34 Senators having voted in the affirmative and no Senator having voted in the negative, with 1 Senator being excused, and 34 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

The Following Communication: H.C. 289

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

June 22, 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 1225, "An Act Concerning Swim Area Permits."

The core provision of LD 1225 states thusly:

The length of the area delineated by a swim line or of a developed swim area may not exceed 50% of the entire length of the shore frontage of the property from which the developed swim area or the area delineated by a swim line extends or 200 feet, whichever is greater, except that in no event may the developed swim area or the area delineated by a swim line extend beyond the shore frontage of the property.

Is this what legislating in Augusta has become? I question if there has ever been such uninspired action by the Legislature. Did the good people of Maine go to the polls last November so that someone would finally come to Augusta to figure out how to micromanage the size of swim areas? I think not. This is simply more unnecessary red tape. Worse still, this appears to be an attempt to settle some local dispute with the residents of Frey Island via a state-wide law. This is not why the people of Maine entrusted us with the responsibility of setting policy.

For this reason, I return LD 1225 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 Concerning Swim Area Permits

H.P. 843 L.D. 1225

Comes from the House, 117 members having voted in the affirmative and 27 in the negative, the veto of the Governor was Overridden and it was the vote of the House that the Bill become law notwithstanding the objections of the Governor.

The President laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor? 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 (#354)**

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

NAYS: Senators: BRAKEY, ROSEN, WILLETTE

EXCUSED: Senator: VOLK

31 Senators having voted in the affirmative and 3 Senators having voted in the negative, with 1 Senator being excused, 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.

---

The Following Communication: H.C. 290

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

June 22, 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 1395, "An Act To Implement the Recommendations of the Government Oversight Committee To Ensure Legislative Review of Reports Submitted by Quasi-independent State Agencies."

By passing this bill, the Legislature has admitted what I have long known to be true. The Legislature does not read the reports that it requires others to submit. The additional bureaucracy that this bill seeks to add will not make our state government more efficient, effective and accountable; it simply adds red tape and passes the buck.

It's the Legislature's prerogative to manage its own affairs, yet once again, truth is stranger than fiction. The Legislature needed to pass a law requiring itself to review the reports that it requires others to submit and then write another report to the Government Oversight Committee (GOC) to review. Currently, if a legislator has concerns with a particular quasi-state agency, they have the ability to submit a letter to the GOC requesting an investigation into the matter. This bill is unnecessary and a waste of time and resources.

While there may be some in the Legislature that believe a proliferation of bureaucracy is a substitute for effective, accountable management, I make no such mistake. For this reason, I return LD 1395 unsigned and vetoed and 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 Implement the Recommendations of the Government Oversight Committee To Ensure Legislative Review of Reports Submitted by Quasi-independent State Agencies  
H.P. 945 L.D. 1395

Comes from the House, 101 members having voted in the affirmative and 43 in the negative, the veto of the Governor was Overridden and it was the vote of the House that the Bill become law notwithstanding the objections of the Governor.

The President laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor? 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 (#355)**

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

NAYS: Senators: BRAKEY, EDGEComb, ROSEN, WILLETTE

EXCUSED: Senator: VOLK

30 Senators having voted in the affirmative and 4 Senators having voted in the negative, with 1 Senator being excused, and 30 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

The Following Communication: H.C. 291

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

June 22, 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 1425, "An Act To Amend the Laws Relating to Corporations and Limited Partnerships."

This bill allows corporations and domestic limited partnerships to apply for reinstatement more than six years after being administratively dissolved. The reinstatement fee would be \$25 for each report that should have been filed between the time of dissolution and the time of application for reinstatement.

Several years ago, Maine law allowed a defunct corporation to be reinstated by simply naming new officers and advising the Secretary of State. The Legislature then decided to get rid of the reinstatement provisions altogether. Acknowledging now that having no reinstatement process creates its own set of problems, this bill is designed to revive the process. The problem with this bill is that it reestablishes the process in an anti-business, punitive way by charging for reports that were never filed. Moreover, the reports were not required to be filed because the corporation was administratively dissolved.

Maine should be welcoming the reinstatement of businesses to operational status rather than penalizing them for a period of

administrative dissolution. If Maine wants to change the law to allow businesses to revive, it should be encouraging them by making the fee equal to the cost of filing the next report due.

For these reasons, I return LD 1425 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Bill:

An Act To Amend the Laws Relating to Corporations and Limited Partnerships

H.P. 971 L.D. 1425

Comes from the House, 113 members having voted in the affirmative and 31 in the negative, the veto of the Governor was Overridden and it was the vote of the House that the Bill become law notwithstanding the objections of the Governor.

The President laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor? 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 (#356)**

YEAS: Senators: ALFOND, BREEN, BURNS, COLLINS, CUSHING, DIAMOND, DILL, DUTREMBLE, GERZOFISKY, GRATWICK, HAMPER, HASKELL, HILL, JOHNSON, KATZ, LANGLEY, LIBBY, MASON, MILLETT, MIRAMANT, PATRICK, ROSEN, SAVIELLO, VALENTINO, WHITTEMORE

NAYS: Senators: BAKER, BRAKEY, CYRWAY, DAVIS, EDGEComb, MCCORMICK, WILLETTE, WOODSOME, THE PRESIDENT - MICHAEL D. THIBODEAU

EXCUSED: Senator: VOLK

25 Senators having voted in the affirmative and 9 Senators having voted in the negative, with 1 Senator being excused, and 25 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 at Ease.

Senate called to order by the President.

---

Off Record Remarks

---

**RECESSED** until the sound of the bell.

After Recess

Senate called to order by the President.

---

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

#### REPORTS OF COMMITTEES

##### House

##### **Ought to Pass As Amended**

The Committee on **JUDICIARY** on Bill "An Act To Correct Errors and Inconsistencies in the Laws of Maine" (EMERGENCY)  
H.P. 936 L.D. 1381

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-495)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-495)**.

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

**READ ONCE.**

Committee Amendment "A" (H-495) **READ** and **ADOPTED**, in concurrence.

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

---

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

#### REPORTS OF COMMITTEES

##### House

##### **Divided Report**

Seven members of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Provide Income Tax Relief by Expanding Gaming Opportunities"

H.P. 876 L.D. 1280

Reported in Report **"A"** that the same **Ought to Pass as Amended by Committee Amendment "A" (H-491)**.

Signed:

Senators:

CYRWAY of Kennebec  
COLLINS of York

Representatives:

HANINGTON of Lincoln  
KINNEY of Limington  
MONAGHAN of Cape Elizabeth  
SAUCIER of Presque Isle  
TURNER of Burlington

Two members of the same Committee on the same subject reported in Report **"B"** that the same **Ought to Pass as Amended by Committee Amendment "B" (H-492)**.

Signed:

Representatives:

GOLDEN of Lewiston  
LONGSTAFF of Waterville

Two members of the same Committee on the same subject reported in Report **"C"** that the same **Ought Not to Pass**.

Signed:

Representatives:

LUCHINI of Ellsworth  
SCHNECK of Bangor

One member of the same Committee on the same subject reported in Report **"D"** that the same **Ought to Pass as Amended by Committee Amendment "C" (H-493)**.

Signed:

Senator:

PATRICK of Oxford

One member of the same Committee on the same subject reported in Report **"E"** that the same **Ought to Pass as Amended by Committee Amendment "D" (H-494)**.

Signed:

Representative:

DILLINGHAM of Oxford

Comes from the House with Report **"A" OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-491)** **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-491)**.

Reports **READ**.

Senator **CYRWAY** of Kennebec moved the Senate **ACCEPT** Report "A" **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-491)**, in concurrence.

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

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

Senator **CYRWAY:** Thank you, Mr. President. Men and women of the Senate, I rise today in support of the bi-partisan Majority Ought to Pass Report from the Veterans and Legal Affairs Committee on L.D. 1280. While there are, in fact, five reports, which is probably a record, it should be noted that 11 of the 13 members of the committee are in support of passage in one form or another. We had 7 on the majority report. As a result of the White Sands Market Analysis, initiated by an act of the previous legislature, our committee was presented with five bills dealing with the expanded gaming in Southern Maine. In summary, their report stated, "We believe there is additional capacity for casino gaming in Maine as part of an integrated dining and entertaining offering consistent with its existing brand and image." White Sands also recommended a competitive bid license award process that would, and should, require applicants to compete based on their ability to deliver, sustain, and potentially grow a gaming product that is net positive for both the state and the operator. I believe the Majority Report does that.

The following is a summary of the common language among the four Ought to Pass reports. The establishment of the Site Location Commission consisting of five members appointed by the Governor and confirmed by the Senate. If York or Cumberland County residents vote in favor of expanding gaming in their county the commission would develop an RFP process, hire necessary specialists to assist, and then evaluate the competitive bidding. Any bidder is required to submit a \$250,000 application fee to be used to off-set expenditures by the commission. The Site Location Commission will review the RFPs and select the best one based on a series of criteria innumerate in the bill. For example, a minimum of \$250 million capital investment in a resort-style casino with hotel, spa, restaurants, etcetera is required. Next is a description of how the project will preserve existing jobs, as well as create additional jobs. Their plan is to increase year round tourism and create additional commercial development in the region. Also how bidders will address any negative consequences of their development. These are but a few of the requirements of the legislation.

In addition, the successful bidder would be required to pay a license fee of between \$10 million and \$50 million. In the Majority Report, \$5 million would go directly into the General Fund and \$20 million will be held in escrow for five years to off-set any loss of revenues to the City of Bangor, the County of Oxford, as well as the Town of Oxford. The successful bidder is also required to enter into a contract that will, among other things, outline financial penalties for failure to perform.

The differences in the four Ought to Pass reports are in the tax rate on slot machines, the up-front license fee paid by the casino, the question of statewide or county referendum,

establishing a cascade for distribution of net slot revenues, and, most importantly, at least in my mind, is whether or not preference should be given to any RFP that includes a harness racetrack with it. While I certainly have mixed emotions on the issue of expanding gaming, I am deeply committed to Maine's agricultural industry as well as our agricultural fairs. Quite simply, that is the reason that I'm supporting this version of the bill. The people who breed, train, and race horses are the epitome of small Maine business people who have watched the industry suffer at the hands of out-of-state corporations who have no interest in their plight. They find it difficult to understand how the Legislature can allow gambling issues to be run by referendum, as well as the apparent interest in protecting monopolies. This is not the free enterprise system. It is simply not fair and it is certainly not good public policy and it has cost Maine taxpayers in excess of \$160 million. Harness racing preserves open farm land and contributes millions of dollars to the economy, supporting Mainers who are both directly and indirectly involved in the industry. The Legislature has somehow lost its focus on part of our agricultural heritage. We should be working together to benefit an entire industry that could jump start a whole section of our economy. Those who work with horses provide jobs to thousands of Mainers, either directly or indirectly. They invest in equipment. They employ veterinarians, buy lots of hay and oats, and support countless other businesses, plus they provide and protect Maine's open spaces that we all consider dear to our hearts. Many states have seen success by tying racetracks with casinos over the past few years. One only has to look at New York, Pennsylvania, and, most recently, Ohio to see the expendable growth and far reaching benefits this can have. Agriculture was, and continues to be, one of the pillars of Maine's economy.

This legislation is similar to the liquor contracts in the state that will actually be telling the vendors what they will pay for a license. This certainly is better than another referendum and the state ends up with nothing again. That will happen. At some point there will be a casino built in Southern Maine. It'll be done with legislators' involvement or by another referendum, but it will happen. Ignoring the issue is worse than kicking the infamous can down the road. It's more like rolling a barrel filled with millions of dollars into another out-of-state company's pockets, to the continued detriment of Maine's people. There are countless words spoken and hours spent trying to lure large national corporations and others into Maine. We have a chance here to assist large groups of small businesses, in the most part family farms, that are already here. The fact is that this report would be an opportunity to right a couple of wrongs that have stifled the integral part of Maine's economy. It provides for millions of dollars in new capital investments, hundreds of new jobs, millions of dollars to the General Fund, and, at the same time, the promise of a future for a segment of our agricultural economy.

In closing, many people have forgotten that 2003 statewide referendum approved by Maine voters that authorized two racinos in Maine; one in the North and the other in the South. While the people in Bangor supported a racino in their community, Scarborough voters did not and time ran out before an alternative location could be selected. This bill rectifies the situation and gives the people of Southern Maine the chance to opt in to something that was approved over a decade ago. I would appreciate your support of the Majority Report. Thank you, Mr. President.

**THE PRESIDENT:** The Chair recognizes the Senator from York, Senator Collins.

Senator **COLLINS:** Thank you, Mr. President. I rise in support of the Majority Report on L.D. 1280. I've been around for a few years and am certainly no stranger to the gaming debate. Session after session this legislature wrestles with this issue. The 2013 taskforce failed to agree on how to expand gaming in Maine. In the 126<sup>th</sup> Legislature there were six proposals for gaming facilities. All six bills died in this Body after days of debate and still we were no closer to a statewide gaming policy. What makes L.D. 1280 any different? As a member of the Veterans and Legal Affairs Committee, I can tell you that the bill before us today lays the foundation for a comprehensive and consistent gaming policy. The Majority Report on L.D. 1280 builds on the recommendations of an independent study, not a study done by interested parties. Instead of relying on self-interested ballot initiatives, the Majority Report defines a rational and reasonable process that serves the best interests of Maine people, regionally and statewide. There is a competitive bid process. There is a \$25 million license fee, with \$20 million placed in escrow for the protection of the municipalities that host the existing casinos. There is a minimum capital investment, bricks and mortar of \$250 million. There is a non-refundable application fee of \$250,000 and a non-refundable investigation fee of \$100,000. County and municipal voters' approvals are required. What's before us today strikes the appropriate balance that maximizes state resources. This is an opportunity to generate millions of dollars in revenues annually to support Maine veterans, to help fund a robust transportation budget, and to support harness racing and agricultural fairs. This is an opportunity to create sustainable well-paying jobs, open the doors to an enormous construction project, and a destination resort casino that will enhance the tourist economy. It's time to move forward, folks. Thank you very much.

**THE PRESIDENT:** The Chair recognizes the Senator from Oxford, Senator Patrick.

Senator **PATRICK:** Thank you, Mr. President. Ladies and gentlemen of the Senate, colleagues and friends, what a difference a day makes. This is a bi-partisan report. It's a little different than the 12-1 bi-partisan report that we just rejected the other day, but I guess that's the difference a day makes. I am going to consistently speak in opposition to this for several reasons, but will also say that I am proud of the work that the committee did. We did not get a statewide gaming policy because that's a little different than trying to ascertain as to whether or not we were going to accept casino gaming. The statewide gaming policy would cover bingo, games of chance, sealed tickets, harness racing; everything under one umbrella. The committee did fall short on that and we have and it's going to take years for us to get there. This is an issue as to whether or not we want to allow more casino gaming in Maine.

Having spent my whole legislative career in Veterans and Legal Affairs, I have been fortunate enough to see just about every aspect of what has gone on with all aspects of gaming and I will say that I was here when Shawn Scott passed the two racinos in Maine at the same time when a casino was defeated. I can honestly say he was a very brilliant man and was able to get it. One of the things I will say is he didn't build a racino in Maine. He sold the license to Penn National for probably three times what he

paid. He spent around \$5 million of his own money to get a license that was worth about \$25 million. I think he sold it for around \$60 million. That's almost like the same day lending, in my line of thought process. From there I will say the good Senator was right, Bangor okayed it. You've got to understand that referendum was on the books for a year. Believe it or not, I blame Scarborough for falling flat on their face because they had over a year to prepare to get their citizens' initiative ready so the people were taking it. They had their time in the sun and I'm disappointed that we're bringing it up again, but that's how it came down. I think they've had three or four votes and said no. We've moved on since then because we now know that Scarborough probably is not the place it's going to go. I supported trying to protect harness racing. If anyone says anything else they're probably wrong because Scarborough Downs is still a business because I was smart enough to put 4% of the racino in to make sure that they could keep their business viable. Right now I think it's on life support.

What is this really about? When all is said and done, I know there's going to be more said than done, we've had seven or eight referendums, or more than seven or eight referendums, that the citizens of the state of Maine said no way. I do happen to live in the area, but it's not in my district thank goodness because I would be entitled to probably vote for it, it's not in my district but it's in my county. That business came onto the books by only a few thousand votes. It wasn't a mandate by the citizens of the state of Maine. It was a squeaker. The reason this bill is here is because the citizens of the state of Maine have said many times they don't want it. We have an industry, harness racing, that has been viable in Maine for 200 years. I go back to when I was 10 years old, in 1964. I snuck in the back of my Dad's car, and I think I said this once before, and drove down to Scarborough Downs. He got half-way down and discovered I was there and wasn't going to let me. I was indoctrinated to harness racing. I actually liked it. I still like it. This is about what do we want, do we have the ability? The White Sands Report, I'll say, was fair for who did it. Once again because realistically they're a business that deals with gaming and they were fair. I could have told them, and I think myself and my former Veterans Affairs Committee could have told them, there is a market for another casino in Maine. Actually White Sands said two. When pressed, we said if we could actually have one in Washington County and one in Aroostook County. They said, if you divide the amount of the 250 machines, divide them in half, they could have two smaller ones. Realistically, you can have as many as the market will bear and if you want free market to suffice as the law let as many in as you want. What you're saying is the White Sands Report says if you have another one in, in order to not adversely affect existing businesses, you have to have a tax rate of not 45%, as this bill has, but you have to have a tax rate of 35%. Why? Because the return on investment that Penn National and Churchill Downs put into their buildings and their businesses are going to be adversely affected. They call it cannibalization.

Cannibalization, if you look at Atlantic City, money making casinos are shutting down because they're not making the return on investment. I will say that I think all gaming industry people are extremely greedy and they have to have a lot more return on investment than other businesses, but they actually shut down viable businesses. I think there were three casinos either this year or last year that just shut down that were making money, but they weren't making enough because of the over-saturation, cannibalization. What does White Sands say about

cannibalization? Before I mention that, what was the cannibalization in Oxford when the citizens of the state of Maine said okay to Oxford, that they could put one? It's 100 miles as the crow flies or less from Oxford to Bangor. It affected them over 10%. They already lost 10%. What does White Sands say about what's going to happen to the existing businesses? Another 10% to Bangor and 20% to Oxford. I drew a little map, had 95 going from New Hampshire up to Houlton. I put an X where Houlton was and an X where Bangor was and an X where somewhere in Southern Maine it's going to be. I drew off to the left into Western Maine, off to a secondary road. I said to them, "You figure only 20% is going to be lost. You have one in the way into Maine, the prime way in. People are going to by-pass that and head off down a secondary road, 45 miles up the secondary road, and they're going to go visit that one just as often." I said to them, "I doubt it. Realistically, the knowledge that I've garnered over my years in the gaming business, I really think it's going to affect Bangor closer to 15% or 20%. I think it's going to cannibalize Oxford close to 40% or 50%." How do I know? Because I actually do some on-site studies myself and I actually have gone numerous times to Bangor and Oxford and look at the license plates to figure out where they come from. I know some of them come from the Berlin area, which is the north end of Oxford. Most of them come from the southern end of 95 and they don't share all their secrets with you. This is just by me driving up and down the parking lots and looking at the New York, Connecticut, New Hampshire, Massachusetts, and Vermont license plates. Most of the times I've been there I'd have to say there is around 15% to 20% of the people who come from out-of-state. The one thing I know about gaming, and I will say this again, I've been to Las Vegas 23 times. I've been to Atlantic City two or three times. I've been to Foxwoods. I've been to Canada. I've been all over the place. You go where the best places are. No one's going to continue to go to a smaller casino if they have the biggest one right there.

We're looking at what does 11% mean. It means the profitability of two existing businesses is going to be adversely affected. We actually have some things within the bill that help the municipalities, which is good because, if you get right down to it, if a business is going to suffer or the community is going to suffer I'd rather make sure we protect the communities. We have 1% for Bangor and 1% for Oxford and 1% for Oxford County and 1% for Penobscot County.

This really gets right down to every time, in my estimation, is that we could pass this bill. I'm not going to cry because I'm not going to lose any money on this. I have no stock in any of them. It's not going to personally bother me. I will say right up front, in committee everyone's heard me say this, if this committee does one thing, and one thing only, in my 13 years on the Veterans Affairs Committee, I want to make sure that within this bill, if it passes, that every program that this legislature has passed in the last 15 years, the money is there to fund everything, like perpetual care in cemeteries, the VSO offices, the vans, everything. At least that's in it. What will this also do if the cannibalization results in a 30% or 40% cut to Oxford and a 20% cut to Bangor? The cascade, which are the carrots that we love, which are all the different things that the money is going to, roads and bridges, the money going to harness racing, horse racing, to everything. In the existing cascades that we have is education. Education is going to take a big hit because if that goes down, if the revenues go down, the percentage of tax that they're paying is going to go down, so they're going to lose that. The neat thing about these

casinos is that Shawn Scott, when he passed his, only had like five or six carrots. He was only going to get, extrapolate, 25% to taxes. We actually, the committee, under L.D. 1280, got him for 1% gross and 39% net, which was kind of the neatest thing we ever did because we're unique in the gaming industry. Besides the loss of education dollars, the thing I brought up with the problem with all these different casinos and cascades is we're going to end up, if we pass this, with three different cascades at three different rates; two are paying the same rates and one other different. If it negatively affects the amount of money, and if we do have to lower the tax rate down from 46% down to 35%, we're actually going to have to have public hearings if and when we decide to lower the cascades, and it's going to happen because nowhere in the country do you have the same high tax rate anywhere if you have more than one casino.

Gaming in itself, as I've learned over the years as I'm weaning myself off because I really don't see the draw any more, is in our law we allow casinos to pay out between 89% and 93% payouts. What does that mean? If you are on a slot machine and you put \$100 in, you're money's going to recycle and you're going to get back 89%. Then you're going to give it back, it circulates again. What does it mean? Basically, it says how long you're going to hang onto your money because these buildings aren't built on winners. There are a lot of things that we look at that are good. We say, "Wow, we're going to get this extra tax revenue," or "What's the state going to get if we support this?" We're going to get \$12 million more the state's going to get on the books. If you divide \$12 million by 1.3 million you'll probably get \$4.50 per person. That money isn't going to be divided equally amongst the state, so what has the state actually gotten?

I know it looks good and I'm pretty sure that almost everyone's already figured out where they're going to go on this. We said in the last bill that a lot of it was poorly written and there were aspects that weren't good. There are some things in this bill that I think are a little on the poorly written side. Even the veteran's part of it; authorized to submit legislation to the First Regular Session of the 128<sup>th</sup> to implement the recommendations of the Director of the Bureau of Maine Veterans Services. What I wanted them to do is bring back to us the ideas that they had and the committee would decide where we were going to go, not empower the director to have a say on where everything else goes. I'm sure we can fix that if we have to because this is the legislature and we can fix almost anything. This has at least 16 carrots, I guess, that are good for certain areas and certain things and it's going to help out, but when all is said and done what I would actually say is if the citizens of the state of Maine, 10 or 11 times, said no and two times they narrowly said yes should we be moving forward with this? I could go on for about another hour but I'm not going to because it's not going to make much difference and I may get up again. With that short speech, Mr. President, I will sit down and thank you for your time.

**THE PRESIDENT:** The pending question before the Senate is the motion by the Senator from Kennebec, Senator Cyrway to Accept Report "A" Ought to Pass as Amended by Committee Amendment "A" (H-491), in concurrence. A Roll Call has been ordered. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#357)**

YEAS: Senators: BAKER, COLLINS, CYRWAY, DIAMOND, DILL, GERZOFKY, HASKELL, KATZ, LANGLEY, MCCORMICK, SAVIELLO, VALENTINO, VOLK, WILLETTE, WOODSOME

NAYS: Senators: ALFOND, BRAKEY, BREEN, BURNS, CUSHING, DAVIS, DUTREMBLE, EDGECOMB, GRATWICK, HAMPER, HILL, JOHNSON, LIBBY, MASON, MILLETT, MIRAMANT, PATRICK, ROSEN, WHITTEMORE, THE PRESIDENT - MICHAEL D. THIBODEAU

15 Senators having voted in the affirmative and 20 Senators having voted in the negative, the motion by Senator **CYRWAY** of Kennebec to **ACCEPT** Report "A" **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-491)**, in concurrence, **FAILED**.

Senator **CYRWAY** of Kennebec moved the Senate **ACCEPT** Report "B" **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "B" (H-492)**, in **NON-CONCURRENCE**.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#358)**

YEAS: Senators: BAKER, BRAKEY, COLLINS, CYRWAY, DIAMOND, DILL, DUTREMBLE, GERZOFKY, KATZ, LANGLEY, MCCORMICK, PATRICK, SAVIELLO, VALENTINO, VOLK, WILLETTE, WOODSOME

NAYS: Senators: ALFOND, BREEN, BURNS, CUSHING, DAVIS, EDGECOMB, GRATWICK, HAMPER, HASKELL, HILL, JOHNSON, LIBBY, MASON, MILLETT, MIRAMANT, ROSEN, WHITTEMORE, THE PRESIDENT - MICHAEL D. THIBODEAU

17 Senators having voted in the affirmative and 18 Senators having voted in the negative, the motion by Senator **CYRWAY** of Kennebec to **ACCEPT** Report "B" **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "B" (H-492)**, in **NON-CONCURRENCE**, **FAILED**.

Report "C" **OUGHT NOT TO PASS ACCEPTED**, in **NON-CONCURRENCE**.

Ordered sent down forthwith for concurrence.

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

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

**PAPERS FROM THE HOUSE**

**Non-Concurrent Matter**

HOUSE REPORTS - from the Committee on **JUDICIARY** on Bill "An Act To Protect Certain Information under the Maine Human Rights Act"

H.P. 802 L.D. 1171

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-476)** (11 members)

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

In House, June 22, 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-476)**.

In Senate, June 23, 2015, on motion by Senator **BURNS** of Washington, the Minority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**, in **NON-CONCURRENCE**.

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

On motion by Senator **BURNS** of Washington, the Senate **ADHERED**.

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

**REPORTS OF COMMITTEES**

**House**

**Divided Report**

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Increase Access to Health Security by Expanding Federally Funded Health Care for Maine People" H.P. 588 L.D. 854

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-470)**.

Signed:

Senator:  
HASKELL of Cumberland

Representatives:

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

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

Signed:

Senators:

BRAKEY of Androscoggin  
McCORMICK of Kennebec

Representatives:

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

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-470)**.

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:** The Chair recognizes the Senator from Cumberland, Senator Haskell.

Senator **HASKELL:** Thank you very much, Mr. President. Ladies and gentlemen of the Senate, the State of Maine has an incredible opportunity here today by rejecting the Minority Report to improve the lives of nearly 70,000 people with low income in our state by accepting federal funds to increase access to health coverage. This does not put any money in their pockets. This increases access to health coverage. Accepting federal funds would help create savings in our state budget. It would help protect rural hospitals and health clinics and make sure that those 70,000 Maine people, most of whom work, have access to preventive and lifesaving healthcare. Accepting the Minority Report would mean that Maine would not accept those federal funds set aside for our state to provide health coverage for people with low incomes in our state. I urge you to vote against this Minority Report.

Accepting these federal funds is going to help. Who is it going to help? It's going to help approximately 70,000 adults with low incomes, most of whom work. These are working parents, about 15,000 of them, and other adults under the age of 65, who are working, without dependent children living at home; 3,000 veterans and 1,000 of their family members. Adults with gross

annual income at or below 138% of federal poverty level and that federal poverty level is \$16,243 annual gross income for an individual and \$27,725 for a family of three. Most of these people work in industries with limited employer-based coverage, agricultural and service industries, small businesses, self-employed; unlikely to have access to health coverage through a job. Workers who are likely to benefit include food service, construction, personal care and home health, childcare, retail sales clerks, laborers, farmers, sales clerks, janitors, and landscapers. These are the people who keep our state running.

If Maine accepted these federal funds we would gain \$256 million in new federal funds into Maine's economy each year, predicted to generate \$500 million in annual economic activity across the state. Thirty-one hundred jobs would be created across the state. Seventeen hundred of those created directly by healthcare businesses and at least \$27 million in savings would be recognized every year by using federal funds to replace state funds that are currently used to pay for services provided through our state funded programs. The states accepting federal funds to expand access to coverage are seeing huge benefits, significant budget savings, and revenue gains. Actual savings and economic benefits in other states are well documented and they result from those enhanced federal revenues and increased tax revenues and the General Fund replacement with those federal funds and reductions in uncompensated care provided in hospitals and community centers. Ladies and gentlemen of the Senate, 29 states and the District of Columbia have expanded, with Montana most recently. States that expanded early are benefiting and Maine is the only state in New England that has not accepted these federal funds. Please vote against this pending motion.

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

Senator **BRAKEY:** Thank you, Mr. President. I rise in support of the motion before us. Let's take a walk through history, and I promise it will be a very brief walk. In 2002 Maine expanded their Medicaid program to include what were referred to as non-cats, or non-categoricals. These individuals were single childless adults. The State anticipated that 11,000 individuals would enroll in the program and we could reap tremendous benefits from this in the form of a reduced rate of uninsured, reduced charity care, and better health outcomes which would reduce the mighty cost of healthcare in our state. Unfortunately, all of the promises never reached fruition. The program experienced explosive growth and was quickly capped at 25,000. The rate of uninsured remained the same. Charity care continued to grow from approximately \$68 million in 2002 to over \$260 million today. Our healthcare costs are still some of the highest in the nation. At the same time, our neighbors next door in New Hampshire were experiencing their own explosive growth in Medicaid, which were predicted to create long-run projections for cost increases in the program and would put pressure to cut other critical services, like education and public safety, and would likely need massive tax hikes to sustain. At that time, the New Hampshire Department of Health and Human Services implemented Medicaid reform that overhauled service delivery and brought growth under control, allowing their programs to continue to deliver important services to children and the disabled across New Hampshire.

In the last session this Legislature fought bitterly over Medicaid expansion and ultimately did not expand. The reasons

why Maine shouldn't expand in the last session still hold true for this session. We still have unfulfilled wait lists for the neediest in our state; our seniors, autistic children, individuals with traumatic brain injuries. Now, today, we have before us an offer of free care to single, non-disabled adults between the ages of 19 and 64, individuals who have the opportunity to make choices, choices that the aged and infirmed do not have. Last year, while this Legislature was in the midst of the Medicare expansion debate in this building our neighbors in New Hampshire were also weighing their options. While we did not expand, New Hampshire did and, unfortunately, reports of a negative experience are quickly coming to the forefront. In January, the New Hampshire Department of Health and Human Services announced that it was \$82 million over budget, mainly due to the cost of Obamacare, partly because of the cost of Medicaid expansion, and partly because of the woodwork effect, people coming out of the woodwork who were not expected. How did the agency move to resolve this big hole? They went down the dark path of budget instability and service cuts in other areas of government to support an explosive program. The first step was \$44 million in cuts in other areas. There was \$7 million in reductions to nursing homes. While they received the biggest news, additional cuts came from across the department. They involved cut-backs to seniors, children, the mentally ill, and the developmentally disabled. In a press release, New Hampshire's Governor called these cuts "responsible," difficult but necessary. In other words, the Governor of New Hampshire has chosen to send seniors, children, and the disabled to the back of the bus to provide a welfare program to non-disabled childless adults. Sound familiar?

Public policy should be built on a system of putting our most vulnerable first. The individuals who literally cannot care for themselves are the ones leadership typically put before those for whom the service would be nice to have. However Medicaid expansion has turned this notion upside down as its proponents pushed and won their quest to implement expansion in New Hampshire. As a result children, seniors, and disabled are the victims and paying the price, just as our children, seniors, and disabled are still paying the price for our early expansion in 2002. Thank you, Mr. President, and I'm done.

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

Senator **GRATWICK:** Thank you very much, Mr. President. Ladies and gentlemen, I rise in support of the larger issue here, which is the using of MaineCare funds for a larger group of people and, therefore, opposed to what's on the Floor right now. I would simply note that this is the major reason I came to the Maine Senate, because I think we have to give better healthcare to Mainers. It's essential for us all. We all want good healthcare, number one. Number two, I want to save money. I think you're all aware that it's very easy to lie with statistics. We all learned that in the tenth grade. You can pick and choose any numbers you want here. The ones, I must admit, I come up with at this particular point are from the Maine Health Access Foundation. I think they ran a very good study. It was sent out in April of this year. Long and complicated, but they were quite conservative and \$26 million savings to the State of Maine. Twenty-six million dollars, we could do a lot with that right now, today, if we had an appropriation, for example. It would be a great help to the people of Maine. The savings mainly come from mental health and behavioral health people going from the State part of the budget

to the federal. It helps hospitals. It helps community health centers. It's very good.

With all due respect to the Senator from Androscoggin, Senator Brakey, the New Hampshire experience, you can choose anything you want but the reality is New Hampshire had two major law suits, unrelated to the expansion, roughly \$50 million. You can compare apples and oranges if you want because it doesn't really make much sense. If you want to be accurate, the closest we can come, and again no one's really absolutely sure, \$26 million is as close as I can come in trying to figure this out accurately.

The two things that I think are very important are, number one, this has the potential to save money and, number two, it can promote better health for people here in Maine. If we're not here in the legislature helping people have good health, what are we here for? Good health is so tantalizingly close for many, many people. They see it in our great hospitals but they can't afford it. With apologies, I will go back and give another history lesson, as did Senator Brakey. A little further back, to the great mythology where, I think you remember from grade school or high school, Tantalus was that creature in Greek mythology who was eternally damned. He was eternally going to be punished for sins. He was set in a pool of water underneath a wonderful fruit tree bearing fruit. Whenever he bent down to take a drink of water the water receded. Whenever he reached up to grab the fruit the fruit tree rose up. Hence the origin of the word tantalizing. I think our healthcare system right now is tantalizing for all too many people and we do a great deal to remedy that. Thank you, Mr. President.

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

Senator **JOHNSON:** Thank you, Mr. President. Ladies and gentlemen, I want to talk to a couple of the things that have been said here on this motion before us. First of all, in regards to the choices on funding wait list raised by the good Senator from Androscoggin, Senator Brakey, that versus helping people have healthcare, the MaineCare expansion is a false choice. It could just as well say that instead we should be calling back the money that has been lost in sham transactions. Cate Street, tens of millions of dollars that should be put to funding wait lists. Perhaps we should forgo, for those who are not truly the needy, the increase of the exemption on state taxes to \$5.5 million.

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

Senator **CUSHING:** Thank you, Mr. President. What is the matter before us?

**THE PRESIDENT:** The Senator would be advised it is the acceptance of the Minority Ought Not to Pass Report on L.D. 854. The Senator may proceed.

Senator **JOHNSON:** Thank you, Mr. President. I wouldn't have spoken of this if not for the question of wait lists having been already raised. I'm almost done with that point. We could just as well say we should be putting money, instead of towards that, towards people who are needy.

I'd like to talk for a moment about the impact on real people in Maine, the importance of this expansion and why I stand in opposition to the pending motion. I spoke on this some time ago.



I told you about the plights of various people in my district, one of whom was Nathan Nichols of Waldoboro. He had said, "I am a master welder and sculptor of recycled and found object metal assemblage and a photographer. I've lived and raised a family in mid-coast Maine for over 30 years. Since I'm a self-employed artist my income varies from month to month and year to year. I don't have health insurance. Last time I went to the doctor they diagnosed me with Type 2 Diabetes. I'm monitoring on my own and doing what I can, but can't afford the medications they prescribed or follow up care. I fall into the gap right now where I can't receive MaineCare and do not qualify for subsidies under the ACA. I don't mind paying my fair share for healthcare right now, but that isn't even an option. For now all I can do is hope that I don't get sick." Since we last spoke about this issue his health issues caught up with him and Nathan Nichols passed away. He's not among us anymore. He's one of the costs in lives for our failing to expand this already. There are others around this state who came and testified about their circumstances. Jeffrey, 50 years old from Naples, heavy construction mechanical work until he was laid off in 2012. He has celiac disease. His biggest concern is that he's almost completely blind due to cataracts. He couldn't afford surgery. While charity care would help pay for a portion of the hospital care, it doesn't cover the surgeon fee, lab work, anesthesiology, and after surgery and ongoing eye care. He's had to wait until becoming legally blind before qualifying for MaineCare, a medically needy program. He's isolated, can't work, and has no access to transportation except for occasional rides from friends or a voc rehab counselor who has tried to help him find work. If he had coverage he could have stopped the progression of the cataracts. Now that they are denser they'll be more difficult to remove and may lead to prolonged inflammation and other complications. Many other such stories, I just wanted you to keep in mind that we're talking about the lives of real people, real people who, if they had the healthcare they needed to make them able to continue, would love to be working, would love to be contributing to Maine. They are needy too. Thank you, Mr. President.

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

Senator **HASKELL:** Thank you very much, Mr. President. Ladies and gentlemen of the Senate, I just would briefly like to discuss New Hampshire. I have before me the information, the six month report from the New Hampshire Health Protection Program from the New Hampshire Hospital Association, indicating the program has been up and running for six months. The data shows the program is working as planned, driving a reduction in in-patient admissions, emergency visits, and out-patient hospital services among the uninsured and, in addition, the New Hampshire Hospital Association, along with the Chamber of Commerce, has recently issued statements supporting Medicaid expansion in New Hampshire, saying it is working. Their association is the BIA, the Business and Industry Association, which is their statewide Chamber of Commerce, supporting the reauthorization of the program. Thank you.

**THE PRESIDENT:** 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 (#359)

**YEAS:** Senators: BAKER, BRAKEY, BURNS, COLLINS, CUSHING, CYRWAY, DAVIS, EDGECOMB, GRATWICK, HAMPER, LANGLEY, MASON, MCCORMICK, ROSEN, VOLK, WHITTEMORE, WILLETTE, WOODSOME, THE PRESIDENT - MICHAEL D. THIBODEAU

**NAYS:** Senators: ALFOND, BREEN, DIAMOND, DILL, DUTREMBLE, GERZOFKY, HASKELL, HILL, JOHNSON, KATZ, LIBBY, MILLETT, MIRAMANT, PATRICK, SAVIELLO, VALENTINO

19 Senators having voted in the affirmative and 16 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**.

On motion by Senator **GRATWICK** of Penobscot, the Senate **RECONSIDERED** whereby it **ACCEPTED** Minority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE**.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

#### ROLL CALL (#360)

**YEAS:** Senators: BAKER, BRAKEY, BURNS, COLLINS, CUSHING, CYRWAY, DAVIS, EDGECOMB, HAMPER, LANGLEY, MASON, MCCORMICK, ROSEN, VOLK, WHITTEMORE, WILLETTE, WOODSOME, THE PRESIDENT - MICHAEL D. THIBODEAU

**NAYS:** Senators: ALFOND, BREEN, DIAMOND, DILL, DUTREMBLE, GERZOFKY, GRATWICK, HASKELL, HILL, JOHNSON, KATZ, LIBBY, MILLETT, MIRAMANT, PATRICK, SAVIELLO, 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 NOT TO PASS** Report, in **NON-CONCURRENCE, PREVAILED**.

Ordered sent down forthwith for concurrence.

---

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

**PAPERS FROM THE HOUSE**

**Non-Concurrent Matter**

HOUSE REPORTS - from the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act To Provide Funds to the Town of Millinocket Due to the Loss in Valuation of the Katahdin Paper Company"

H.P. 817 L.D. 1184

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-486)** (8 members)

Minority - **Ought Not to Pass** (5 members)

In House, June 22, 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-486)**.

In Senate, June 22, 2015, on motion by Senator **HAMPER** of Oxford, the Minority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**, in **NON-CONCURRENCE**.

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

Senator **HAMPER** of Oxford moved the Senate **INSIST**.

Senator **DILL** of Penobscot moved the Senate **RECEDE** and **CONCUR**.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#361)**

YEAS: Senators: ALFOND, BREEN, DAVIS, DIAMOND, DILL, GERZOFKY, GRATWICK, HASKELL, HILL, JOHNSON, LIBBY, MILLETT, PATRICK, SAVIELLO

NAYS: Senators: BAKER, BRAKEY, BURNS, COLLINS, CUSHING, CYRWAY, DUTREMBLE, EDGEComb, HAMPER, KATZ, LANGLEY, MASON, MCCORMICK, MIRAMANT, ROSEN, VALENTINO, VOLK, WHITTEMORE, WILLETTE, WOODSOME, THE PRESIDENT - MICHAEL D. THIBODEAU

14 Senators having voted in the affirmative and 21 Senators having voted in the negative, the motion by Senator **DILL** of Penobscot to **RECEDE** and **CONCUR**, **FAILED**.

On motion by Senator **HAMPER** of Oxford, the Senate **INSISTED**.

**COMMUNICATIONS**

The Following Communication: H.C. 294

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

June 23, 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 as Amended Report of the Committee on Judiciary on Bill "An Act To Establish the Maine Fourth Amendment Protection Act" (S.P. 200) (L.D. 531) and Passage to be Engrossed.

The House voted today to insist on its former action whereby it accepted the Minority Ought to Pass as Amended Report of the Committee on Health and Human Services on Resolve, To Require the Department of Health and Human Services To Request a Waiver To Prohibit the Use of Food Supplement Benefits for the Purchase of Taxable Food Items (S.P. 195) (L.D. 526)(EMERGENCY) and Passage to be Engrossed.

The House voted today to insist on its former action whereby it accepted the Majority Ought to Pass as Amended Report of the Committee on Labor, Commerce, Research and Economic Development on Bill "An Act To Increase Allowed Investments under the Maine New Markets Capital Investment Program" (S.P. 112) (L.D. 297) and Passage to be Engrossed.

The House voted today to insist on its former action whereby it accepted the Majority Ought Not to Pass Report of the Committee on Health and Human Services on Bill "An Act To Integrate the State's General Assistance and Temporary Assistance for Needy Families Programs" (S.P. 136) (L.D. 368)

The House voted today to insist on its former action whereby it accepted the Majority Ought Not to Pass Report of the Committee on Health and Human Services on Bill "An Act To Increase Accountability in Maine's Welfare Programs" (S.P. 505) (L.D. 1375)

The House voted today to insist on its former action whereby it accepted the Majority Ought Not to Pass Report of the Committee on Health and Human Services on Bill "An Act To Create a 9-month Time Limit on General Assistance Benefits" (S.P. 361) (L.D. 1035)

The House voted today to insist on its former action whereby it accepted the Majority Ought Not to Pass Report of the Committee on Health and Human Services on Bill "An Act To Prioritize Use

of Available Resources in General Assistance Programs" (S.P. 362) (L.D. 1036)

Sincerely,

S/Robert B. Hunt  
Clerk of the House

**READ and ORDERED PLACED ON FILE.**

---

Off Record Remarks

---

**RECESSED** until the sound of the bell.

After Recess

Senate called to order by the President.

---

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

# REPORTS OF COMMITTEES

## House

### Ought to Pass As Amended

The Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Create Jobs in Aroostook and Washington Counties"

H.P. 520 L.D. 767

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-302).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-302) AS AMENDED BY HOUSE AMENDMENT "B" (H-497)** thereto.

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

On motion by Senator **ALFOND** of Cumberland, the Senate **RECONSIDERED** whereby it **ACCEPTED** the **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-302)** Report, in 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:** The Chair recognizes the Senator from Oxford, Senator Patrick.

Senator **PATRICK:** Thank you, Mr. President. Ladies and gentlemen of the Senate, colleagues and friends, the acceptance

of the report is a good way to go. The amendment that we have removes the provision in the bill that would provide an exception to the Pine Tree Development Zone income requirements for the call centers located in Aroostook and Washington Counties, but it retains the provisions that allow for call centers to be qualified as a Pine Tree Zone business in Aroostook and Washington Counties. We discussed this bill at length. It was something that I believe both in Washington County and Aroostook County that call centers are prevalent and I think that giving the ability to have the call center benefits both the employee and the employer. I would urge that everyone support the report. Thank you, Mr. President.

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

Senator **BURNS:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I just want to quickly thank the good Senator from Oxford for his vote of confidence.

**THE PRESIDENT:** The pending question before the Senate is Acceptance of the 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 (#362)

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

**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-302)** Report **ACCEPTED**, in concurrence.

## READ ONCE.

Committee Amendment "A" (H-302) **READ.**

House Amendment "B" (H-497) to Committee Amendment "A" (H-302) **READ.**

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

**THE PRESIDENT:** The Chair recognizes the Senator from Oxford, Senator Patrick.

Senator **PATRICK**: Thank you, Mr. President. Ladies and gentlemen of the Senate, colleagues and friends, I am going to be speaking in opposition to the amendment before us. What the amendment does is actually reduces the wages within the Pine Tree Zone for those deserved workers in Washington and Aroostook Counties down to 90%, which will be bumped up over three years to the full amount. I see no reason why, with the benefits that are derived from being a Pine Tree Zone recipient, the tax breaks, that the workers should, therefore, take a 10% cut in their wages. From what I understand, this would actually be about an \$11,000 cut to the workers in the Aroostook and Washington Counties call centers. From my standpoint, I've never been in favor of the race to the bottom. I know that we have competition throughout the whole country and throughout the whole world, but there comes a point in time when you have to look at the slippery slope. If we're willing to go from \$17 an hour down to \$12 will we, next time around, go from \$12 down to \$10, down to \$8? Does that actually help anyone, because the Pine Tree Zones are devised so that they can actually get a decent wage with health benefits? I would ask you to vote in opposition to this amendment. Thank you, Mr. President.

**THE PRESIDENT**: The pending question before the Senate is Adoption of House Amendment "B" (H-497) to Committee Amendment "A" (H-302), in concurrence. A Roll Call has been ordered. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

#### ROLL CALL (#363)

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

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

18 Senators having voted in the affirmative and 17 Senators having voted in the negative, House Amendment "B" (H-497) to Committee Amendment "A" (H-302) **ADOPTED**, in concurrence.

Committee Amendment "A" (H-302) as Amended by House Amendment "B" (H-497) thereto, **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-302) AS AMENDED BY HOUSE AMENDMENT "B" (H-497)** thereto, in concurrence.

Ordered sent down forthwith.

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

#### REPORTS OF COMMITTEES

##### House

##### Divided Report

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Ensure the Integrity of the Temporary Assistance for Needy Families Program" H.P. 782 L.D. 1144

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

Signed:

Senators:

BRAKEY of Androscoggin  
McCORMICK of Kennebec

Representatives:

GATTINE of Westbrook  
HAMANN of South Portland  
HEAD of Bethel  
MALABY of Hancock  
SANDERSON of Chelsea  
STUCKEY of Portland  
VACHON of Scarborough

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-320)**.

Signed:

Senator:

HASKELL of Cumberland

Representatives:

BURSTEIN of Lincolnville  
HYMANSON of York  
PETERSON of Rumford

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

Reports **READ**.

Senator **BRAKEY** of Androscoggin moved the Senate **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** 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**: The Chair recognizes the Senator from Androscoggin, Senator Brakey.

Senator **BRAKEY**: Thank you, Mr. President. I'll just say this bill, I think, is somewhat of a mixed blessing. It does some good things. It does some other things. I'm looking forward to adopting the Committee Report so that we can consider a potential amendment that will address some of the concerns that I have. Thank you very much.

**THE PRESIDENT**: The pending question before the Senate is the motion by the Senator from Androscoggin, Senator Brakey to Accept the Minority Ought to Pass as Amended 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 (#364)

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

NAYS: Senators: None

ABSENT: Senator: CUSHING

34 Senators having voted in the affirmative and no Senator having voted in the negative, with 1 Senator being absent, the motion by Senator **BRAKEY** of Androscoggin to **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report, in **NON-CONCURRENCE**, **PREVAILED**.

## READ ONCE.

On motion by Senator **BRAKEY** of Androscoggin, Senate Amendment "A" (S-312) **READ**.

---

Senate at Ease.

Senate called to order by the President.

---

Same Senator requested and received leave of the Senate to withdraw Senate Amendment "A" (S-312).

Committee Amendment "A" (H-320) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME**.

On motion by Senator **BRAKEY** of Androscoggin, Senate Amendment "A" (S-312) **READ**.

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

Senator **BRAKEY**: Thank you, Mr. President. I'm happy to speak to the amendment. This bill does a couple of different things. One of the very good things that it did was that it established certain items which would be prohibited from the use of TANF funds, including things like alcohol, cigarettes, and so forth. However, there were some problems with the bill. One of those problems, which this amendment fixes, was that the penalties that were put into this were actually weaker than what's currently in statute. I'm sure that wasn't the intent, but that's what it would have in effect done. Also there were some other items within this bill that, in discussion with certain members of the Health and Human Services Committee, were not necessary. This amendment strikes out everything in the bill except for it retains those prohibited items. That's what this would do.

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

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

Senator **HASKELL**: Thank you very much, Mr. President. Ladies and gentlemen of the Senate, I think what might be important to recognize here is that my good colleague from Androscoggin, Senator Brakey, mentioned the penalties that are currently in statute. There are currently penalties in statute and there are rules in statute regarding where you can purchase things. You are not allowed, it is by venue. That's how our department has defined these types of things that are being mentioned in here. You cannot use your card in a gambling facility. That's pretty straight forward. To just go ahead now and try to add that you can't spend it on gambling, I'm not sure whether we're trying to get to beano in the church basement or what we're trying to get at here because these types of expenditures are already in place, and there are penalties in place for using you card in venues and not by specific types of things that you would be buying. By leaving out the portion of this bill which talks about what the penalties would be, that means that the department will now have to promulgate new rules. There is nothing in here which talks about whether these are major substantive rules or whether these are routine technical rules. The other thing that's left out of this bill, when you stripped out those sections that this amendment stripped out, was the request of the department to develop an education program for recipients of these benefits that would let them understand what the specifics are and to understand that this is a change from what our current law is. I think if you're going to make changes you need to really let people know. That's one of the places where the department has had some suggestions for corrections with other portions of these benefits. I think that it's an important part of this bill that is now missing. I would urge you to reject this amendment and vote against the adoption of it. Thank you.

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

Senator **ALFOND**: Thank you, Mr. President. Ladies and gentlemen of the Senate, I'll be very brief, but if any of you were in your committee of jurisdiction and you had an amendment put on the Floor that said we're going to wipe out parts of the bill and then we're going to just decide how we're going to do it sometime in the future, I think you'd all be raising some big red flags. I think this is dangerous. I think this is unprecedented. I don't think this is the way to do public policy by just hoping, or just giving, a department, you know, omnibus rule and power to decide how they're going to move forward. Again, in any of your committees you would not do this. We shouldn't be doing this tonight. I urge you to reject this amendment in front of us. Thank you, Mr. President.

**THE PRESIDENT**: The pending question before the Senate is the motion by the Senator from Androscoggin, Senator Brakey to Accept the Adopt Senate Amendment "A" (S-312). 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 (#365)

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

NAYS: Senators: ALFOND, BREEN, DIAMOND, DILL, DUTREMBLE, GERZOFsky, 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 **ADOPT** Senate Amendment "A" (S-312) **PREVAILED**.

**PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-320) AND SENATE AMENDMENT "A" (S-312), in NON-CONCURRENCE.**

Sent down for concurrence.

---

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

#### REPORTS OF COMMITTEES

##### House

##### Divided Report

The Majority of the Committee on **TAXATION** on Resolve, To Modify the State Valuation of the Town of Madison To Reflect the Loss in Valuation of the Madison Paper Company and To Modify the State Valuation of the Town of Skowhegan To Reflect the Loss in Valuation of the S.D. Warren Company (EMERGENCY) H.P. 199 L.D. 281

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-478).**

Signed:

Senator:  
LIBBY of Androscoggin

Representatives:  
GOODE of Bangor  
BICKFORD of Auburn  
MOONEN of Portland  
RUSSELL of Portland  
SKOLFIELD of Weld  
STANLEY of Medway  
TEPLER of Topsham

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

Signed:

Senators:  
McCORMICK of Kennebec  
DAVIS of Piscataquis

Representatives:  
CHACE of Durham  
SEAVEY of Kennebunkport  
SUKEFORTH of Appleton

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-478).**

Reports **READ.**

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

**READ ONCE.**

Committee Amendment "A" (H-478) **READ** and **ADOPTED**, in concurrence.

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

---

#### ORDERS OF THE DAY

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

HOUSE REPORTS - from the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Establish the Forensic Treatment Fund To Establish a Behavioral Assessment and Safety Evaluation Unit"

H.P. 974 L.D. 1428  
(C "A" H-334)

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

Minority - **Ought to Pass as Amended by Committee Amendment "A" (H-334)** (5 members)

Tabled - June 23, 2015, by Senator **MASON** of Androscoggin

Pending - motion by Senator **HASKELL** of Cumberland to **RECEDE** and **CONCUR** (Roll Call Ordered)

(In House, June 17, 2015, Reports **READ** and the Bill and accompanying papers **COMMITTED** to the Committee on **HEALTH AND HUMAN SERVICES**.)

(In Senate, June 17, 2015, on motion by Senator **BRAKEY** of Androscoggin, 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-334)**, in **NON-CONCURRENCE**.)

(In House, June 22, 2015, that Body **INSISTED**.)

(In Senate, June 23, 2015, Senator **BRAKEY** of Androscoggin moved the Senate **INSIST**.)

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

Senator **BRAKEY:** Thank you, Mr. President. As I said previously in today's session, I think this is a bill with somewhat of a timely manner and I would hope that we would reject the motion to Recede and Concur so we can move on to the motion to Insist. Thank you very much.

**THE PRESIDENT:** The pending question before the Senate is the motion by the Senator from Cumberland, Senator Haskell to Recede and Concur. 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 (#366)

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

NAYS: Senators: BAKER, BRAKEY, BURNS, COLLINS, CUSHING, DAVIS, EDGECOMB, HAMPER, KATZ,

LANGLEY, MASON, MCCORMICK, ROSEN, SAVIELLO, VOLK, WHITTEMORE, WILLETTE, WOODSOME, THE PRESIDENT - MICHAEL D. THIBODEAU

ABSENT: Senator: CYRWAY

15 Senators having voted in the affirmative and 19 Senators having voted in the negative, with 1 Senator being absent, the motion by Senator **HASKELL** of Cumberland to **RECEDE** and **CONCUR**, **FAILED**.

On motion by Senator **BRAKEY** of Androscoggin, the Senate **INSISTED**.

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

HOUSE REPORTS - from the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act Regarding the Disposition of Certain Funds Received by the Attorney General Pursuant to a Court Order or Settlement" (EMERGENCY)  
H.P. 961 L.D. 1414

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

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

Tabled - June 23, 2015, by Senator **MASON** of Androscoggin

Pending - **ACCEPTANCE OF EITHER REPORT**

(In House, June 23, 2015, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.)

(In Senate, June 23, 2015, Reports **READ**. Senator **KATZ** of Kennebec moved the Senate **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report, in **NON-CONCURRENCE**. Subsequently, motion **WITHDRAWN**.)

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

Off Record Remarks

**RECESSED** until the sound of the bell.

After Recess

Senate called to order by the President.

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

**COMMUNICATIONS**

The Following Communication: S.C. 478

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

23 June 2015

The 127<sup>th</sup> Legislature of the State of Maine  
State House  
Augusta, ME

Dear Honorable Members of the 127<sup>th</sup> Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2-A of the Constitution of the State of Maine, I am hereby executing line-item veto of an allocation contained within LD 260, "Resolve, To Create a License Plate To Recognize the Centennial of the United States Navy Reserve." The line-item veto is reflected in the enacted bill.

I am a strong supporter of our military and believe we owe a debt of gratitude to all of our veterans. However, I have serious concerns when a bill gives special recognition to one branch of our nation's military over others. We must recognize all branches of military equally, as we do with the men and women who have fought so bravely protecting our freedom.

This bill also takes limited resources out of the Highway Fund at a time when our roads and bridges require significant financial investment. The Constitution of Maine sets constraints on Highway Fund dollars, and my Administration has consistently defended its use to ensure the State meets its obligation to fund the vital infrastructure, such as quality roads, safe bridges and modern ports, that drives our economy.

We must ensure that as much funding as possible goes to our core transportation infrastructure, which benefits every Mainer.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

Pursuant to Article IV, Part Third, Section 2-A, the accompanying line item vetoes on:

Resolve, To Create a License Plate To Recognize the Centennial of the United States Navy Reserve (EMERGENCY)  
S.P. 98 L.D. 260  
(C "A" S-11)

The accompanying line item veto:

**SECRETARY OF STATE, DEPARTMENT OF**

**Administration – Motor Vehicles 0077**

Initiative: Provides funding for materials to manufacture 1,800 special commemorative license plates celebrating the United States Navy Reserve centennial.

**HIGHWAY FUND**  
All Other \$4,000

**2015-16**  
\$0

The President laid before the Senate the following: "Shall this Section become law notwithstanding the objections of the Governor? In accordance with Article IV, Part Third, Section 2-A, of the Constitution, the vote will be taken by the Yeas and Nays. A vote of yes will be in favor of the Section. A vote of no will be in favor of sustaining the veto of the Governor."

The Chair ordered a Division. 32 Senators having voted in the affirmative and no Senator having voted in the negative, and 32 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**.

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

-----

The accompanying line item veto:

**SECRETARY OF STATE, DEPARTMENT OF**

**Administration – Motor Vehicles 0077**

Initiative: Provides funding for materials to manufacture 1,800 special commemorative license plates celebrating the United States Navy Reserve centennial.

HIGHWAY FUND TOTAL \$4,000 \$0

The President laid before the Senate the following: "Shall this Section become law notwithstanding the objections of the Governor? In accordance with Article IV, Part Third, Section 2-A, of the Constitution, the vote will be taken by the Yeas and Nays. A vote of yes will be in favor of the Section. A vote of no will be in favor of sustaining the veto of the Governor."

The Chair ordered a Division. 31 Senators having voted in the affirmative and no Senator 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**.

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

\_\_\_\_\_

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

**COMMUNICATIONS**

The Following Communication: S.C. 479



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

23 June 2015

The 127<sup>th</sup> Legislature of the State of Maine  
State House  
Augusta, ME

Dear Honorable Members of the 127<sup>th</sup> 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 1136, "An Act To Amend the Maine Business Corporation Act."

Far too many legislators make solemn-sounding promises to the voters who elect them, then sweep them aside as soon as they step foot into the exclusive, club-like atmosphere of the State House. Their giddy eagerness to get along with colleagues on both sides of the aisle swiftly supersedes their sworn duty to the people who sent them to Augusta.

This Legislature delayed its responsibilities for five months, negotiated a last-minute budget deal behind closed doors and is now passing bills at breakneck speed, just so they can pack up and go home for the summer. While they are busy high-fiving each other for hastily passing bills they haven't even read, the Maine people are left disenfranchised and without true representation.

Maine voters in last November's election clearly endorsed tax and welfare reforms, but this Legislature has denied them their Constitutional right to debate the issues at the ballot box.

Mainers deserve to know how their elected officials voted on public policies that could affect the future of our State. Therefore, to ensure each piece of legislation gets the widest possible representation in Augusta, legislators will have to follow the procedure for reconsideration of a veto, which requires two-thirds support of the Legislature and a roll call.

For this reason, I return LD 1136 unsigned and vetoed.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Bill:

An Act To Amend the Maine Business Corporation Act  
S.P. 405 L.D. 1136

The President laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor? In accordance with Article IV, Part Third, Section 2, of the Constitution, the vote will be taken by the Yeas and Nays. A vote of yes will be in favor of the Bill. A vote of no will be in favor of sustaining the veto of the Governor."

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#367)**

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

NAYS: Senators: None

35 Senators having voted in the affirmative and no Senator having voted in the negative, and 35 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

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

---

The Following Communication: S.C. 480

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

23 June 2015

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

Dear Honorable Members of the 127th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 1074, "An Act To Make Damaging a Public Easement with a Motor Vehicle a Class E Crime."

This bill would make criminals of those who destroy or damage crops, forest products, personal property or roads that are located on public easements. It also exempts emergency responders from criminal liability if they cause damage while performing their duties during an emergency.

I cannot support a bill that carries with it such an exemption for emergency responders. If the Legislature believes that certain activity is so damaging to society that it deserves to carry with it criminal liability, then everyone should be subject to the same standard. If this bill were to become law, then someone who is not an emergency responder or is a member of another exempted class could be charged with a Class E crime, even if they too were responding to an emergency. I think this would result in an injustice.

For this reason, I return LD 1074 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 Make Damaging a Public Easement with a Motor  
Vehicle a Class E Crime

S.P. 377 L.D. 1074

The President laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor? In accordance with Article IV, Part Third, Section 2, of the Constitution, the vote will be taken by the Yeas and Nays. A vote of yes will be in favor of the Bill. A vote of no will be in favor of sustaining the veto of the Governor."

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#368)**

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

NAYS: Senators: BRAKEY, WILLETTE

33 Senators having voted in the affirmative and 2 Senators having voted in the negative, and 33 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

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

---

The Following Communication: S.C. 481

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

23 June 2015

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

Dear Honorable Members of the 127th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 856, "An Act To Amend the Competitive Skills Scholarship Program To Allow for Participation in Early College and Career and Technical Education Programs."

I veto this bill not because I dislike the concept of what it is trying to accomplish, but because it does not go far enough. When we are determining income criteria for eligibility in programs such as this one, we need to make sure we are not excluding individuals who would benefit the most from the program.

For this reason, I return LD 856 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Bill:

An Act To Amend the Competitive Skills Scholarship Program To Allow for Participation in Early College and Career and Technical Education Programs

S.P. 300 L.D. 856

The President laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor? In accordance with Article IV, Part Third, Section 2, of the Constitution, the vote will be taken by the Yeas and Nays. A vote of yes will be in favor of the Bill. A vote of no will be in favor of sustaining the veto of the Governor."

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#369)**

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

NAYS: Senators: None

35 Senators having voted in the affirmative and no Senator having voted in the negative, and 35 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

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

The Following Communication: S.C. 482

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

23 June 2015

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

Dear Honorable Members of the 127th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 454, "An Act To Enact the Student Information Privacy Act."

I strongly support protecting the privacy of students in Maine and I believe this bill has a number of positive attributes, including its assertion that parents should have the ultimate say over their children's privacy. However, I also believe that student privacy legislation should not slow learning, educational research or innovation, and I am concerned that, as drafted, this bill would do just that.

Many of these concerns would require only minor fixes, and I call on the Legislature to make these changes and send me a bill that I can sign. For example, the bill's definition of "targeted advertising" should not include advertising to a student based on a single search query. No other state addressing privacy issues takes this approach. This provision would prohibit ever presenting a link to a commercial website in search results presented to students from a school service. This is such a broad restriction that it would prevent students from obtaining information from a wide range of sources. If, for example, a student requests additional resources to help her understand the cause of WWI, the school service provider should be permitted to show results in response to that query (e.g., that "The Guns of August" might be helpful) without that being considered "advertising".

There are two simple ways to fix this issue: (1) Add "does not" to the definition of "targeted advertising" or (2) add a general exception to the bill's prohibitions to permit "Responding to a student's search query, other request for information or for feedback without the information or response being determined in whole or in part by payment or other consideration from a third party."

Further, this bill should regulate information that actually *personally* identifies students – and not pointlessly regulate information that does not identify a student or does not impact student privacy.

For this reason, I return LD 454 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 Enact the Student Information Privacy Act  
S.P. 183 L.D. 454

The President laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor? In accordance with Article IV, Part Third, Section 2, of the Constitution, the vote will be taken by the Yeas and Nays. A vote of yes will be in favor of the Bill. A vote of no will be in favor of sustaining the veto of the Governor."

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#370)**

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

NAYS: Senators: None

35 Senators having voted in the affirmative and no Senator having voted in the negative, and 35 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

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

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

**ORDERS**

**Joint Order**

On motion by Senator **CYRWAY** of Kennebec, the following Joint Order:

S.P. 551

**ORDERED**, the House concurring, that the Joint Standing Committee on Veterans and Legal Affairs shall report out, to the Senate, a bill amending the election laws.

**READ and PASSED.**

Sent down for concurrence.

---

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

---

Off Record Remarks

---

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

**ORDERS**

**Joint Order**

On motion by Senator **MASON** of Androscoggin, the following Joint Order:

S.P. 550

Ordered, the House concurring, that when the Senate and House adjourn, they do so until Tuesday, June 30, 2015 at 10:00 in the morning.

**READ and PASSED.**

Sent down for concurrence.

---

Off Record Remarks

---

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

---

**RECESSED** until the sound of the bell.

After Recess

Senate called to order by the President.

---

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

**PAPERS FROM THE HOUSE**

**Non-Concurrent Matter**

Bill "An Act Regarding Timber Harvesting on Land Managed by the Bureau of Parks and Lands"

H.P. 254 L.D. 388  
(C "A" H-297)

In Senate, June 22, 2015, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-297)**, in **NON-CONCURRENCE**.

In House, June 22, 2015, **PASSED TO BE ENACTED**.

In Senate, June 23, 2015, Bill and accompanying papers **INDEFINITELY POSTPONED**, in **NON-CONCURRENCE**.

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

On motion by Senator **EDGECOMB** of Aroostook, the Senate **INSISTED**.

---

**Non-Concurrent Matter**

HOUSE REPORTS - from the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Increase Access to Health Security by Expanding Federally Funded Health Care for Maine People"

H.P. 588 L.D. 854

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-470)** (7 members)

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

In House, June 23, 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-470)**.

In Senate, June 23, 2015, on motion by Senator **BRAKEY** of Androscoggin, the Minority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**, in **NON-CONCURRENCE**.

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

On motion by Senator **BRAKEY** of Androscoggin, the Senate **ADHERED**.

---

**Non-Concurrent Matter**

HOUSE REPORTS - from the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Ensure the Integrity of the Temporary Assistance for Needy Families Program"

H.P. 782 L.D. 1144  
(C "A" H-320; S "A" S-312)

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

Minority - **Ought to Pass as Amended by Committee Amendment "A" (H-320)** (4 members)

In House, June 23, 2015, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

In Senate, June 23, 2015, on motion by Senator **BRAKEY** of Androscoggin, 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-320) AND SENATE AMENDMENT "A" (S-312)**, in **NON-CONCURRENCE**.

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

On motion by Senator **BRAKEY** of Androscoggin, the Senate **INSISTED**.

---

#### Non-Concurrent Matter

HOUSE REPORTS - from the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Require Screening and Testing for Illegal Substances of Beneficiaries under the Temporary Assistance for Needy Families Program"

H.P. 955 L.D. 1407  
(C "A" H-460)

Report "A" - **Ought to Pass as Amended by Committee Amendment "A" (H-460)** (6 members)

Report "B" - **Ought Not to Pass** (6 members)

Report "C" - **Ought to Pass as Amended by Committee Amendment "B" (H-461)** (1 member)

In House, June 22, 2015, Report "B" **OUGHT NOT TO PASS** **READ** and **ACCEPTED**.

In Senate, June 23, 2015, on motion by Senator **BRAKEY** of Androscoggin, Report "A" **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-460)**, in **NON-CONCURRENCE**.

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

On motion by Senator **BRAKEY** of Androscoggin, the Senate **INSISTED**.

---

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:

#### Emergency Measure

An Act To Reverse Jail Consolidation

S.P. 61 L.D. 186  
(C "A" S-304)

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

---

#### Emergency Measure

An Act Regarding the Treatment of Forensic Patients

H.P. 941 L.D. 1391  
(C "A" H-479; H "A" H-487)

This being an Emergency Measure and having received the affirmative vote of 35 Members of the Senate, with no Senator having voted in the negative, and 35 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and, having been signed by the President, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

---

#### Acts

An Act To Clarify the Immigration Status of Noncitizens Eligible for General Assistance

S.P. 137 L.D. 369  
(S "A" S-292 to C "A" S-271)

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

Ordered sent down forthwith.

---

An Act To Strengthen Laws Regarding the Manufacture and Sale of Methamphetamine and Other Drugs

S.P. 451 L.D. 1246  
(C "A" S-280)

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

---

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

#### COMMUNICATIONS

The Following Communication: H.C. 296

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

June 23, 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 1215 "An Act To Provide Lower Energy Costs to Maine Businesses and Residences by Carrying Out the Legislature's Intent Regarding Funding of the Efficiency Maine Trust."

This bill corrects the Legislature's mistake in energy legislation that passed in 2013, which increased fees on electric bills to create more spending for energy efficiency. The mistake was determined through a Public Utilities Commission proceeding in March.

Immediately after the PUC's decision, two of the authors of the original bill, a Republican and a Democrat, requested a meeting to discuss a way forward. We determined a sensible way forward would be to correct the mistake, but also to create a higher level of oversight of Efficiency Maine Trust, similar to that of other quasi-governmental agencies. Subjecting the Executive Director of Efficiency Maine Trust to a standard confirmation process was a common-sense proposal, since this individual controls annual spending of more than \$60 million in Maine ratepayers' money.

Unfortunately, the Natural Resources Council of Maine, an environmental activist group, rushed to shield the Executive Director from public scrutiny and to disenfranchise Maine ratepayers from having a say in how their hard-earned money is being spent.

NRCM, which keeps liberal legislators on a tight leash, exploited the issue of making Efficiency Maine Trust accountable to the Maine people by using it as a shameless fundraising opportunity. Liberal legislators assailed the PUC for the mistake the Legislature made in its law and attacked an extremely well-qualified nominee to the PUC. The entire episode has been a colossal waste of time. Sadly, it's just business as usual for liberal lawmakers in Augusta.

This bill includes the fix for the previous energy bill, but does not include the changes to make Efficiency Maine Trust subject to the standard confirmation process. It leaves Efficiency Maine Trust with no accountability to the Maine people who fund it.

For these reasons, I return LD 1215 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 Provide Lower Energy Costs to Maine Businesses and Residences by Carrying Out the Legislature's Intent Regarding Funding of the Efficiency Maine Trust

H.P. 833 L.D. 1215

Comes from the House, 144 members having voted in the affirmative and none in the negative, the veto of the Governor was Overridden and it was the vote of the House that the Bill become law notwithstanding the objections of the Governor.

The President laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor? 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 (#371)

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

NAYS: Senators: None

35 Senators having voted in the affirmative and no Senator having voted in the negative, and 35 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.

---

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

### PAPERS FROM THE HOUSE

#### Non-Concurrent Matter

HOUSE REPORTS - from the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Stop the Abuse of Electronic Benefits Transfer Cards"

H.P. 420 L.D. 607  
(C "A" H-245)

Report "A" - Ought to Pass as Amended by Committee Amendment "A" (H-245) (6 members)

Report "B" - Ought to Pass as Amended by Committee Amendment "B" (H-246) (5 members)

Report "C" - Ought Not to Pass (2 members)

In House, June 22, 2015, Reports **READ**. Report "**B**" **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "B" (H-246) ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-246) AS AMENDED BY HOUSE AMENDMENT "A" (H-402)**.

In Senate, June 23, 2015, on motion by Senator **BRAKEY** of Androscoggin, Report "**A**" **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-245) ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-245)**, in **NON-CONCURRENCE**.

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

On motion by Senator **BRAKEY** of Androscoggin, the Senate **INSISTED**.

---

Off Record Remarks

---

Senate at Ease.

Senate called to order by the President.

---

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

---

Senate at Ease.

Senate called to order by the President.

---

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

#### **COMMUNICATIONS**

The Following Communication: H.C. 297

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

June 23, 2015

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

Dear Secretary Priest:

Senate Paper 293, Legislative Document 819, "An Act Regarding the Taxation of Kombucha," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

76 voted in favor and 62 against, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

House Paper 229, Legislative Document 335, "An Act To Restrict the Sale of Dogs and Cats in Pet Shops," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

80 voted in favor and 64 against, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

Sincerely,

S/Robert B. Hunt  
Clerk of the House

**READ and ORDERED PLACED ON FILE.**

---

The Following Communication: H.C. 298

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

June 23, 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 Not to Pass Report of the Committee on Labor, Commerce, Research and Economic Development on Bill "An Act To Promote Minimum Wage Consistency" (S.P. 494) (L.D. 1361)

Sincerely,

S/Robert B. Hunt  
Clerk of the House

**READ and ORDERED PLACED ON FILE.**

---

Off Record Remarks

---

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

---

**RECESSED** until the sound of the bell.

After Recess

Senate called to order by the President.

---

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

**REPORTS OF COMMITTEES**

**Senate**  
**Ought to Pass Pursuant to Joint Order**

Senator CYRWAY for the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Amend the State Election Laws"

S.P. 552 L.D. 1449

Reported that the same **Ought to Pass**, pursuant to Joint Order, S.P. 551.

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

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

Ordered sent down forthwith for concurrence.

---

Off Record Remarks

---

---

**RECESSED** until the sound of the bell.

After Recess

Senate called to order by the President.

---

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

**PAPERS FROM THE HOUSE**

**Non-Concurrent Matter**

Resolve, To Modify the State Valuation of the Town of Madison To Reflect the Loss in Valuation of the Madison Paper Company and To Modify the State Valuation of the Town of Skowhegan To Reflect the Loss in Valuation of the S.D. Warren Company (EMERGENCY)

H.P. 199 L.D. 281  
(C "A" H-478)

In Senate, June 23, 2015, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-478)**, in concurrence.

Comes from the House, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-478) AS AMENDED BY HOUSE AMENDMENT "A" (H-500)** thereto, in **NON-CONCURRENCE**.

On motion by Senator **MCCORMICK** of Kennebec, the Senate **RECEDED** and **CONCURRED**.

---

**ENACTORS**

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

**Act**

An Act To Create Jobs in Aroostook and Washington Counties  
H.P. 520 L.D. 767  
(H "B" H-497 to C "A" H-302)

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.

---

**ORDERS OF THE DAY**

The Chair laid before the Senate the following Tabled and Later Assigned (6/12/15) matter:

HOUSE REPORTS - from the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Upgrade the Concealed Handgun Permit Law"

H.P. 557 L.D. 823

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

Minority - **Ought to Pass as Amended by Committee Amendment "A" (H-309)** (6 members)

Tabled - June 12, 2015, by Senator **ROSEN** of Hancock



Pending - **ACCEPTANCE OF EITHER REPORT**

(In House, June 11, 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-309) AS AMENDED BY HOUSE AMENDMENT "A" (H-385)** thereto.)

(In Senate, June 12, 2015, Reports **READ**.)

---

Senate at Ease.

Senate called to order by the President.

---

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

**READ ONCE.**

Committee Amendment "A" (H-309) **READ**.

House Amendment "A" (H-385) to Committee Amendment "A" (H-309) **READ** and **ADOPTED**, in concurrence.

Committee Amendment "A" (H-309) as Amended by House Amendment "A" (H-385) thereto, **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-309) AS AMENDED BY HOUSE AMENDMENT "A" (H-385)** thereto, in concurrence.

---

The following proceedings were conducted after 12:01a.m., Wednesday, June 24, 2015.

---

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

---

**RECESSED** until the sound of the bell.

After Recess

Senate called to order by the President.

---

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

**PAPERS FROM THE HOUSE**

**Joint Order**

The following Joint Order: H.P. 991

Ordered, the Senate concurring, that in accordance with emergency authority granted under the Maine Revised Statutes Annotated, Title 3, Section 2, the First Regular Session of the 127th Legislature shall be extended for five legislative days.

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

**READ.** Pursuant to MRSA Title 3, Section 2, a vote was had. 35 Members of the Senate having voted in the affirmative, and no Senator having voted in the negative, and 35 being more than two-thirds of those present and voting, the Joint Order was **PASSED**.

---

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:

**Resolve**

Resolve, To Modify the State Valuation of the Towns of Madison, Skowhegan, East Millinocket and Jay To Reflect the Loss of Valuation of Major Taxpayers in Those Towns

H.P. 199 L.D. 281

(H "A" H-500 to C "A" H-478)

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

---

**Off Record Remarks**

---

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

---

On motion by Senator **MASON** of Androscoggin, **ADJOURNED**, pursuant to the Joint Order, to Tuesday, June 30, 2015, at 10:00 in the morning.