

MAINE STATE LEGISLATURE

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Senate Legislative Record

One Hundred and Twenty-Seventh Legislature

State of Maine

Daily Edition

Second Regular Session
beginning January 6, 2016

beginning at Page 1434

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

In Senate Chamber
Tuesday
February 2, 2016

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

Prayer by Reverend Debra Girard, North Windham Union United
Church of Christ.

REVEREND GIRARD: Good morning and would you please pray
with me. Come now in the presence of the Holy One, where the
word speaks of peace and harmony. Come, Holy One, come.
We ask for Your guidance today to open our hearts and our
minds to Your wisdom. As we move toward You in faith, awe,
and wonder we need You in our individual lives. As You look
inside us You know our emotions, minds, wants, and needs. You
see our joys and our sorrows. You see our frustrations and our
fears, our strengths and our weaknesses. We pray for help with
using our strengths for Your good in our world and ask for Your
guidance to open our hearts and our minds as we pray. O God,
be our hope and trust. You stand with us as light that shows us
the way to heal the nations. We pray for justice when there is
none and peace where there is violence. We pray for joy in the
tasks ahead of us today. Let our lives and our world be
transformed by Your glory. Amen.

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

Reading of the Journal of Thursday, January 28, 2016.

Doctor of the day, Julie Grosvenor, MD of East Waterboro.

Off Record Remarks

COMMUNICATIONS

The Following Communication: S.C. 681

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

January 29, 2016

The Honorable Michael Thibodeau
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Thibodeau:

This is to inform you that I am today nominating the following to
the Maine Labor Relations Board:

Richard L. Hornbeck, Esq. of Bowdoinham, reappointment
Katharine I. Rand, Esq. of Scarborough, reappointment
Michael C. Ryan, Esq. of Freeport, appointment
Jeffrey J. Knuckles, Esq. of Phippsburg, appointment

Pursuant to Title 26, MRSA §968, these reappointments and
these appointments are contingent on the Maine Senate
confirmation after review by the Joint Standing Committee on
Labor, Commerce, Research and Economic Development.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 682

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

January 28, 2016

The Honorable Michael Thibodeau
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Thibodeau,

This is to inform you that I am today nominating the following to
the Land for Maine's Future Board:

Robert L. Meyers of Bath, appointment
Harry K. Ricker of Turner, appointment
Fred W. Bucklin of Appleton, appointment

Pursuant to Title 5, MRSA §6204, these appointments are
contingent on the Maine Senate confirmation after review by the
Joint Standing Committee on Agriculture, Conservation and
Forestry.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 683

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

January 28, 2016

The Honorable Michael Thibodeau
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Thibodeau:

This is to inform you that I am today nominating Leigh I. Saufley of Portland for reappointment as the Chief Justice of the Maine Supreme Judicial Court.

Pursuant to Article V, Part First, §8, of the Maine Constitution, this reappointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Judiciary.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 684

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

January 28, 2016

The Honorable Michael Thibodeau
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Thibodeau,

This is to inform you that I am today nominating Daniel L. Rogde of Jonesport for appointment and Arnold A. Nickerson IV of Arundel for reappointment to the Marine Resources Advisory Council.

Pursuant to Title 12, MRSA §6024, this appointment and this reappointment are contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Marine Resources.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 685

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

January 28, 2016

The Honorable Michael Thibodeau
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Thibodeau,

This is to inform you that I am today nominating The Hon. Wesley E. Richardson of Warren for appointment to the Maine Indian Tribal-State Commission.

Pursuant to Title 30, MRSA §6212, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Judiciary.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 686

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

January 28, 2016

The Honorable Michael Thibodeau
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Thibodeau,

This is to inform you that I am today nominating Theodore C. Helberg of Fairfield for appointment to the Maine Human Rights Commission.

Pursuant to Title 5, MRSA §4561, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Judiciary.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 687

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

January 29, 2016

The Honorable Michael Thibodeau
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Thibodeau:

This is to inform you that I am today nominating James M. Cote of Limestone for appointment and James A. Clair of China Village for reappointment to the Loring Development Authority.

Pursuant to Title 5, MRSA §13080-B, this appointment and this reappointment are contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Labor, Commerce, Research and Economic Development.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 703

**MAINE STATE LEGISLATURE
OFFICE OF THE EXECUTIVE DIRECTOR
LEGISLATIVE COUNCIL**

January 29, 2016

The Honorable Michael Thibodeau
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Thibodeau:

I am notifying you that, pursuant to 12 MRSA §683-A, I have forwarded to the Joint Standing Committee on Agriculture, Conservation and Forestry the following nomination made to the Maine Land Use Planning Commission by the Hancock County Commissioners on January 12, 2016:

Millard A. Billings of Franklin

The County asks that this nomination be considered to fill both the remainder of the term that ends July 9, 2016 which was recently vacated and the four-year term that begins on July 10, 2016 which is scheduled to be filled by Hancock County.

Pursuant to 12 MRSA §683-A, this appointment is subject to confirmation by the Maine Senate after review by the committee having jurisdiction over conservation matters.

Sincerely,

S/Grant T. Pennoyer
Executive Director

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 704

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

February 1, 2016

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

Dear Secretary Priest:

Pursuant to my authority under Senate Rule 201.3,1 have appointed Senator Stan Gerzofsky to serve on the Joint Standing Committee on Inland Fisheries and Wildlife, replacing former member, the Honorable David Dutremble.

Sincerely,

S/Michael D. Thibodeau
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 688

**NORTHERN NEW ENGLAND PASSENGER RAIL AUTHORITY
75 WEST COMMERCIAL STREET, SUITE 104
PORTLAND, MAINE 04101-4631**

January 25, 2016

Senator Michael D. Thibodeau
President of the Maine Senate
3 State House Station
Augusta, ME 04333-0003

RE: Statutory Citation P.L. 2011 c. 616: An Act to Implement the Recommendations of the Office of Program Evaluation and Government Accountability and the Government Oversight Committee Regarding Quasi-Independent State Entities

Dear Senator Thibodeau:

Please find enclosed the Northern New England Passenger Rail Authority's annual report as required under section 12023 (2) "Ongoing Reports" of the Statutory Citation referenced above.

Required Reports:

2A. A list of all procurements exceeding \$10,000 in the preceding year (NNEPRA Fiscal Year 2015) for which competitive procurement was waived under the policies adopted pursuant to section 12022, subsection 3 - Attached.

2B. A list of all persons to which the entity made contributions greater than \$1,000 in the preceding year and the total amount contributed to each -Attached.

2C. Changes made to the written policies and procedures required by section 12022 are as follows:

Procurement Policy Added Language:

a. Small purchases are relatively simple and informal purchases involving the acquisition of services, supplies or other property that cost at least \$3,000 but less than the federal simplified acquisition threshold, currently fixed at \$150,000.

b. Revenue contracts are third party contracts whose primary purpose is to generate revenues. Advertising, concession stands, use of right-of-ways, licenses and land leasing are some examples of revenue contracts.

A competitive process (i.e.; Request for Proposals, Request for Quotes) usually will be followed. NNEPRA will consider each proposed revenue contract on an individual basis for the appropriate competitive selection procedures. The consideration process will be documented. All necessary steps will be taken to ensure that DBEs have maximum opportunity to compete for revenue contracts.

c. Advance Payments: NNEPRA will not issue advance payments to contractors without prior concurrence from FTA by submitting a written request to the FTA Region 1 Deputy Administrator.

d. References:
OMB Uniform Administrative Requirements-Super Circular (12/2014)
2 CFR part 200 and 2 CFR part 1201

There were no changes to the procedures used by the governing body to monitor compliance with those policies and procedures.

Sincerely,

S/Mr. Martin Eisenstein
Chairman

S/Ms. Patricia Quinn
Executive Director

READ.

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

The Following Communication: S.C. 689

**SUNRISE COUNTY ECONOMIC COUNCIL
53 PRESCOTT DRIVE
SUITE 3
MACHIAS, MAINE 04654**

January 22, 2016

Michael D. Thibodeau
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear Senator Thibodeau:

Pursuant to MRSA Title 5, section 12023, the Sunrise County Economic Council (SCEC) is pleased to submit the Quasi-independent State Entity Report to the Legislature on behalf of the Washington County Development Authority (WCDA).

SCEC is a private, nonprofit, federally recognized economic development organization which works to create jobs and wealth in Washington County. We provide staff support for the WCDA and are partnering with the Authority in its effort to redevelop the former U.S. Navy base in Cutler.

As indicated on the enclosed report, the WCDA did not made any significant procurements, contributions, or changes to policies and procedure in the past year. In March 2015, the Authority was given the commercial side of the former base by Cutler North, LLC, a private developer that had failed in its redevelopment effort. The WCDA now owns roughly 20 acres and five commercial buildings comprising 75,000 square feet. The Authority is working to bring these facilities back into productive use.

Please contact me with any questions or concerns. Thank you.

Sincerely,

S/Charles J. Rudelitch, Esq.
Executive Director

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

The Following Communication: S.C. 690

**MAINE GOVERNMENTAL FACILITIES AUTHORITY
127 COMMUNITY DRIVE
AUGUSTA, MAINE 04338-2268**

January 27, 2016

Honorable Mark W. Eves
Speaker of the House
2 State House Station
Augusta, Maine 04333

Honorable Michael D. Thibodeau
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear Speaker Eves and President Thibodeau:

Pursuant to 5 MRSA, §12023, please consider this the letter of transmittal for the required report from the Maine Governmental Facilities Authority due by February 1, 2016.

Please feel free to contact me with any questions or if you need additional information. I can be reached at 622-9386 or by email at mrg@mgfa.com.

Sincerely Yours,

S/Michael R. Goodwin
Executive Director

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 691

**MAINE HEALTH AND HIGHER EDUCATIONAL
FACILITIES AUTHORITY
127 COMMUNITY DRIVE
AUGUSTA, MAINE 04338-2268**

January 27, 2016

Honorable Mark W. Eves
Speaker of the House
2 State House Station
Augusta, Maine 04333

Honorable Michael D. Thibodeau
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear Speaker Eves and President Thibodeau:

Pursuant to 5 MRSA, §12023, please consider this the letter of transmittal for the required report from the Maine Health and Higher Educational Facilities Authority due by February 1, 2016.

Please feel free to contact me with any questions or if you need additional information. I can be reached at 622-1958 or by email at mrg@mhhefa.com.

Sincerely Yours,

S/Michael R. Goodwin
Executive Director

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 692

**STATE OF MAINE
LORING DEVELOPMENT AUTHORITY OF MAINE
154 DEVELOPMENT DRIVE, SUITE F
LIMESTONE, MAINE 04750**

January 25, 2016

Honorable Mark W. Eves
Speaker of the House
2 State House Station
Augusta, Maine 04333

Honorable Michael D. Thibodeau
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear Speaker Eves and President Thibodeau:

Pursuant to 5 MRSA, §12023, please consider this the letter of transmittal for the required report from the Loring Development Authority of Maine due by February 1, 2016.

Please contact me if you have any questions or need additional information.

Thank you.

Very truly yours,

S/Carl W. Flora
President & CEO

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 693

**MAINE PORT AUTHORITY
16 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0016**

January 28, 2016

Honorable Mark W. Eves
Speaker of the House
2 State House Station
Augusta, Maine 04333

Honorable Michael D. Thibodeau
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear Speaker Eves and President Thibodeau:

Pursuant to 5 MRSA, §12023, the Maine Port Authority is pleased to submit the following report to the Legislature, due by February 1, 2016.

Please contact me if you have any questions or need additional information.

Sincerely,

S/John H. Henshaw
Executive Director

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

The Following Communication: S.C. 694

**MAINE MUNICIPAL BOND BANK
127 COMMUNITY DRIVE
AUGUSTA, MAINE 04338-2268**

January 27, 2016

Honorable Mark W. Eves
Speaker of the House
2 State House Station
Augusta, Maine 04333

Honorable Michael D. Thibodeau
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear Speaker Eves and President Thibodeau:

Pursuant to 5 MRSA, §12023, please consider this the letter of transmittal for the required report from the Maine Municipal Bond Bank due by February 1, 2016.

Please feel free to contact me with any questions or if you need additional information. I can be reached at 622-9386 or by email at mrq@mmbb.com.

Sincerely Yours,

S/Michael R. Goodwin
Executive Director

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

The Following Communication: S.C. 695

**MAINE VENTURE FUND
P. O. BOX 63
NEWPORT, MAINE 04953**

January 26, 2016

Honorable Mark W. Eves
Speaker of the House
2 State House Station
Augusta, Maine 04333

Honorable Michael D. Thibodeau
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear Speaker Eves and President Thibodeau:

Pursuant to 5 MRSA, §12023, please consider this the letter of transmittal for the attached "Report to Legislature for 2015" on behalf of the quasi-independent state entity, Small Enterprise Growth Board, due February 1, 2016.

Please contact me if you have any questions or need additional information. Thank you.

Sincerely,

S/Terri Wark
Office Operations Manager
Small Enterprise Growth Board
d/b/a Maine Venture Fund

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

The Following Communication: S.C. 696

**MAINE COMMUNITY COLLEGE SYSTEM
OFFICE OF THE PRESIDENT
323 STATE STREET
AUGUSTA, MAINE 04330-7131**

January 30, 2016

The Honorable Michael Thibodeau
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Thibodeau:

I am pleased to submit on behalf of the Board of Trustees of the Maine Community College System (MCCS) the attached report on certain procurements, contributions, and policy changes for the period July 1, 2014 through June 30, 2015 as required by 5 MRSA, §12023.

To report the information required by §12023, MCCS developed a customized reporting feature in the business management module of our information systems for each of the seven colleges and the System Office, and then fed that module with data from the purchase order, cash disbursement, and credit card systems. Combined, the seven colleges and the MCCS System Office make tens of thousands of purchases and expenditures each year. While the task of reporting on these transactions is complex, our review indicates that the colleges' compliance with existing policies is extremely high, and expenditures are consistently mission related. In those few areas where we have identified need for improvement, refinements have been made or are under way.

MCCS will continue to use its internal controls and annual outside audit to adapt its systems to changing needs, and our Board of Trustees will continue its own ongoing attention to these matters at its regular meetings.

If you have any questions, please do not hesitate to contact me. Thank you.

Sincerely yours,

S/Derek P. Langhauser
Interim President

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

The Following Communication: S.C. 697

**FINANCE AUTHORITY OF MAINE
94 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0094**

January 29, 2016

Honorable Mark W. Eves
Speaker of the House
2 State House Station
Augusta, Maine 04333

Honorable Michael D. Thibodeau
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear Speaker Eves and President Thibodeau:

Pursuant to 5 MRSA, §12023, please consider this the letter of transmittal for the required report from the Finance Authority of Maine (FAME) due by February 1, 2016.

Please contact me if you have any questions or need additional information.

Thank you.

Sincerely,

S/Bruce Wagner
Chief Executive Officer

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

The Following Communication: S.C. 698

**MAINE TURNPIKE AUTHORITY
2360 CONGRESS STREET
PORTLAND, MAINE 04102**

January 28, 2016

The Honorable Michael Thibodeau
President of the Senate
3 State House Station
Augusta, Maine 04333

Re: An Act to Implement the Recommendations of the Office of Program Evaluation and Government Accountability and the Government Oversight Committee Regarding Quasi-Independent State Entities

Dear Senate President Thibodeau:

Enclosed are the reports required under 5 MRSA, §12023, due February 1, 2016. The reports include a list of all procurements in 2015 exceeding \$10,000 for which competitive procurement was waived and a list of contributions made in 2015 that exceed \$1,000.

In 2015, the Maine Turnpike Authority made \$109 million in payments to approximately 700 vendors. The vast majority of these payments, approximately \$98 million paid to 323 vendors, were for competitively bid products or services or were legally or legislatively required. The Authority sole-sourced approximately \$10 million in 2015. Most of these products or services were either proprietary in nature or were procured under long-term contracts. As these long-term contracts expire, the Authority will seek competitive bids.

Section 12023(2c) requires a description of changes to the written policies and procedures required by Section 12022. There were no changes to the policies and procedures required by this section in 2015, therefore, there is nothing to report.

Respectfully,

S/Peter Mills
Executive Director

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

The Following Communication: S.C. 699

**MAINE PUBLIC EMPLOYEES RETIREMENT SYSTEM
96 SEWALL STREET
AUGUSTA, MAINE 04332-0349**

January 29, 2016

The Honorable Michael Thibodeau
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Thibodeau:

The Maine Public Employees Retirement System (MainePERS) is submitting the enclosed report pursuant to 5 MRSA, §12023 to provide information on procurement, contributions, and changes to relevant policies and procedures by MainePERS during Fiscal Year 2015.

We would be pleased to respond to any questions you might have about the report.

Sincerely,

S/Sandra J. Matheson
Executive Director

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

The Following Communication: S.C. 700

WASHINGTON COUNTY DEVELOPMENT AUTHORITY

January 28, 2016

Honorable Mark W. Eves
Speaker of the House
2 State House Station
Augusta, Maine 04333

Honorable Michael D. Thibodeau
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear Speaker Eves and President Thibodeau:

Pursuant to 5 MRSA, Section 12023, please consider this the letter of transmittal for the required report from the Washington County Development Authority due by February 1, 2016.

The WCDA was incorporated in 2003 with the purpose of redeveloping the former Navy Base in Cutler. Several private developers have attempted to redevelop the commercial side of the base but were unsuccessful. In 2015, Cutler North, LLC gifted the commercial side to the WCDA. The Authority is working to bring the facility back into productive use.

Please contact me with any questions or concerns. Thank you.

Sincerely,

S/Betsy Fitzgerald
WCDA Chair

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

The Following Communication: S.C. 701

**MAINE STATE HOUSING AUTHORITY
353 WATER STREET
AUGUSTA, MAINE 04330-4633**

January 28, 2016

Honorable Mark W. Eves
Speaker of the House
2 State House Station
Augusta, Maine 04333

Honorable Michael D. Thibodeau
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear Speaker Eves and President Thibodeau:

Pursuant to 5 MRSA, §12023, please consider this the letter of transmittal for the required report from the Maine State Housing Authority due by February 1, 2016.

Please contact me if you have any questions or need additional information.

Thank you.

Sincerely,

S/John Gallagher
Director

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

The Following Communication: S.C. 702

**MAINE PUBLIC UNIVERSITIES
UNIVERSITY OF MAINE SYSTEM
OFFICE OF THE CHANCELLOR
16 CENTRAL STREET
BANGOR, MAINE 04401-5106**

January 26, 2016

The Honorable Michael Thibodeau
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Thibodeau:

Pursuant to 5 M.R.S.A., Section 12023, please consider this the letter of transmittal for the required report from the University of Maine System due by February 1, 2016.

Please contact me if you have any questions or need additional information.

Thank you.

Sincerely,

S/James H. Page, Chancellor
University of Maine System

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

Senate at Ease.

Senate called to order by the President.

Off Record Remarks

The President requested the Sergeant-At-Arms escort the Senator from Androscoggin, Senator **MASON**, to the rostrum where he assumed the duties as President Pro Tempore.

The President took a seat on the Floor.

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

ORDERS

Joint Order

On motion by Senator **HAMPER** of Oxford, the following Joint Order:

S.P. 630

ORDERED, the House concurring, that the Joint Standing Committee on Appropriations and Financial Affairs may report out, to the Senate, a bill regarding tax conformity including methods of funding tax conformity.

READ and **PASSED.**

Sent down for concurrence.

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

Expressions of Legislative Sentiment recognizing:

UniTel, a locally owned and operated broadband company in Unity, which is the recipient of a Smart Rural Community Trailblazer certificate from the NTCA-The Rural Broadband Association for its innovative work in bringing high-speed broadband to the rural communities it serves. NTCA-The Rural Broadband Association represents nearly 900 independent, community-based telecommunications companies that are leading innovation in rural and small-town America. UniTel's service area spans 280 square miles including all or portions of 16 rural Maine communities in parts of 3 counties. We extend our congratulations and best wishes to UniTel on its receiving this honor;

SLS 895

Sponsored by President THIBODEAU of Waldo.
Cosponsored by Representative: KINNEY of Knox.

READ.

THE PRESIDENT PRO TEMPORE: The Chair recognizes the Senator from Waldo, Senator Thibodeau.

Senator **THIBODEAU**: Thank you, Mr. President. Ladies and gentlemen of the Senate, I am honored to have the privilege of telling you all about something very exciting that's going on in Waldo County. You know we often talk about the need for high speed internet and how important it is for the success of our state's economic future. It's a small company right in western Waldo County. Senator Cushing wants you to know they also have some facilities in Penobscot County and I believe maybe some in Kennebec as well, but based in Waldo County, as they should be. They have been doing business since 1902. That's right, 114 years UniTel has been doing business and they've recently, as you heard, received they Smart Rural Community Trailblazer award. That's a real honor. The reason they received that award was because they've made such a significant investment in our state. They are so committed to the service territory that they currently serve that they are building out high speed internet at an alarming rate. If you live in their service territory be confident that you are going to have access to high

speed internet. Today, they have just completed a project with over 90 miles of fiber. That's a big deal in rural Waldo County. I'll assure you that this is a very rural part of our state and if cows needed access to high speed internet they'd have a lot of customers, but the reality is every home that they go by needs access to this. Our young people need access to high speed internet and this company has made such a commitment to Maine's economy, to our state's economic future, that they were awarded a national recognition for this. I'm just incredibly pleased, and I think we all are, to be able to stand and to recognize a company that is really on the cutting edge of Maine's economic future. Thank you, ladies and gentlemen.

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

Senator **CUSHING:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I, too, rise to offer my congratulations to the team at UniTel. One hundred years for a local Maine company, particularly in the telecom field, which has changed so dramatically just in our lifetime, is very impressive and I think it speaks to the character and the nature of the people who feel the communities they serve are important. I have the pleasure of representing Newburgh and Dixmont, which are part of the service area, and, in full disclosure, my wife works for a telecom, and I recognize that for a local telephone companies there's a commitment to still meet the home needs but, more importantly, they need to be able to change and offer the dynamics for many people who find working from their home or accessing the world wide web from their home for personal needs is a priority. Many of us represent rural communities that have seen dramatic changes as our manufacturing and our traditional industries have changed. The internet brings us much closer and allows us to communicate with family and friends far away. It allows us the opportunity to do business from home and have a different quality of lifestyle. I'm very proud that UniTel is a Maine-based company and serves part of the district that I have the pleasure of representing, as well as Waldo County, and I'm pleased that they were able to come today and be recognized for the commitment that they have made to the state of Maine and the rural carriers. Thank you, Mr. President.

PASSED.

THE PRESIDENT PRO TEMPORE: The Chair is pleased to recognize in the rear of the Chamber from UniTel in Unity, Maine Beth Osler, Laurie Osgood, Jim Carlson, and Larry Sterrs. Would they please rise and accept the greetings of the Maine Senate.

Joint Resolution

On motion by Senator **VOLK** of Cumberland (Cosponsored by Representative SANBORN of Gorham and Senator: GRATWICK of Penobscot, Representative: McLEAN of Gorham), the following Joint Resolution:

S.P. 629

JOINT RESOLUTION RECOGNIZING FEBRUARY AS TURNER SYNDROME AWARENESS MONTH

WHEREAS, Turner syndrome is a chromosomal disorder that involves the lack of all or part of a second X chromosome and that affects one in 2,500 live female births and is characterized by a cluster of symptoms ranging from mild to life-threatening; and

WHEREAS, the cause of Turner syndrome is not presently known but appears to be the result of random error during the formation of either the sperm or the egg; and

WHEREAS, Turner syndrome can be diagnosed early during pregnancy through prenatal testing methods such as amniocentesis; and

WHEREAS, early diagnosis facilitates prevention or remediation of growth failure, hearing problems and learning difficulties; and

WHEREAS, there is presently no cure for Turner syndrome but there are treatment options and support groups available that can help a woman with Turner syndrome to live a happy and healthy life; and

WHEREAS, women with Turner syndrome have a high risk of aortic dissection; and

WHEREAS, Turner syndrome carries an increased risk of nonverbal learning disorders and these impairments can cause problems with math, visual-spatial skills, executive function skills and job retention; and

WHEREAS, a disproportionately small amount of funding is available for Turner syndrome research and support; and

WHEREAS, increased awareness of Turner syndrome among health care professionals and the public will help to encourage affected girls and women to seek treatment and utilize support groups, to promote early diagnosis and to raise support for organizations that are dedicated to improving the lives of people with Turner syndrome; and

WHEREAS, the establishment of Turner Syndrome Awareness Month will provide the opportunity to share experiences and information with the public and the media and raise public awareness about Turner syndrome; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-seventh Legislature now assembled in the Second Regular Session, on behalf of the people we represent, take this opportunity to recognize February as Turner Syndrome Awareness Month.

READ.

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

Senator **VOLK:** Thank you, Mr. President. Ladies and gentlemen of the Senate, Turner Syndrome is genetic condition effecting girls and women with a missing or incomplete X chromosome which can cause a variety of developmental and medical issues. Some of the most common characteristics of this condition include short stature, infertility, heart defects, and certain learning disabilities. It occurs in approximately 1 out of

every 2,000 life female births worldwide and can be diagnosed as early as pregnancy by an amniocentesis test. This issue of Turner Syndrome was brought to my attention by some constituents of mine from Gorham, the Caron family. Mrs. Caron is the state's representative for the Turner Syndrome Foundation and she has a daughter affected by this. Kathy and her family are very strong people doing excellent work to help other families and children affected by the condition, as well as educating the public about the existence of Turner Syndrome and the importance of early diagnosis. That's what we're doing here this morning. She has worked tirelessly with organizations and other families across the state to bring awareness to this disease and she's also networked with other organizations around the country. I would like to thank the Caron family for their work and for making me aware of this condition so that we may do more in Maine for the lives affected by Turner Syndrome.

On motion by Senator **VOLK** of Cumberland, **ADOPTED**.

Sent down for concurrence.

THE PRESIDENT PRO TEMPORE: The Chair is pleased to recognize in the rear of the Chamber Kathy, Dwayne, Brittany, and Cameron Caron. They are from Gorham and they are the guests of the Senator from Cumberland, Senator Volk. Would they please rise and accept the greetings of the Senate.

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

The President Pro Tempore requested the Sergeant-At-Arms escort the Senator from Waldo, Senator **THIBODEAU**, to the rostrum where he resumed his duties as President.

The Sergeant-At-Arms escorted the Senator from Androscoggin, Senator **MASON**, to his seat on the floor.

Senate called to order by the President.

REPORTS OF COMMITTEES

House

Change of Committee

The Committee on **TAXATION** on Bill "An Act To Implement and Fund an Integrated Beach Management Program"
H.P. 854 L.D. 1254

Reported that the same be **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES**.

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

REFERRED to the Committee on **ENVIRONMENT AND NATURAL RESOURCES**, in concurrence.

Ought to Pass

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act Regarding the Maine Arts Commission"
H.P. 1013 L.D. 1490

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

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Provide a Private Support Organization for the Maine Arts Commission"

H.P. 1016 L.D. 1493

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

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Allow the Kennebec Sanitary Treatment District To Establish and Maintain a Capital Reserve Fund"
H.P. 1018 L.D. 1495

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

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senate

Ought to Pass

Senator LANGLEY for the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Promote Private Fund-raising for the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf"
S.P. 567 L.D. 1469

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

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

SECOND READERS

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

Senate As Amended

Bill "An Act To Provide for the 2016 and 2017 Allocations of the State Ceiling on Private Activity Bonds" (EMERGENCY)
S.P. 572 L.D. 1474
(C "A" S-348)

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

Sent down for concurrence.

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

ENACTORS

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

Emergency Resolve

Resolve, Regarding Legislative Review of Portions of Chapter 301: Fee Schedule and Administrative Procedures for Payment of Commission Assigned Counsel, a Major Substantive Rule of the Maine Commission on Indigent Legal Services
H.P. 1002 L.D. 1460

This being an Emergency Measure and having received the affirmative vote of 33 Members of the Senate, with no Senator having voted in the negative, and 33 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** and, having been signed by the President, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

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

PAPERS FROM THE HOUSE

**Pursuant to Statute
Maine Milk Commission**

The **Maine Milk Commission**, pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 26: Producer Margins, a Late-filed Major Substantive Rule of the Maine Milk Commission (EMERGENCY)
H.P. 1072 L.D. 1580

Be **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed pursuant to Joint Rule 218.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed pursuant to Joint Rule 218.

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

REFERRED to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed pursuant to Joint Rule 218, in concurrence.

**Pursuant to Statute
Commission on Governmental Ethics and Election Practices**

The **Commission on Governmental Ethics and Election Practices**, pursuant to the Maine Revised Statutes, Title 21-A, section 1124, subsection 4 asked leave to report that the accompanying Bill "An Act Regarding the Maine Clean Election Fund" (EMERGENCY)

H.P. 1071 L.D. 1579

Be **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed pursuant to Joint Rule 218.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed pursuant to Joint Rule 218.

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

REFERRED to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed pursuant to Joint Rule 218, in concurrence.

**Pursuant to Statute
Maine Health Data Organization**

The **Maine Health Data Organization**, pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 270: Uniform Reporting System for Quality Data Sets, a Late-filed Major Substantive Rule of the Maine Health Data Organization (EMERGENCY)

H.P. 1073 L.D. 1581

Be **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed pursuant to Joint Rule 218.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed pursuant to Joint Rule 218.

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

REFERRED to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed pursuant to Joint Rule 218, in concurrence.

ORDERS OF THE DAY

Unfinished Business

The following matter 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 (1/26/16) matter:

SENATE REPORT - from the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Revise the Charter of the Rumford Water District"

S.P. 580 L.D. 1482

Report - **Ought to Pass as Amended by Committee Amendment "A" (S-347)**

Tabled - January 26, 2016, by Senator **WOODSOME** of York

Pending - **ACCEPTANCE OF REPORT**

(In Senate, January 26, 2016, Report **READ**.)

Report **ACCEPTED**.

READ ONCE.

Committee Amendment "A" (S-347) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Off Record Remarks

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

On motion by Senator **MASON** of Androscoggin, **ADJOURNED** until Thursday, February 4, 2016, at 10:00 in the morning.