

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
March 8, 2016

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

Prayer by Pastor Frank Gleason IV, CenterPoint Community
Church in Anson.

PASTOR GLEASON: Thank you, Mr. President. Mr. President,
Madame Secretary, ladies and gentlemen of the Senate, let us
pray. Gracious God, this morning we come before You humbled
by the task You have called us to and anxious to be underway.
We pray that the words I speak would not be a mere inspirational
thought but rather an inward movement of our heart. Grant us
this day, O God, courage and stability of purpose to persevere.
May our character be strengthened and refined through the
flames of adversity as we patiently await the fruit of our labor.
Guide and guard our hearts this day. I pray these things in the
name of Jesus Christ. Amen.

Posting of the Colors by Loring Job Corps Honor Guard.

Pledge of Allegiance led by Senator Peter E. Edgecomb of
Aroostook County.

Reading of the Journal of Thursday, March 3, 2016.

Doctor of the day, Representative Patricia Hymanson, MD of
York.

Off Record Remarks

PAPERS FROM THE HOUSE

Non-Concurrent Matter

Bill "An Act To Strengthen Intragovernment Communication"
S.P. 611 L.D. 1560

In Senate, February 25, 2016, on motion by Senator
WHITEMORE of Somerset, the Minority **OUGHT NOT TO PASS**
Report **READ** and **ACCEPTED**.

Comes from the House, the Majority **OUGHT TO PASS** Report
READ and **ACCEPTED** and the Bill **PASSED TO BE**
ENGROSSED, in **NON-CONCURRENCE**.

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

Joint Orders

The following Joint Order:

H.P. 1111

ORDERED, the Senate concurring, that the Joint Standing
Committee on Taxation shall report out, to the House, a bill to
provide a sales tax exemption for feminine hygiene products.

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

READ.

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

COMMUNICATIONS

The Following Communication: S.C. 790

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

March 4, 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 Paula D. Silsby of
Portland for appointment to the Maine Community College
System Board of Trustees.

Pursuant to Title 20-A, MRSA §12705, this appointment is
contingent on the Maine Senate confirmation after review by the
Joint Standing Committee on Education and Cultural Affairs.

Sincerely,

S/Paul R. LePage
Governor

READ and **ORDERED PLACED ON FILE**.

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 791

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

March 4, 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 Michael A. Thibodeau of Presque Isle for appointment to the Maine Community College System Board of Trustees.

Pursuant to Title 20-A, MRSA §12705, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 792

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

March 4, 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 Suzanne K. Grover of Norway for appointment to the Maine Community College System Board of Trustees.

Pursuant to Title 20-A, MRSA §12705, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Sincerely,

S/Paul R. LePage
Governor

The Following Communication: S.C. 793

**STATE OF MAINE
127TH LEGISLATURE**

February 29, 2016

Chief Justice Leigh I. Saufley
Maine Supreme Judicial Court
205 Newberry Street
Room 139
Portland, ME 04101

Dear Chief Justice Saufley:

We are pleased to invite you to address a Joint Session of the 127th Maine Legislature on Wednesday, March 9, 2016 at 11:00 a.m. concerning the State of the Judiciary and any other matters that you may care to bring to our attention.

We look forward to seeing you then.

Sincerely,

S/Michael D. Thibodeau
President of the Senate

S/Mark W. Eves
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 794

**STATE OF MAINE
SUPREME JUDICIAL COURT**

March 2, 2016

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

The Honorable Mark W. Eves
Speaker of the House
2 State House Station
Augusta, Maine 04333-0002

Dear President Thibodeau and Speaker Eves:

I am pleased to accept your invitation to address a Joint Convention of the 127th Maine Legislature on Wednesday, March 9, 2016, at 11:00 a.m. I appreciate the courtesy of the Legislative Branch of government in inviting me to address the cause of justice in Maine.

I look forward to seeing you on March 9, 2016.

Sincerely,

S/Leigh I Saufley
Chief Justice

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 795

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

March 7, 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 Richard A. Fortier of Caribou for reappointment to the Inland Fisheries and Wildlife Advisory Council.

Pursuant to Title 12, MRSA §10151, this reappointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Inland Fisheries and Wildlife.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 796

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

March 7, 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 Gunnar J. Gundersen of Walpole for reappointment to the Inland Fisheries and Wildlife Advisory Council.

Pursuant to Title 12, MRSA §10151, this reappointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Inland Fisheries and Wildlife.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 797

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

March 7, 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 Donald Dudley of Patten for reappointment to the Inland Fisheries and Wildlife Advisory Council.

Pursuant to Title 12, MRSA §10151, this reappointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Inland Fisheries and Wildlife.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 798

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

March 7, 2016

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

Senate at Ease.

Senate called to order by the President.

Dear President Thibodeau:

This is to inform you that I am today nominating David R. Ciullo of Springvale for appointment to the State Civil Service Appeals Board.

Pursuant to Title 5, MRSA §7081, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on State and Local Government.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 799

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

March 7, 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 Philip A. Brookhouse of Auburn for appointment to the Board of Trustees, Maine Public Employees Retirement System.

Pursuant to Title 5, MRSA §17102, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Appropriations and Financial Affairs.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

Off Record Remarks

ORDERS

Joint Resolution

On motion by Senator **VOLK** of Cumberland, under unanimous consent on behalf of Senator **BURNS** of Washington (Cosponsored by Representative **HOBBS** of Saco and Senator: **JOHNSON** of Lincoln, Representatives: **EVANGELOS** of Friendship, **GINZLER** of Bridgton, **GUERIN** of Glenburn, **HERRICK** of Paris, **McCREIGHT** of Harpswell, **WARREN** of Hallowell), the following Joint Resolution:

S.P. 665

JOINT RESOLUTION

**RECOGNIZING MARCH 8, 2016 AS ACCESS TO JUSTICE
DAY AND EXPRESSING SUPPORT FOR MAINE'S JUSTICE
ACTION GROUP**

WHEREAS, Maine's Justice Action Group, founded in 1995, is a judge-led coalition of leaders from Maine's legal community who are passionate about ensuring for the people of Maine equal access to civil justice; and

WHEREAS, the coalition members include representatives of the state and federal judiciary, the Legislature, nonprofit civil legal aid providers, the University of Maine School of Law, the Maine Bar Foundation, the Maine State Bar Association, the Maine Trial Lawyers Association, private practice attorneys and others; and

WHEREAS, key initiator Judge Frank Coffin described the Justice Action Group as a catalyst, something introduced in small quantities that produces great change; and

WHEREAS, equal access to justice is a bedrock principle of a free, constitutional society, but no system of laws and constitutional protections can be effective if only those who can afford a private practice attorney have access to justice; and

WHEREAS, providing equal access to justice has tangible, widespread benefits for Maine's families, children, schools, communities, businesses, charities and government; and

WHEREAS, legal issues profoundly affect basic human needs such as shelter, sustenance, safety from violence, health and child protection; and

WHEREAS, the need for civil legal aid and pro bono representation for low-income and vulnerable Maine people remains acute; 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, pause on this Access to Justice Day to acknowledge and express our appreciation and strong support for Maine's civil legal aid providers and private practice attorneys who provide pro bono services for those otherwise unable to afford legal representation; and be it further

RESOLVED: That a suitable copy of this resolution, duly authenticated by the Secretary of State, be transmitted to the Justice Action Group.

READ.

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

Senator **VOLK:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I would like to introduce a Joint Resolution recognizing the Maine Justice Action Group's Access to Justice Day. One of the founding principles of our country is the idea of justice for all, but increasingly many poor and vulnerable citizens are unable to access our courts and administrative systems. The Legislature has created laws to protect people from domestic violence, from unfair evictions, and from unscrupulous business practices that often prey upon our elderly citizens. These laws are ineffective if the people who need them are unable to access them. One of the things that has struck me as I've served on the Judiciary Committee the last year and a half or so is learning more about the rise in family court matters and how that really puts some of our most vulnerable citizens at risk; particularly at risk for an uneven representation in court. However, Maine's judges, lawyers, and legal services providers continue to work together to provide legal protection for those most in need. Countless hours of pro bono services are provided to Maine citizens each year. We are here to acknowledge and commend those who are providing services and to gain a better understanding of the need for effective civil legal assistance in our state.

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

Senator **JOHNSON:** Thank you, Mr. President. Ladies and gentlemen of the Senate, there is a bedrock principle in our country that this Resolve refers to of equal access to justice and unfortunately far too many people don't have the representation that enables them to fully access that, to be able to, when they enter our court system, have someone who is an advocate that knows the rules of evidence, that knows all of what it takes to navigate a very formal environment in our courts even if they have the better case to prevail. I am very glad that we are today recognizing the work of people who dedicate themselves to ensuring that the services that are needed to bring people access to that justice are being advanced through their work day to day. Thank you.

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

Sent down for concurrence.

Off Record Remarks

REPORTS OF COMMITTEES

House

Ought to Pass

The Committee on **JUDICIARY** on Resolve, Regarding Legislative Review of Portions of Chapter 3: Eligibility Requirements for Specialized Case Types, a Late-filed Major Substantive Rule of the Maine Commission on Indigent Legal Services (EMERGENCY)

H.P. 531 L.D. 778

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

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **TRANSPORTATION** on Resolve, To Name the Naples Bay Bridge on U.S. Route 302 in the Town of Naples the Robert Neault Memorial Bridge

H.P. 1074 L.D. 1582

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

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **TRANSPORTATION** on Resolve, To Name the Essex Street Overpass Bridge in Bangor the Brent Cross Bridge

H.P. 1080 L.D. 1589

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

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Ought to Pass As Amended

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

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-532).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-532).**

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

READ ONCE.

Committee Amendment "A" (H-532) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act To Implement the Combination Defined Benefit and Defined Contribution Retirement Plan Described in a Report Submitted to the Joint Standing Committee on Appropriations and Financial Affairs in March 2012"

H.P. 715 L.D. 1032

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

Signed:

Senator:
VALENTINO of York

Representatives:
ROTUNDO of Lewiston
FREY of Bangor
GRANT of Gardiner
JORGENSEN of Portland
MARTIN of Eagle Lake
SANBORN of Gorham

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-534).**

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.**

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

Divided Report

The Majority of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Amend the Law Regarding Disqualification for Unemployment Benefits during Stoppages of Work" (EMERGENCY)
H.P. 1024 L.D. 1501

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

Signed:

Senator:
PATRICK of Oxford

Representatives:
HERBIG of Belfast
BATES of Westbrook
CAMPBELL of Newfield
FECTEAU of Biddeford
GILBERT of Jay
MASTRACCIO of Sanford

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-533).**

Signed:

Senators:
VOLK of Cumberland
CUSHING of Penobscot

Representatives:

AUSTIN of Gray
LOCKMAN of Amherst
STETKIS of Canaan
WARD of Dedham

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

Reports **READ**.

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

Senate

Pursuant to Joint Order

Senator BURNS for the Committee on **JUDICIARY** on Bill "An Act
To Implement the Recommendations of the Intergovernmental
Pretrial Justice Reform Task Force"

S.P. 666 L.D. 1639

Reported that the same be **REFERRED** to the Committee on
JUDICIARY, pursuant to Joint Order, S.P. 650.

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

Bill and accompanying papers **REFERRED** to the Committee on
JUDICIARY.

Sent down for concurrence.

Ought to Pass As Amended

Senator ROSEN for the Committee on **CRIMINAL JUSTICE AND**
PUBLIC SAFETY on Bill "An Act To Permit Disclosure of Certain
Intelligence and Investigative Record Information by a Criminal
Justice Agency to a Nongovernmental Advocacy Program for
Persons with Mental Illness"

S.P. 588 L.D. 1526

Reported that the same **Ought to Pass as Amended by**
Committee Amendment "A" (S-379).

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

READ ONCE.

Committee Amendment "A" (S-379) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE
DAY.

Senator COLLINS for the Committee on **TRANSPORTATION** on
Bill "An Act To Amend the Maine Traveler Information Services
Laws"

S.P. 641 L.D. 1592

Reported that the same **Ought to Pass as Amended by**
Committee Amendment "A" (S-380).

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

READ ONCE.

Committee Amendment "A" (S-380) **READ** and **ADOPTED**.

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:

House

Bill "An Act To Make Technical Amendments to the Maine
Juvenile Code"

H.P. 1067 L.D. 1575

READ A SECOND TIME and **PASSED TO BE ENGROSSED**, in
concurrence.

House As Amended

Bill "An Act To Ensure a Continuing Home Court for Cases
Involving Children"

H.P. 609 L.D. 890
(C "A" H-522)

Bill "An Act To Revise the Educational Personnel Certification
Statutes and To Direct the Department of Education To Review
Department Rules Regarding Educational Personnel Certification"

H.P. 1005 L.D. 1464
(C "A" H-525)

Bill "An Act To Improve the Disclosure of Financial Activities by
Political Action Committees and Ballot Question Committees"

H.P. 1033 L.D. 1510
(C "A" H-527)

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

Senate As Amended

Bill "An Act To Require Training of Mandated Reporters under the Child Abuse Laws"

S.P. 215 L.D. 622
(C "A" S-378)

Resolve, Authorizing the Commissioner of Administrative and Financial Services To Convey Approximately 0.75 Acre of Land in Madrid Township to the Madrid Historical Society

S.P. 558 L.D. 1456
(C "A" S-377)

Bill "An Act To Exempt MaineCare Appendix C Private Nonmedical Institutions from the Service Provider Tax"

S.P. 592 L.D. 1530
(C "A" S-375)

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 Measure

An Act To Promote Workforce Development

S.P. 406 L.D. 1137
(C "A" S-360)

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

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

Ordered sent down forthwith.

Emergency Measure

An Act To Make Additional Technical Changes to Recently Enacted Tax Legislation

S.P. 607 L.D. 1551

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

Ordered sent down forthwith.

Emergency Resolve

Resolve, Authorizing the State Tax Assessor To Convey the Interest of the State in Certain Real Estate in the Unorganized Territory

S.P. 559 L.D. 1457
(C "A" S-361)

This being an Emergency Measure and having received the affirmative vote of 31 Members of the Senate, with 2 Senators having voted in the negative, and 31 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.

HELD MATTER

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Require That 5 Percent of Signatures on a Direct Initiative of Legislation Come from Each County

S.P. 272 L.D. 742
(C "B" S-356)

(In House, March 1, 2016, **FAILED FINAL PASSAGE.**)

(In Senate, March 3, 2016, on motion by Senator **HAMPER** of Oxford, placed on the **SPECIAL APPROPRIATIONS TABLE** pending **FINAL PASSAGE**, in **NON-CONCURRENCE.**)

On motion by Senator **MASON** of Androscoggin, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Resolution was Placed on the **SPECIAL APPROPRIATIONS TABLE** pending **FINAL PASSAGE**, in **NON-CONCURRENCE.**

Senator **HAMPER** of Oxford requested and received leave of the Senate to withdraw his motion to place this matter on the **SPECIAL APPROPRIATIONS TABLE**, pending **FINAL PASSAGE**, in **NON-CONCURRENCE.**

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#516)

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

NAYS: Senators: GERZOFISKY, LIBBY

EXCUSED: Senator: BURNS

This being an Constitutional Amendment, in accordance with the provisions of Section 4 of Article X of the Constitution, having received the affirmative vote of 31 Members of the Senate, with 2 Senators having voted in the negative, and 31 being more than two-thirds of the Members present and voting, was **FINALLY PASSED** and signed by the President, 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

House Papers

Bill "An Act To Increase Payments to MaineCare Providers That Are Subject to Maine's Service Provider Tax"
H.P. 1115 L.D. 1638

Comes from the House, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

On motion by Senator **BRAKEY** of Androscoggin, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed, in concurrence.

Bill "An Act To Assist Maine Citizens Residing along Public Easements"
H.P. 1114 L.D. 1637

Comes from the House, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

On motion by Senator **WHITEMORE** of Somerset, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed, in concurrence.

Off Record Remarks

Senator **LIBBY** of Androscoggin was granted unanimous consent to address the Senate on the Record.

Senator **LIBBY**: Thank you, Mr. President. Men and women of the Senate, I'm pleased to welcome guests to the State House today, the Lewiston High School Boys Class A State Championship Soccer Team. I'd like to just offer a few remarks for the record. This is Lewiston's first State Class A Boys Soccer Championship and it is a monumental accomplishment for a community that is undergone enormous change over the last 30 years in terms of economics and in terms of demographics. Last year's championship team is made up of Congolese Americans, Kenyan Americans, Turkish Americans, German Americans, and Somalia Americans. As you well know, coming from a community that is undergone such enormous change in the last several years, bringing a team together to accomplish a State Championship victory is an amazing accomplishment. In fact, seven members of this championship team came from the same refugee camp in Africa. They are an undefeated nationally rank squad. There is actually a documentary film maker who is here today who's a Lewiston High School graduate and an alumni of the soccer team, Ian Clough, who's doing a documentary on this amazing group of young men. Coach Mike McGraw is a real key part to this team's success and in the documentary that is being produced Coach McGraw is quoted as doing the following: these Somalia players, when they started, were getting ready on different ends of the fields and Coach McGraw knew that was an issue right from the get-go. Coach McGraw said, "I want you guys to come over here in the middle. This is how a team plays and this is how I want you to be on the field and off the field, together." This filmmaker credits McGraw as the key that helped knit this group and their families and neighbors together. All of the kids on the team used words to describe him as a father figure. He couldn't be more important to the refugee community and to the Lewiston community as a whole. With that, it's my great honor to welcome the State Championship team to the State Senate today and thank you very much, Mr. President.

Off Record Remarks

THE PRESIDENT: The Chair is pleased to recognize in the balcony today Coach McGraw and the Lewiston High School Boys Class A Soccer champs. Would they please rise and accept the greetings of the Senate.

Off Record Remarks

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

On motion by Senator **MASON** of Androscoggin, **ADJOURNED** until Wednesday, March 9, 2016, at 10:00 in the morning.