

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

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
Wednesday
March 9, 2016

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

Prayer by Reverend Diane Hoppe Hugo, Mid-Coast Presbyterian
Church (PCUSA) in Topsham.

REVEREND HUGO: Good morning. It is an honor and a
privilege to stand before you today and I want to thank you for all
of the hours you give, for your dedication to the beautiful state of
Maine. Public service is a special calling and underappreciated
by most of us. So thank you.

We are a praying congregation and I've invited the members
at our church to join me in prayer from their homes and offices.
Before we begin, I want to ask: did you know that when we are
stressed our brains lack oxygen? Did you know that when we
tense up we tend to take more shallow breaths? Just when we
need our most clear thinking we deprive our brains of the oxygen
that clears and purifies our brains. If I do nothing else this
morning let me remind you to breathe. Before I speak the words
of this prayer I invite you to take a few deep breaths, as I will, and
release whatever distresses you. So breathe.

With hearts and minds united we pray. God of the moon and
the stars, the sunshine and the rain, You are in and all around
each one of us and in this morning's prayer we seek to become
more aware of Your presence. As we remember the beauty of
Maine's lakes and forests, and consider how the ever-changing
seasons bring Your artistry to our eyes, we know we are blessed.
Keep us ever mindful of our responsibility to care for all Your
creation; land and sea and all wildlife there in. As we call to mind
the increasing diversity of the people of Maine, the immigrants
from Somalia and Sudan and so many other global places, we
also call to mind retirees from every state in the union, and those
who have been here for generations, and we know we are
challenged to care for all of them. Keep us humble in service as
we seek to enable our brothers and sisters to live fully enriched
lives, to live in security and safety, and in loving care. As we take
time to recognize the unsung heroes among us, school children,
government workers, and all who have served Maine in their
unique ways, let their lives inspire our own. Then as we turn to
the business at hand, from keeping our roads safe to firefighter
training, from school resource officers to school nurses, from
those in nursing homes to the little children entering State
custody, as we work today we pray to You, wise and loving one,
heal our conflicts, that we may lay aside our differences and
remember You have called us to this place and time to make a
positive difference in our future days. Eternal and ever present
one, bless the members of this Maine Senate as well as all to
whom the authority of government has been given. Bless them
with wisdom and justice, grace and compassion, that they may
bring honor to You and share Your love with all whom they serve.
Take their cares and their worries into Your hands so they may

stay focused and true to the tasks before them and help them to
remember to breathe. Amen.

Pledge of Allegiance led by Senator Linda M. Valentino of York
County.

Reading of the Journal of Tuesday, March 8, 2016.

Doctor of the day, Bill Sturrock. M.D. of Orrington.

Off Record Remarks

Out of order and under suspension of the Rules, on motion by
Senator **MASON** of Androscoggin, the following Senate Order:
S.O. 30

Ordered, that a message be sent to the House of Representatives
proposing a Convention of the two branches of the Legislature be
held at 10:45 this morning in the Hall of the House for the purpose
of extending to the Honorable Leigh Ingalls Saufley, Chief Justice
of the Supreme Judicial Court, the Justices of the Supreme
Judicial Court, and members of the Judiciary, and request the
Chief Justice make such communication as pleases her.

READ and PASSED.

The Chair appointed the Senator from Androscoggin, Senator
MASON to deliver the message to the House of Representatives.
The Senator was escorted to the House of Representatives.

Subsequently, the Senator from Androscoggin, Senator **MASON**
reported that he had delivered the message with which he was
charged.

PAPERS FROM THE HOUSE

Non-Concurrent Matter

Bill "An Act To Amend Maine's Motor Vehicle Laws"
(EMERGENCY)

S.P. 581 L.D. 1483
(C "A" S-367)

In Senate, March 1, 2016, **PASSED TO BE ENGROSSED AS
AMENDED BY COMMITTEE AMENDMENT "A" (S-367).**

Comes from the House, **PASSED TO BE ENGROSSED AS
AMENDED BY COMMITTEE AMENDMENT "A" (S-367) AS
AMENDED BY HOUSE AMENDMENT "A" (H-537)** thereto, in
NON-CONCURRENCE.

On motion by Senator **COLLINS** of York, the Senate **RECEDED** and **CONCURRED**.

ORDERS

Joint Order

Expression of Legislative Sentiment recognizing:

People Plus, of Brunswick, on its 40th anniversary. People Plus was established after the voters of Brunswick overwhelmingly voted in 1976 for the town to purchase the former St. Charles Church on Noble Street for a senior center. Involved citizens and town officials started the Brunswick Community Center for Senior Citizens, which served as an activity center and a site to serve meals. Later, the center's board of trustees changed the name to 55 Plus Center to reflect that people 55 years of age and older were welcome at the center. Now known as People Plus, it has become known as a place for social and recreational activities and programs. The center now provides many services to older adults and their friends and families. People Plus provides about 1,100 senior members with health, fitness and education services and serves community shared meals. Thirty-five thousand people came through the doors in 2015, and that number is expected to increase as the population of older adults increases. In 2004 an unused part of the center's building was converted to a safe place for teens to meet, and in June 2010 the center moved to Union Street, where all members of the Brunswick community are welcome. Nearly 250 youths in grades 6 to 12 are served on a year-round basis. Over 3,000 teen visits were recorded last year while nearly 6,000 snacks and meals were consumed. We extend to People Plus our congratulations on this anniversary and our best wishes for the future;

SLS 981

Sponsored by Senator GERZOFISKY of Cumberland.
Cosponsored by Representatives: DAUGHTRY of Brunswick,
McCREIGHT of Harpswell, TUCKER of Brunswick.

READ.

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

Senator **GERZOFISKY:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I get up today not only to support this Joint Order but to support this organization. We have these organizations in all our communities, in all our towns; places that welcome our seniors and also our teenagers and gives them a place where they can go during the day and find help, relief, find conversations, and good times; a place where they can go, especially our young people, to feel safe and to know that they are loved and wanted by their community. I am so proud of the work that they've done at People Plus, or when they were called 55 Plus or any other name. They are still our senior center and our teen center. The work that they do, as the rest of our communities and the different centers that we have, we all honor them and today I'm having the opportunity to honor mine. Thank you very much, Mr. President, ladies and gentlemen of the

Senate, for listening and remember when we go home to go into our own centers and tell them how much we appreciate the work they're doing and the lives that they're benefiting. Thank you very much.

PASSED.

Sent down for concurrence.

THE PRESIDENT: The Chair is pleased to recognize in the Chamber today Jack Hudson, Vice Chair of People Plus Board; Frank Connors, People Plus Membership Coordinator; Betsy White, People Plus Office Manager; Jill Ellis, People Plus Programming Coordinator; and Stacy Frizzle, People Plus Executive Director. Would they please rise and accept the greetings of the Senate.

Senate at Ease.

Senate called to order by the President.

At this point a message was received from the House of Representatives, borne by Representative MCCABE of Skowhegan informing the Senate that the House concurred with the proposition for a Convention of the two branches of the Legislature to be held in the Hall of the House at 11:00 in the morning for the purpose of extending to the Honorable Leigh Ingalls Saufley, Chief Justice of the Supreme Judicial Court, the Justices of the Supreme Judicial Court, and members of the Judiciary, and request the Chief Justice make such communication as pleases her.

REPORTS OF COMMITTEES

House

Ought to Pass

The Committee on **HEALTH AND HUMAN SERVICES** on 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

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 **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Amend the Quorum Requirements That Apply to the Citizen Trade Policy Commission"

H.P. 1049 L.D. 1538

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.

Ought to Pass As Amended

The Committee on **JUDICIARY** on Bill "An Act To Implement the Recommendations of the Probate and Trust Law Advisory Commission Concerning the Probate Code"

H.P. 900 L.D. 1322

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-539)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-539)**.

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

READ ONCE.

Committee Amendment "A" (H-539) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Amend the Laws Governing Oversight of and Responsibility for the Kim Wallace Adaptive Equipment Loan Program Fund"

H.P. 1056 L.D. 1549

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-536)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-536)**.

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

READ ONCE.

Committee Amendment "A" (H-536) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Establish November 1st as Veterans in the Arts and Humanities Day"

H.P. 1027 L.D. 1504

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-535)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-535)**.

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

READ ONCE.

Committee Amendment "A" (H-535) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **TRANSPORTATION** on Bill "An Act To Amend the Laws Regarding the Operation of an All-terrain Vehicle or Snowmobile on a Controlled Access Highway" (EMERGENCY)

H.P. 1063 L.D. 1567

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-541)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-541)**.

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

READ ONCE.

Committee Amendment "A" (H-541) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Off Record Remarks

At this point, the Senate retired to the Hall of the House,
where a Joint Convention was formed.

After Convention

In Senate Chamber

Senate called to order by the President

Divided Report

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Resolve, To Study the Feasibility of a State Firefighter Training Facility

H.P. 436 L.D. 655

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-528)**.

Signed:

Senators:

BURNS of Washington
GERZOFKY of Cumberland

Representatives:

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

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

Signed:

Senator:

ROSEN of Hancock

Representative:

LONG of Sherman

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-528)**.

Reports **READ**.

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

READ ONCE.

Committee Amendment "A" (H-528) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Allow School Resource Officers To Have Jurisdiction at Off-site Events" (EMERGENCY) H.P. 1041 L.D. 1516

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-529)**.

Signed:

Senators:

ROSEN of Hancock
BURNS of Washington
GERZOFKY of Cumberland

Representatives:

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

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

Signed:

Representative:

LONG of Sherman

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-529)**.

Reports **READ**.

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

READ ONCE.

Committee Amendment "A" (H-529) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Promote Maine's Economic Development and Critical Communications for Rural Family Farms, Businesses and Residences by Strategic Public Investments in High-speed Internet"

H.P. 560 L.D. 826

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-523).**

Signed:

Senators:

WOODSOME of York
HILL of York

Representatives:

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

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

Signed:

Senator:

MASON of Androscoggin

Representatives:

DUNPHY of Embden
O'CONNOR of Berwick
WADSWORTH of Hiram

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-523) AS AMENDED BY HOUSE AMENDMENT "B" (H-542)** thereto.

Reports **READ.**

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

READ ONCE.

Committee Amendment "A" (H-523) **READ.**

House Amendment "B" (H-542) to Committee Amendment "A" (H-523) **READ** and **ADOPTED**, in concurrence.

Committee Amendment "A" (H-523) as Amended by House Amendment "B" (H-542) thereto, **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** on Bill "An Act To Revise Oil Spill Reporting Standards"

H.P. 1017 L.D. 1494

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

Signed:

Senators:

SAVIELLO of Franklin
BREEN of Cumberland

Representatives:

WELSH of Rockport
BUCKLAND of Farmington
CAMPBELL of Orrington
CHIPMAN of Portland
DUCHESNE of Hudson
HARLOW of Portland
MARTIN of Eagle Lake
TUCKER of Brunswick

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-543).**

Signed:

Representatives:

HANLEY of Pittston
WHITE of Washburn

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

Reports **READ.**

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

Divided Report

The Majority of the Committee on **VETERANS AND LEGAL AFFAIRS** on Resolve, Authorizing Certain Individuals To Bring Suit against the Department of Health and Human Services
H.P. 554 L.D. 805

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-524).**

Signed:

Senator:
PATRICK of Oxford

Representatives:
LUCHINI of Ellsworth
GOLDEN of Lewiston
LONGSTAFF of Waterville
MONAGHAN of Cape Elizabeth
SAUCIER of Presque Isle
SCHNECK of Bangor

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

Signed:

Senators:
CYRWAY of Kennebec
COLLINS of York

Representatives:
DILLINGHAM of Oxford
HANINGTON of Lincoln
KINNEY of Limington
TURNER of Burlington

(Representative **BEAR** of the Houlton Band of Maliseet Indians supports the Majority **Ought to Pass as Amended** Report.)

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-524).**

Reports **READ.**

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

Senate

Ought to Pass As Amended

Senator **BRAKEY** for the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Provide an Annual Cost-of-living Adjustment to Nursing Facilities To Further Implement the Recommendations of the Commission To Study Long-term Care Facilities"

S.P. 595 L.D. 1533

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-381).**

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

READ ONCE.

Committee Amendment "A" (S-381) **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

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

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

Resolve, To Name the Essex Street Overpass Bridge in Bangor the Brent Cross Bridge

H.P. 1080 L.D. 1589

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

House As Amended

Bill "An Act To Implement and Fund an Integrated Beach Management Program" (EMERGENCY)

H.P. 854 L.D. 1254
(C "A" H-532)

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

Senate As Amended

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
(C "A" S-379)

Bill "An Act To Amend the Maine Traveler Information Services Laws"

S.P. 641 L.D. 1592
(C "A" S-380)

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 40: Rule for Medication Administration in Maine Schools, a Major Substantive Rule of the Department of Education

H.P. 1059 L.D. 1556

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.

Acts

An Act To Ensure the Comprehensive Medical, Dental, Educational and Behavioral Assessment of Children Entering State Custody

S.P. 82 L.D. 213
(C "A" S-362)

An Act To Allow the Director of the Bureau of Parks and Lands To Transfer Ownership of Snowmobile Trail Maintenance Equipment to Incorporated Nonprofit Snowmobile Clubs

H.P. 1008 L.D. 1485
(C "A" H-520)

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

Ordered sent down forthwith.

An Act To Create and Sustain High-quality Maine Jobs
S.P. 578 L.D. 1480
(C "A" S-363)

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

An Act To Create Equity among Essential Nonprofit Health Care Providers in Relation to the Sales Tax and the Service Provider Tax

H.P. 1046 L.D. 1521
(C "A" H-521)

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:

SENATE PAPERS

Bill "An Act Regarding Stolen Valor"
S.P. 669 L.D. 1642

Presented by President THIBODEAU of Waldo.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

On motion by Senator **ROSEN** of Hancock, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed.

Sent down for concurrence.

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

Senate at Ease.

Senate called to order by the President.

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 (2/9/16) matter:

Pursuant to Joint Order

SENATE REPORTS - from the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act To Provide for Tax Conformity and Funding Methods" (EMERGENCY)

S.P. 633 L.D. 1583

Majority - **Ought to Pass** (7 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (S-354)** (6 members)

Tabled - February 9, 2016, by Senator **HAMPER** of Oxford

Pending - motion by same Senator to **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report

(In Senate, February 9, 2016, Reports **READ**.)

On motion by Senator **HAMPER** of Oxford, the Minority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**.

READ ONCE.

Committee Amendment "A" (S-354) **READ** and **ADOPTED**.

Under suspension of the Rules, **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.

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

House Paper

Bill "An Act To Establish a Commission To Reform Public Education Funding and Improve Student Performance in Maine and Make Supplemental Appropriations and Allocations for the Expenditures of the Department of Education and To Change Certain Provisions of the Law Necessary to the Proper Operations of Government for the Fiscal Year Ending June 30, 2017" (EMERGENCY)

H.P. 1117 L.D. 1641

Committee on **EDUCATION AND CULTURAL AFFAIRS** suggested and ordered printed.

Comes from the House, under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, without reference to a Committee.

READ ONCE, without reference to a Committee.

Senate at Ease.

Senate called to order by the President.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED**, without reference to a Committee, in concurrence.

Ordered sent down forthwith.

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:

ENACTORS

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

Emergency Measure

An Act To Provide for Tax Conformity and Funding Methods
S.P. 633 L.D. 1583
(C "A" S-354)

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#517)

YEAS: Senators: ALFOND, BAKER, BRAKEY, BREEN, BURNS, COLLINS, CUSHING, CYRWAY, DAVIS, DIAMOND, 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

EXCUSED: Senator: DILL

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.

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 Establish a Commission To Reform Public Education Funding and Improve Student Performance in Maine and Make Supplemental Appropriations and Allocations for the Expenditures of the Department of Education and To Change Certain Provisions of the Law Necessary to the Proper Operations of Government for the Fiscal Year Ending June 30, 2017
H.P. 1117 L.D. 1641

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 (#518)

YEAS: Senators: ALFOND, BAKER, BRAKEY, BREEN, BURNS, COLLINS, CUSHING, CYRWAY, DAVIS, DIAMOND, 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

EXCUSED: Senator: DILL

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.

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, March 10, 2016, at 10:00 in the morning.