

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
Wednesday
March 16, 2016

Senate called to order by President Pro Tempore Roger J. Katz of Kennebec County.

Prayer by Senator Nathan L. Libby of Androscoggin County.

SENATOR LIBBY: Bonjour. Je voudrais partager une priere de saint François. Nous laisse prier. Seigneur, faites de moi un instrument de votre paix. La ou il y a de la haine, que je mette l'amour. La ou il y a l'offense, que je mette le pardon. La ou il y a le doute, que je mette la foi. La ou il y a le desespoir, que je mette l'esperance. La ou il y a la discorde, que je mette l'union. La ou il y a l'erreur, que je mette la verite. La ou il y a les tenebres, que je mette votre lumiere. La ou il y a la tristesse, que je mette la joie. O Maitre, que je ne cherche pas tant a etre console qu'a consoler, a etre compris qu'a comprendre, a etre aime qu'a aimer, car c'est en donnant qu'on recoit, c'est en s'oublant qu'on trouve, c'est en pardonnant qu'on est pardonne, c'est en mourant qu'on ressuscite a l'eternelle vie.

Good moring. I would like to share a prayer of St. Francis. Let us pray. Lord, make me an instrument of thy peace. Where there is hatred, let me sow love; where there is injury, pardon; where there is doubt, faith; where there is despair, hope; where there is discord, union; where there is error, truth; where there is darkness, light; where there is sadness, joy. O Divine Master, grant that I may not so much seek to be consoled as to console, to be understood as to understand, to be loved as to love; for it is in giving that we receive; it is in pardoning that we are pardoned; it is in dying to self that we are born to eternal life. Amen.

Posting of the Colors by Franco-American War Veterans, Post 31 in Lewiston.

United States, Canadian and French National Anthems performed by Melanie Saucier of Fort Kent.

Pledge of Allegiance led by Senator Catherine E. Breen of Cumberland County.

Reading of the Journal of Tuesday, March 15, 2016.

Doctor of the day, David Rocker, M.D. of Hampden.

Off Record Remarks

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

PAPERS FROM THE HOUSE

Joint Resolution

The following Joint Resolution:

H.P. 1126

**RÉSOLUTION CONJOINTE
HONORANT LES FRANCO-AMÉRICAINS**

Considérant que, l'état du Maine est nommé après la province du Maine en France et que les villages de Paris et Calais portent les noms de la capitale de France et du port français de Calais, respectivement; et

Considérant que, plus d'un tiers de la population du Maine est de descendance française et canadienne, et les franco-américains du Maine ont contribué beaucoup à la beauté et la qualité de cet état; et

Considérant que, le français est la première langue de milliers de citoyens du Maine, et il y a eu une augmentation de l'utilisation de la langue française et une appréciation croissante de l'héritage franco-américain à travers l'état; et

Considérant que, des clubs et des associations pour promouvoir la culture et la langue française sont nés à travers l'état, y inclus le caucus francophone à la capitale; et

Considérant que, les gens qui parlent couramment le français et l'anglais sont une ressource économique et culturelle pour l'état du Maine; et

Considérant que, le tourisme culturel sera accru par les véritables centres franco-américains à travers l'état et la grande présence de franco-américains dans le Maine peut renforcer davantage nos relations avec le Canada, la France, et les autres pays francophones; et

Considérant que, le premier Jour Franco-Américain a été célébré mercredi, 6 mars, 2002, à la Capitale de l'État; maintenant, alors, qu'il soit

Résolu, que nous, les membres de la Cent-Vingt-septième Législature, assemblés dans la deuxième session régulière, au nom des gens que nous représentons, proclamons que mercredi, 16 mars, 2016 est le Jour Franco-Américain, soit célébré à la Capitale de l'État; et qu'il soit aussi

Résolu, que le Jour Franco-Américain soit célébré pour commémorer la riche histoire du peuple français dans l'état du Maine et aux États-Unis d'Amérique.

**JOINT RESOLUTION
TO RECOGNIZE FRANCO-AMERICAN DAY**

WHEREAS, the State of Maine is named after the Province of Maine in France, and the towns of Paris and Calais owe their names to the capital city of France and the French port city of Calais, respectively; and

WHEREAS, more than 1/3 of the population of Maine is of French and Canadian descent and Franco-Americans in Maine have contributed much to the beauty and quality of this State; and

WHEREAS, French is the primary language of thousands of Maine citizens and there has been a resurgence in the use of the French language and a heightened appreciation of the Franco-American heritage throughout the State; and

WHEREAS, clubs and organizations to promote French culture and language have sprung up throughout the State, including the Francophone Caucus at the Capitol; and

WHEREAS, fluent French-English bilingual people are a cultural and economic resource to the State; and

WHEREAS, cultural tourism can be greatly enhanced by the genuine Franco-American centers throughout the State, and the large Franco-American presence in Maine can further strengthen our relationships with Canada, France and the rest of the francophone world; and

WHEREAS, the first Franco-American Day was celebrated on Wednesday, March 6, 2002 at the State Capitol; 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, proclaim that Wednesday, March 16, 2016 is Franco-American Day, to be celebrated at the State Capitol; and be it further

RESOLVED: That Franco-American Day be celebrated to commemorate the rich history of the French people in the State of Maine and the United States of America.

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

READ and **ADOPTED**, in concurrence.

Off Record Remarks

Franco-American Day Ceremony.

PAPERS FROM THE HOUSE

Joint Orders

Expressions of Legislative Sentiment recognizing:

Raymond John Lagueux, of Lewiston, on his induction into the Franco-American Hall of Fame. Mr. Lagueux grew up in Lewiston, the son of a Franco-American father and a Polish-American mother. He studied French at Lewiston High School, later earning degrees in French and German from Providence College and French language and literature from The Ohio State University. He taught the first French language program at Farmington State Teachers College. He also taught several classes at the University of Maine at Augusta's Lewiston-Auburn

campus and for Lewiston Adult Education. Mr. Lagueux enjoyed teaching his Franco-American students and encouraged them to think positively, be confident and understand that their dialect or accent is valid and universally acceptable. In 1970, he worked with the Franco American Heritage Center, later the USM Lewiston-Auburn College Franco American Archives, for which he was the first chairman. From 1997 to 1999, he was a local coordinator for the Forum Francophone des Affaires. In 2004, he joined the board of the Franco American Heritage Center at St. Mary's, now the Gendron Franco Center, serving as secretary and vice-chair and ultimately as chair and interim executive director before retiring in 2015. We acknowledge Mr. Lagueux's service to his community and to the State, and we send him our congratulations on his induction into the Franco-American Hall of Fame;

HLS 1102

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

READ and **PASSED**, in concurrence.

THE PRESIDENT PRO TEMPORE: The Chair is pleased to recognize in the rear of the Chamber Raymond John Lagueux, as well as Susan, Angelique, Alex, Nick, Greg, and Kania. Would they please rise and accept the greetings of the Maine Senate.

Marcel R. Viger, of Kennebunk, on his induction into the Franco-American Hall of Fame. Mr. Viger was born in Salem, Massachusetts and resided in Biddeford for 52 years before recently moving to Kennebunk. A bilingual advocate for the French-speaking community, he practiced law in Biddeford for over 35 years, one of the few attorneys in the area who spoke French. He was invaluable to those who needed to speak with someone in French but be represented in English. He joined with Robert R. Gosselin and Albert Deshaies to start the St. Joseph's Federal Credit Union to assist Franco-Americans in obtaining loans. Mr. Viger was the first president of the credit union and also a board member. Mr. Viger served as city solicitor for Biddeford through the 1970s. He was also involved in the choir at St. Joseph's Church, the restoration project of St. Joseph's Church, the Tri-City Community Chorus and the St. Louis Alumni Association. He served in the United States Army, with 2 years in the Judge Advocate General's office at Fort Dix in New Jersey and 6 months at Portsmouth Naval Shipyard. He made tape recordings and handwritten copies of traditional French songs for children to help preserve French culture for the future. We acknowledge Mr. Viger's service to his community and to the State, and we send him our congratulations on the occasion of his induction into the Franco-American Hall of Fame;

HLS 1103

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

READ and **PASSED**, in concurrence.

THE PRESIDENT PRO TEMPORE: The Chair is pleased to recognize in the rear of the Chamber Marcel R. Viger, Therese Viger, Pat Crepeau, Jacque Gallishaw, and Ben Gallishaw. Would they please rise and accept the greetings of the Maine Senate. They are the guests of the Senator from York, Senator Collins.

Paul Vachon, of Augusta, on his induction into the Franco-American Hall of Fame. Mr. Vachon grew up on Mt. Vernon Avenue in the heart of Augusta's Sand Hill. A tough basketball player, he was the starting point guard for Cony High School's 1973 Class A State Championship team. Following college, he returned to his community as a teacher and a coach. In 25 years of coaching, 23 of which occurred at Cony, he built a 451-50 record. His teams won 7 Class A State Championship crowns and 11 Eastern Maine titles. He developed 3 Miss Maine Basketball winners and helped many of his players go on to successful college playing careers and coaching careers. He was one of the first coaches to understand the implications of the introduction of the 3-point shot to high school girls basketball. His teams were relentless on defense and ran every chance they could on offense, often kicking the ball back out for a trailer to score a 3-pointer. Mr. Vachon was a colorful figure on the sidelines. His frenetic, emotional demeanor often infuriated opposing fans just as it endeared him to the fans of his teams. His greatest gift, however, was his ability to motivate his students in the classroom and his players on the court. The skills he taught involving hard work, teamwork and enthusiasm served them well. We acknowledge Mr. Vachon's service to his community and to the State, and we send him our congratulations on the occasion of his induction into the Franco-American Hall of Fame;

HLS 1104

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

READ and **PASSED**, in concurrence.

THE PRESIDENT PRO TEMPORE: The Chair is pleased to recognize in the rear of the Chamber Paul Vahon, Mayor Dave Rollins of Augusta, Counselor Pat Paradis, Counselor Cecil Munson, City Manager Bill Bridgeo, and Calumet President Gerard LaPierre. Would they please rise and accept the greetings of the Maine Senate. They are the guests today of the Chair.

Rhea Cote Robbins, of Brewer, on her induction into the Franco-American Hall of Fame. Ms. Robbins was brought up bilingually in a Franco-American neighborhood in Waterville known as "down the plains" and attended Waterville High School. Her family tree reaches back into Quebec and back further to France. From 1980 to 1982 she attended the University of Maine at Presque Isle, and from 1982 to 1985 she attended the University of Maine on a bilingual education scholarship. She received her Master of Arts degree from the University of Maine in 1997 and an Honorary Doctorate from the University of Maine at Farmington in 2004. She worked as an editor of *Le FORUM* at the Franco-American Center from 1986 to 1996. Ms. Robbins

was the 1997 winner of the Maine Chapbook Award for her nonfiction book, *Wednesday's Child*, and she has written a sequel, *Down the Plains*. Currently, she teaches literature courses in Franco-American women's experiences, contact literature and creative nonfiction writing. She is a founder and the Executive Director of the Franco-American Women's Institute. We acknowledge Ms. Robbins's service to her community and to the State, and we send her our congratulations on the occasion of her induction into the Franco-American Hall of Fame;

HLS 1105

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

READ and **PASSED**, in concurrence.

THE PRESIDENT PRO TEMPORE: The Chair is pleased to recognize in the rear of the Chamber Rhea Cote Robbins, who is joined by her husband, David Robbins. Would they please rise and accept the greetings of the Maine Senate. They are the guests today of the Senator from Hancock, Senator Rosen.

The late Raymond C. Gaudette, Sr., of Biddeford, on his posthumous induction into the Franco-American Hall of Fame. Mr. Gaudette was born in Biddeford, attended Biddeford schools and was employed with West Point Stevens, Inc., formerly Pepperell Manufacturing Company, as a chemical and dye mixer for 43 years, retiring in 1999. He was a member of the Franco-American Genealogical Society of York County and the Biddeford Historical Society, for which he served as president for 2 terms. He was also a member and served as president of the York County Genealogical Society of Franco-Americans. While employed at West Point Stevens, he served as steward and as president of the local AFL-CIO. He served on the Biddeford City Council in 1968 and 1969, and he served on the board of Laconia Credit Union. He and his wife, Yvette, spent countless hours making significant findings for the genealogical research housed at McArthur Public Library in Biddeford. His contributions to Franco-American history and heritage are a gift that will be treasured for generations to come. We acknowledge Mr. Gaudette's service to his community and to the State, and we send his family our congratulations on the occasion of his induction into the Franco-American Hall of Fame;

HLS 1106

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

READ and **PASSED**, in concurrence.

THE PRESIDENT PRO TEMPORE: The Chair is pleased to recognize in the rear of the Chamber Mr. Gaudette's wife, Yvette, and other members of the Raymond Gaudette family. Would they please rise and accept the greetings of the Maine Senate. They are the guests today of the entire Maine Senate.

The Franco-American Women's Institute, of Brewer, which is celebrating its 20th Anniversary. The institute is an organization for women to promote Franco-American and other ethnic women's voices and to make known the often untold and unrecorded but culturally important aspects of women's lives and contributions. The institute provides a recording place and an archive for the many forms of presentation of Franco-American women, including Quebecois, Acadian, Metis, mixed blood, French Canadian, Cajun, Creole and Huguenot women. The institute encourages their voices while collecting a record of their stories, and the stories of their daughters, mamans and memeres. The institute has had an online presence and has been a publisher of Franco-American women since its founding in 1996, and the institute's online offerings have become a classroom resource in colleges and universities around the world. We extend to everyone at the Franco-American Women's Institute our congratulations on its 20th anniversary;

HLS 1107

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

READ and **PASSED**, in concurrence.

THE PRESIDENT PRO TEMPORE: At the Institute's request, the Chair is pleased to recognize in the rear of the Chamber all Franco-American women. Would they please rise and accept the greetings of the Maine Senate.

THE PRESIDENT PRO TEMPORE: The Chair is pleased to recognize in the rear of the Chamber L. James and Mona Lavertu, as well as Edward Lavertu with Griffin and Charlie; Christina and Peter Steenstra with Elsie and Henry; Emily Lavertu and Dario. They are the guests today of the Senator from Aroostook, Senator Edgecomb. Would they please rise and accept the greetings of the Maine Senate.

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

Off Record Remarks

Senate at Ease.

Senate called to order by President Pro Tempore
ROGER J. KATZ of Kennebec County.

L. James and Mona Lavertu, of Madawaska, on their induction into the Franco-American Hall of Fame. Both Mr. and Mrs. Lavertu have their roots in the St. John Valley: his in the south side in Madawaska, Maine and hers in the north side in Edmundston, New Brunswick, Canada. They met as students, married in 1971 and settled in Madawaska in 1975. When Mr. Lavertu was a child in school, French was forbidden there, even on the playground. As an adult, Mr. Lavertu wanted to address this problem, and he became a member of the Madawaska School Board in 1985, serving for 12 years. He was recognized for his contribution to making the bilingual education program in the St. John Valley one of 5 designated national "Portraits of Success." In 1992, he was committed to the "Save Our French" movement, which became the seed for founding Le Club Francais, also known as L'Association Francaise de la Vallee du Haut-St-Jean, which preserves and promotes French Acadian history, language and culture. Both Mr. and Mrs. Lavertu have been instrumental in the continuing success of this endeavor. Since 2009, he has served as president and she has served as secretary, and both are very active on several committees of the association. The efforts of Le Club Francais helped lead to the success of the 2014 World Acadian Congress in Maine. We acknowledge Mr. and Mrs. Lavertu's service to their community and to the State, and we send them our congratulations on the occasion of their induction into the Franco-American Hall of Fame;

HLS 1108

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

READ and **PASSED**, in concurrence.

Leon A. Gorman, of Yarmouth, renowned businessman and philanthropist, who shared Maine's values and spirit with the world through L.L. Bean, the company his grandfather founded in 1912. Mr. Gorman was raised in Yarmouth, attended Cheverus High School and graduated from Bowdoin College in the Class of 1956. He served in the United States Navy for 6 years before returning to Maine to join his grandfather at L.L. Bean, Inc. in 1960. Mr. Gorman was appointed President in 1967 following the death of his grandfather and served in that capacity for over 35 years. He was named Chairman of the Board of L.L. Bean, Inc. in 2001 and Chairman Emeritus in 2013. Mr. Gorman had a deep love of the people and places of Maine and he worked to protect and strengthen the State's natural and human resources. Together with his wife, Lisa, Mr. Gorman helped protect thousands of pristine acres along the St. John River, the 100-Mile Wilderness and Katahdin Lake. His philanthropy extended to providing financial support to such entities as the Coastal Studies Center at Bowdoin College, the Casco Bay YMCA, Pine Tree Council of the Boy Scouts of America, the United Way of Greater Portland, the Appalachian Mountain Club, the Nature Conservancy of Maine and numerous other organizations. Mr. Gorman was awarded honorary degrees from the Maine Community College System and from Bowdoin, Bates, Wheaton and Thomas colleges. He was the recipient of numerous business awards for his work in transforming his grandfather's 2.25-million-dollar company into the 1.61-billion-dollar enterprise that is today known across the world for its commitment to quality, integrity and service. Mr. Gorman felt his proudest accomplishment was growing his grandfather's company "from employing less than 100 people in 1960 to tens of thousands of good people over the generations, a company based on solid Maine values of integrity, customer service, respect for people, a love of the outdoors, and perseverance." Mr. Gorman will be greatly missed and long remembered by his loving wife, Lisa, his family, his many friends and the people whose lives he touched.

SLS 710

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

Senator **BREEN:** Thank you, Mr. President. As many folks in this Chamber know, Maine lost a visionary businessman early last fall when we lost Leon Gorman. I was privileged to represent Mr. Gorman for just a short time before he passed away and I'm humbled today to honor him here on the Senate Floor. Many of us are very familiar with the success that he brought to the company we all know and love, L.L. Bean. It started as a small company focused on clothing and gear for hunting and fishing and a funny looking boot that was brown on the bottom with rubber and tan leather on top that's now become an iconic symbol of Maine. However, one of the things I'd like to focus on is his difference from many other retailers in that he was an exemplary employer. By focusing the growth of L.L. Bean's call centers and fulfillment operations and other key functions right here in his home state of Maine, the company that Leon Gorman shepherded has employed thousands of Mainers in good paying jobs with good benefits, often for several generations in one family. Leon Gorman's commitment to his workers has paid off in extraordinary loyalty, with many workers staying for decades. To this day L.L. Bean remains in the top ranks of Maine's best places to work. Maine has benefited from more than just the great company. Why? Because L.L. Bean's successful brand has become almost synonymous with Maine's brand. Customers all over the world associate L.L. Bean with quality, honesty, and integrity. The company's 100% satisfaction guarantee is the gold standard in retail, earning customer's trust and loyalty over multiple generations. Consumers the world over equate made in Maine with the quality, durability, integrity, and trust that in no small measure came from everything that Leon Gorman did with L.L. Bean. Lastly, Mr. Gorman was more than a captain of industry. He was also a generous philanthropist and avid conservationist and a fundamentally good human being. As you just heard, there were multiply organizations in New England and Maine, all over the world, that he supported generously. His personal commitment to his community reached from some of the world's highest mountain peaks to getting on his hands and knees. For the last 12 years Leon Gorman not only served meals at the local soup kitchen every week, he also pulled the oven out from the wall and cleaned every nook and cranny before he ended his own shift. Leon Gorman, the patriarch of one of Maine's wealthiest families, never put himself above anything or anyone. His humility, his work ethic, his compassion, and his success will forever remain a model for every man, woman, and child in the great state of Maine. Thank you, Mr. President.

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

Senator **ALFOND:** Thank you very much, Mr. President. I also stand to give my deep condolences to the Gorman family. Maine has truly lost an icon when Leon Gorman passed away. Leon was a giant in business. He was an incredible family man and he gave back to his community. What made Leon and his family so special is they deeply understood Maine, its natural resources and its people. Thanks to L.L. Bean, Maine is known all over the world. It truly is an international juggernaut. In fact, I'm sure we all can recall this, whenever you are out and someone says, "Where are you from?" and you say, "Maine." What are the next

words that come out? Lobsters, blueberries, L.L. Bean, the Bean boot. Imagine that. No matter where you are. As soon as you say you are from Maine all of a sudden it's L.L. Bean and the Bean boot. Leon's relationship to the state was much more than the retail stores and catalogs. Leon and his wife, Lisa, were, and continue to be, transformational philanthropists. They've given to Maine's higher education systems, social services, conservation, YMCAs, to name just a few. At the memorial service a speaker said this about Leon, that I truly believe captures him perfectly, "Leon was the most powerful, private person in Maine, but he often thought and acted in ways to help the least powerful, most easily forgotten people in the state." Leon Gorman will be terribly missed. Thank you, Mr. President.

THE PRESIDENT PRO TEMPORE: The Chair is pleased to recognize in the rear of the Chamber Mr. Gorman's wife, Lisa Gorman; his daughter, Jennifer Gorman Wilson; his son-in-law, Bennett Wilson; and his grandsons, Lee Wilson, Graham Wilson, and Jack Gorman. They are the guests today of Senators from Cumberland, Senator Breen and Senator Alfond. Would they please rise and accept the greetings of the Maine Senate.

PAPERS FROM THE HOUSE

House Paper

Bill "An Act Implementing Pay Increases for Certain Law Enforcement Employees To Aid in Recruitment and Retention" (EMERGENCY)

H.P. 1124 L.D. 1653

Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** suggested and ordered printed.

Comes from the House, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**.

On motion by Senator **HAMPER** of Oxford, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed, in concurrence.

Joint Resolution

The following Joint Resolution:

H.P. 1125

JOINT RESOLUTION RECOGNIZING THE AMERICAN LEGION ON THE 97TH ANNIVERSARY OF ITS BEING CHARTERED BY THE UNITED STATES CONGRESS

WHEREAS, on March 15, 1919, members of the American Expeditionary Forces gathered in Paris, France to form a new servicemen's organization and, in St. Louis, Missouri the following May, soldiers who had returned from Europe approved the organization's draft preamble and constitution and name, the American Legion; and

WHEREAS, the United States Congress chartered the American Legion on September 16, 1919 as a patriotic veterans organization focusing on service to veterans and service members and their communities; and

WHEREAS, the American Legion has evolved into one of the most influential nonprofit groups in the United States, with over 2,400,000 members in 14,000 posts nationwide; and

WHEREAS, on August 9, 1921, the American Legion's efforts resulted in the creation of the United States Veterans Bureau, forerunner of today's Department of Veterans Affairs, and the American Legion continues to lobby for adequate funding to cover medical, disability, education and other benefits for veterans; and

WHEREAS, on December 15, 1943, Past National Commander Harry W. Colmery began writing the first draft of what became the G.I. Bill of Rights and, on June 22, 1944, after the passionate advocacy of Past National Commander Harry W. Colmery and National Commander Warren Atherton, President Franklin D. Roosevelt signed into law the original G.I. Bill, ushering in monumental changes to society in the United States, including access to higher education and improvements in housing for veterans across the nation; and

WHEREAS, the American Legion urges a full accounting of all prisoners of war and troops missing in action in Vietnam and has formed a special group from among the nation's major veterans organizations to continue pressing for further resolution of this issue; and

WHEREAS, the American Legion at its first convention passed a resolution to support the Boy Scouts of America and today is the chartering agency for more than 1,700 scouting units with approximately 64,000 youths; and

WHEREAS, the American Legion runs annual civic training events for high school juniors called Boys State and Boys Nation and offers numerous programs, including American Legion baseball, scouting, oratorical contests, junior shooting sports, Sons of the American Legion and American Legion Riders, and offers scholarships at every level of the organization; 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 the American Legion on its 97th anniversary and the contributions of its members to their communities and the State; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the headquarters of the American Legion, Department of Maine.

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

READ and **ADOPTED**, in concurrence.

COMMUNICATIONS

The Following Communication: S.C. 840

STATE OF MAINE ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS

March 14, 2016

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

Dear President Thibodeau and Speaker Eves:

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

L.D. 1033 Resolve, To Assist the University of Maine System and the Maine Community College System To Reduce the Need for Remedial Education

This is notification of the Committee's action.

Sincerely,

S/Sen. Brian D. Langley
Senate Chair

S/Rep. Victoria P. Kornfield
House Chair

READ and **ORDERED PLACED ON FILE**.

The Following Communication: S.C. 841

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

March 14, 2016

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

Dear President Thibodeau and Speaker Eves:

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

L.D. 1513 An Act To Clarify Laws Relating to Affiliate Ownership of Electric Generation

This is notification of the Committee's action.

Sincerely,

S/Sen. David Woodsome
Senate Chair

S/Rep. Mark N. Dion
House Chair

READ and **ORDERED PLACED ON FILE**.

The Following Communication: S.C. 842

**STATE OF MAINE
ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE
COMMITTEE ON STATE AND LOCAL GOVERNMENT**

March 14, 2016

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

Dear President Thibodeau and Speaker Eves:

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

L.D. 1633 An Act Authorizing the Deorganization of Cary Plantation

This is notification of the Committee's action.

Sincerely,

S/Sen. Rodney L. Whittemore
Senate Chair

S/Rep. Roland Danny Martin
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 844

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

March 15, 2016

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

Dear Secretary Priest:

Pursuant to my authority under Senate Rule 201.3, I am pleased to appoint the Senator from Kennebec, Senator Katz to serve as President Pro Tempore. With this appointment Senator Katz will serve as President Pro Tempore for the start of the regularly scheduled session on March 16, 2016.

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

Sincerely,

S/Michael D. Thibodeau
President of the Senate

READ and ORDERED PLACED ON FILE.

SENATE PAPERS

Bill "An Act To Authorize a General Fund Bond Issue To Fund Loan Repayment Programs for Graduates in the Fields of Science, Technology, Engineering and Mathematics"
S.P. 677 L.D. 1656

Presented by Senator ALFOND of Cumberland. (GOVERNOR'S BILL)

On motion by Senator **HAMPER** of Oxford, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed.

Sent down for concurrence.

Bill "An Act To Increase the Number of Science, Technology, Engineering and Mathematics Professionals in the State"
S.P. 676 L.D. 1655

Presented by Senator ALFOND of Cumberland. (GOVERNOR'S BILL)

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

Sent down for concurrence.

Bill "An Act To Simplify and Expand the Educational Opportunity Tax Credit"
S.P. 678 L.D. 1657

Presented by Senator ALFOND of Cumberland. (GOVERNOR'S BILL)

On motion by Senator **MCCORMICK** of Kennebec, **REFERRED** to the Committee on **TAXATION** and ordered printed.

Sent down for concurrence.

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

REPORTS OF COMMITTEES

House

Ought to Pass Pursuant to Joint Rule

The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Enact the Recommendations of the Study of the Allocations of the Fund for a Healthy Maine"

H.P. 1121 L.D. 1650

Reported that the same **Ought to Pass**, pursuant to Joint Rule 353.

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

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

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

Ought to Pass Pursuant to Resolve

The Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Exempt Certain Natural Gas Consumers from an Assessment and To Extend a Moratorium on Assessments for Other Large-volume Consumers of Natural Gas"

H.P. 1122 L.D. 1651

Reported that the same **Ought to Pass**, pursuant to Resolve 2015, chapter 39, section 2.

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

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

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

Ought to Pass As Amended

The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Reduce Morbidity and Mortality Related to Injected Drugs"

H.P. 1057 L.D. 1552

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-559)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-559)**.

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

READ ONCE.

Committee Amendment "A" (H-559) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act Regarding Maximum Allowable Cost Pricing Lists Used by Pharmacy Benefit Managers"

H.P. 788 L.D. 1150

Reported that the same **Ought to Pass as Amended by Committee Amendment "B" (H-556)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-556)**.

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

READ ONCE.

Committee Amendment "B" (H-556) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Implement the Recommendations of the Maine Affordable Housing Working Group"

H.P. 1095 L.D. 1607

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-557)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-557)**.

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

READ ONCE.

Committee Amendment "A" (H-557) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Ensure a Public Process When Discontinuing or Abandoning a Public Road"

H.P. 903 L.D. 1325

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-558).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-558).**

Report **READ**.

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

The Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Streamline Licensing Requirements for and Payments from Veterans' Organizations"

H.P. 692 L.D. 997

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-554).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-554).**

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

READ ONCE.

Committee Amendment "A" (H-554) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Expand the Early Processing of Absentee Ballots"

H.P. 1050 L.D. 1539

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-560).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-560).**

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

READ ONCE.

Committee Amendment "A" (H-560) **READ** and **ADOPTED**, in concurrence.

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

Senate

Ought to Pass As Amended

Senator **BURNS** for the Committee on **JUDICIARY** on Bill "An Act To Make Technical Changes to the Laws Governing Child Support" (EMERGENCY)

S.P. 614 L.D. 1562

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-395).**

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

READ ONCE.

Committee Amendment "A" (S-395) **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.

ENACTORS

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

Emergency Measure

An Act To Amend the Laws on Protection from Abuse, Protection from Harassment and Unauthorized Dissemination of Certain Private Images

H.P. 1010 L.D. 1487
(C "A" H-545)

The Chair noted the absence of the Senator from Androscoggin, Senator **LIBBY**, and the Senator from Waldo, Senator **THIBODEAU**, and further excused the same Senators from today's Roll Call votes.

This being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with no Senator having voted in the negative, and 32 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 Pro Tempore, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

Emergency Measure

An Act To Clarify the Authority of County Sheriffs To Grant Law Enforcement Powers

H.P. 1041 L.D. 1516
(C "A" H-529)

This being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with no Senator having voted in the negative, and 32 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 Pro Tempore, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

Emergency Measure

An Act To Amend the Laws Regarding the Operation of an All-terrain Vehicle or Snowmobile on a Controlled Access Highway

H.P. 1063 L.D. 1567
(C "A" H-541)

This being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with no Senator having voted in the negative, and 32 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 Pro Tempore, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

Emergency Measure

An Act To Amend Procedures for the Licensing of Architects and Foresters

H.P. 1088 L.D. 1598

This being an Emergency Measure and having received the affirmative vote of 31 Members of the Senate, with 1 Senator having voted in the negative, and 31 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 Pro Tempore, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

Emergency Resolve

Resolve, Regarding Legislative Review of Portions of Chapter 26: Producer Margins, a Late-filed Major Substantive Rule of the Maine Milk Commission

H.P. 1072 L.D. 1580
(C "A" H-544)

This being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with no Senator having voted in the negative, and 32 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** and, having been signed by the President Pro Tempore, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

Emergency Resolve

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

H.P. 1073 L.D. 1581

This being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with no Senator having voted in the negative, and 32 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** and, having been signed by the President Pro Tempore, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

Emergency Resolve

Resolve, Regarding Legislative Review of Portions of Chapter 4: Water-based Fire Protection Systems, a Late-filed Major Substantive Rule of the Department of Public Safety, Office of the State Fire Marshal

H.P. 1105 L.D. 1626

This being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with no Senator having voted in the negative, and 32 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** and, having been signed by the President Pro Tempore, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

Acts

An Act To Establish November 1st as Veterans in the Arts and Humanities Day

H.P. 1027 L.D. 1504
(C "A" H-535)

An Act Regarding the Disclosure of Intelligence and Investigative Record Information

S.P. 588 L.D. 1526
(C "A" S-379)

An Act To Amend the Quorum Requirements That Apply to the Citizen Trade Policy Commission

H.P. 1049 L.D. 1538

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
(C "A" H-536)

An Act To Improve Services for Persons Who Are Deaf or Hard of Hearing by Updating the Laws Governing Qualifications for Certain Members of the Telecommunications Relay Services Advisory Council

H.P. 1076 L.D. 1585

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

Ordered sent down forthwith.

An Act To Amend the Maine Traveler Information Services Laws

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

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

Senator **DIAMOND:** Thank you, Mr. President. Ladies and gentlemen of the Senate, just briefly. There have been a few questions coming around about this bill. It's kind of gone through both houses, but it is something that's going to impact every single one of us, whoever runs for office, or ever puts a sign up for any reason. I just want to give a quick explanation about this. This is the result of the United States Supreme Court decision on June 18, 2015. There's this little town in Arizona called Gilbert. In that same town there's a little church. It's so small that they don't have a church building, so the church meets at various places throughout the community. They did that and they found out from the town government that they were in violation of the sign code. They challenged that in court. They lost, they being the church, Pastor Reed. They appealed it and they lost the appeal and then they went to the Supreme Court. The Supreme Court, as I said, in Reed, which is the pastor's name, versus the Town of Gilbert looked at this whole process and came to, I'll give you a little summary, the end of their decision by saying that any sign that's placed that's based on content that's placed in any way in a public way in the community all have to be treated the same. That is, we can't have different rules and regs and laws for signs that pertain to political candidates or to bean suppers or to church announcing where church is maybe gathering. The decision was very clear. It said that everything had to be treated exactly the same. As a result of that, there were several law suits pending and so L.D. 1592 in the State of Maine addresses our current law

that needs to be changed so that we meet and satisfy the Supreme Court decision. Again, any sign with the same content, and that could be, for example, Roger Katz for Senate, has to be treated exactly the same as would be the bean supper that's happening. That means they cannot be regulated differently. In this bill, L.D. 1592, what we've said is that maximum size of signs, all signs, 4 x 8 feet. They cannot be any closer than 30 feet, and this is the one that may get some of you. We're used to sometimes putting signs up every 3 or 4 feet, especially towards the end of a campaign period. What this says is that you cannot have the same content-based sign any closer than 30 feet. Your opponent can be right next to you, but yours can't be any closer than 30, neither can your opponents as far as that goes. Everything has to be regulated the same, in summary, everything has to be treated the same, and the 30 foot rule is what we put in this bill. The recommendation was 200 feet. We rejected that, of course, for obvious reasons. Maximum size is 4 x 8. Sign has to have your name and address, which we do on it now anyways. There now will be the same enforcement of the same sign police, which will be the Department of Transportation. I'm not sure if they are going to have little cars that come around and check on these and measure the sign difference and the length between the two, but that's what it is. Not to be confused, same content regulates the 30 feet. Same content. Again, I think this may or may not have some impact to your constituents, especially when it comes to events that are happening in your community, if they want to put a sign in a public way. It has to be with that regulated distance. Mr. President, that's it. There isn't anything you can do about it. If you have any questions I'd be happy, and I'm sure the Senator from York who also knows all about this, to answer questions, either one of us. Thank you, Mr. President.

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

Senator **COLLINS:** Thank you, Mr. President. Ladies and gentlemen of the Senate, yes, this is the result of the court proceedings and its conformity. It's going to be required. We had a tough time with this at the committee level. A lot of folks were in question whether or not they want to support it. I think that we have to support this in order to conform with the courts. I'd recommend that we do that. I have an idea things are going to change down the line. For now, I think we have to conform to it and I'll just reiterate what Senator Diamond of Cumberland said, I don't know who's going to enforce these regulations. We have a shortage now of people out on the road doing things for our highways and bridges and I can't imagine DOT sending out folks to monitor the signs. I guess I'll resolve to voting for it. Thank you, Mr. President.

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

Ordered sent down forthwith.

An Act To Support Maine People in Recovery

H.P. 1019 L.D. 1496
(C "A" H-546)

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

Off Record Remarks

Resolves

Resolve, To Direct Legislative Staff To Recodify and Revise the Maine Probate Code and To Direct the Probate and Trust Law Advisory Commission and the Family Law Advisory Commission To Study and Make Recommendations on Related Issues

H.P. 900 L.D. 1322
(C "A" H-539)

FINALLY PASSED and, having been signed by the President Pro Tempore, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

Resolve, To Provide the Engineering Study and Planning Needed for a Statewide, Centrally Located Emergency Services Training Facility and Several Regional Training Facilities

H.P. 436 L.D. 655
(C "A" H-528)

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

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Strengthen Protection from Abuse Laws"
H.P. 1127 L.D. 1654

Comes from the House, **REFERRED** to the Committee on **JUDICIARY** and ordered printed.

On motion by Senator **BURNS** of Washington, **REFERRED** to the Committee on **JUDICIARY** and ordered printed, in concurrence.

Off Record Remarks

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

On motion by Senator **MASON** of Androscoggin, **ADJOURNED**, until Thursday, March 17, 2016, at 10:00 in the morning, in memory of and lasting tribute to Leon A. Gorman of Yarmouth.