

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
Thursday
March 31, 2016

Senate called to order by President Pro Tempore Peter E. Edgcomb of Aroostook County.

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

PASTOR DRAKE: Thank you, Mr. President. Senators, I'd like to begin with a reading from First Kings, Chapter 3. This is the story of King Solomon's request before God. "Now, O Lord, my God, You have made me King instead of my father, David, but I am like a little child who doesn't know his way around. Here I am in the midst of Your own chosen people, a nation so great and numerous they cannot be counted. Give me an understanding heart so that I can govern Your people well and know the difference between right and wrong. For who, by himself, is able to govern this great people of Yours." The Lord was pleased that Solomon had asked for wisdom, so God replied, "Because you have asked for wisdom in governing my people with justice and have not asked for a long life or wealth or the death of your enemies, I will give you what you asked for. I will give you a wise and understanding heart such as no one else has had or ever will have." With Solomon's wisdom in mind, let us bow our hearts in prayer.

Lord, we thank You for these faithful servants. Today they will have many tasks, many messages, meetings, they'll have challenges, difficult decisions to make. At the end of the day they will be tired. They will be tired because they have chosen to become public servants. You, Lord, have given us the model of what it is to serve others. May they know today that You are watching over them, guiding them, granting them wisdom and discernment. May Your love wash over them and bless them. We live in a time of worldwide troubles, difficult times, frightening events unfolding before our eyes. In our own country there are challenges every day. In the midst of all of this we pray that they would know Your peace that transcends all understanding. Bless them, Lord, their families, their loved ones. May their work be a joy and not a burden. Refresh them today. May know that we are deeply grateful for their service and sacrifice. Bless this great Senate. Bless our Governor. Bless the great state of Maine. We pray this in Jesus' name. Amen.

Pledge of Allegiance led by Senator Garrett Paul Mason of Androscoggin County.

Reading of the Journal of Wednesday, March 30, 2016.

Rep. Mitchell of Penobscot Nation was absent.

Doctor of the day, Marguerite Pennoyer, M.D. of Scarborough.

Off Record Remarks

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

COMMUNICATIONS

The Following Communication: S.C. 916

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

March 29, 2016

The Honorable Michael D. Thibodeau
President of the Senate of Maine
127th Maine State Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Honorable Keith A. Powers of Cape Elizabeth, for appointment as an Active Retired Judge of the District Court .

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	2	Burns of Washington, Johnson of Lincoln
	Representatives	9	Hobbins of Saco, Evangelos of Friendship, Ginzler of Bridgton, Herrick of Paris, McCreight of Harpswell, Monaghan of Cape Elizabeth, Moonen of Portland, Sherman of Hodgdon, Warren of Hallowell
NAYS		0	
ABSENT		2	Sen. Volk of Cumberland, Rep. Guerin of Glenburn

Eleven members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Honorable Keith A. Powers of Cape Elizabeth, for appointment as an Active Retired Judge of the District Court be confirmed.

Signed,

S/David C. Burns
Senate Chair

S/Barry J. Hobbins
House Chair

READ and ORDERED PLACED ON FILE.

The President Pro Tempore laid before the Senate the following: "Shall the recommendation of the Committee on **JUDICIARY** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 158, and with Joint Rule 506 of the 127th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#569)

YEAS: Senators: None

NAYS: Senators: ALFOND, BAKER, BRAKEY, BREEN, BURNS, COLLINS, CUSHING, CYRWAY, DAVIS, DIAMOND, DILL, GERZOFKY, GRATWICK, HAMPER, HASKELL, JOHNSON, KATZ, LANGLEY, LIBBY, MASON, MCCORMICK, MILLETT, MIRAMANT, PATRICK, ROSEN, SAVIELLO, THIBODEAU, VALENTINO, VOLK, WHITEMORE, WILLETTE, WOODSOME, THE PRESIDENT PRO TEMPORE - PETER E. EDGECOMB

EXCUSED: Senator: HILL

No Senator having voted in the affirmative and 33 Senators having voted in the negative, with 1 Senator being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of the Honorable **Keith A. Powers** of Cape Elizabeth for appointment as an Active Retired Judge of the District Court was **CONFIRMED**.

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

The Following Communication: S.C. 915

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

March 29, 2016

The Honorable Michael D. Thibodeau
President of the Senate of Maine
127th Maine State Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Honorable E. Allen Hunter of Caribou, for appointment as an Active Retired Justice of the Superior Court.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	2	Burns of Washington, Johnson of Lincoln
	Representatives	10	Hobbins of Saco, Evangelos of Friendship, Ginzler of Bridgton, Guerin of Glenburn, Herrick of Paris, McCreight of Harpwell, Monaghan of Cape Elizabeth, Moonen of Portland, Sherman of Hodgdon, Warren of Hallowell
NAYS		0	
ABSENT		1	Sen. Volk of Cumberland

Rep. Mitchell of Penobscot Nation was absent.

Twelve members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Honorable E. Allen Hunter of Caribou, for appointment as an Active Retired Justice of the Superior Court be confirmed.

Signed,

S/David C. Burns
Senate Chair

S/Barry J. Hobbins
House Chair

READ and ORDERED PLACED ON FILE.

The President Pro Tempore laid before the Senate the following: "Shall the recommendation of the Committee on **JUDICIARY** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 158, and with Joint Rule 506 of the 127th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#570)

YEAS: Senators: None

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

EXCUSED: Senator: HILL

No Senator having voted in the affirmative and 33 Senators having voted in the negative, with 1 Senator being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of the Honorable **E. Allen Hunter** of Caribou for appointment as an Active Retired Justice of the Superior Court was **CONFIRMED**.

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

The Following Communication: S.C. 911

**STATE OF MAINE
ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE
COMMITTEE ON LABOR, COMMERCE, RESEARCH AND
ECONOMIC DEVELOPMENT**

March 29, 2016

The Honorable Michael D. Thibodeau
President of the Senate of Maine
127th Maine State Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Labor, Commerce, Research and Economic Development has had under consideration the nomination of Lois Skillings of Brunswick, for reappointment to the Midcoast Regional Redevelopment Authority.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	3	Volk of Cumberland, Cushing of Penobscot, Patrick of Oxford
	Representatives	10	Herbig of Belfast, Austin of Gray, Bates of Westbrook, Campbell of Newfield, Fecteau of Biddeford, Gilbert of Jay, Lockman of Amherst, Mastraccio of Sanford, Stetkis of Canaan, Ward of Dedham
NAYS		0	
ABSENT		0	

Thirteen members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Lois Skillings of Brunswick, for reappointment to the Midcoast Regional Redevelopment Authority be confirmed.

Signed,

S/Amy F. Volk
Senate Chair

S/Erin D. Herbig
House Chair

READ and ORDERED PLACED ON FILE.

The President Pro Tempore laid before the Senate the following: "Shall the recommendation of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 158, and with Joint Rule 506 of the 127th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#571)

YEAS: Senators: None

NAYS: Senators: ALFOND, BAKER, BRAKEY, BREEN, BURNS, COLLINS, CUSHING, CYRWAY, DAVIS, DIAMOND, DILL, GERZOFISKY, GRATWICK, HAMPER, HASKELL, JOHNSON, KATZ, LANGLEY, LIBBY, MASON, MCCORMICK, MILLETT, MIRAMANT, PATRICK, ROSEN, SAVIELLO, THIBODEAU, VALENTINO, VOLK, WHITTEMORE, WILLETTE, WOODSOME, THE PRESIDENT PRO TEMPORE - PETER E. EDGECOMB

Representatives 10 Herbig of Belfast, Austin of Gray, Bates of Westbrook, Campbell of Newfield, Fecteau of Biddeford, Gilbert of Jay, Lockman of Amherst, Mastraccio of Sanford, Stetkis of Canaan, Ward of Dedham

NAYS 0

ABSENT 1 Sen. Cushing of Penobscot

Twelve members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Sharon Eggleston of Brunswick, for appointment to the Midcoast Regional Redevelopment Authority be confirmed.

Signed,

S/Amy F. Volk
Senate Chair

S/Erin D. Herbig
House Chair

READ and ORDERED PLACED ON FILE.

The President Pro Tempore laid before the Senate the following: "Shall the recommendation of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 158, and with Joint Rule 506 of the 127th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#572)

YEAS: Senators: None

NAYS: Senators: ALFOND, BAKER, BRAKEY, BREEN, BURNS, COLLINS, CUSHING, CYRWAY, DAVIS, DIAMOND, DILL, GERZOFISKY, GRATWICK, HAMPER, HASKELL, JOHNSON, KATZ, LANGLEY, LIBBY, MASON, MCCORMICK, MILLETT, MIRAMANT, PATRICK, ROSEN, SAVIELLO, THIBODEAU, VALENTINO, VOLK, WHITTEMORE, WILLETTE, WOODSOME, THE PRESIDENT PRO TEMPORE - PETER E. EDGECOMB

EXCUSED: Senator: HILL

EXCUSED: Senator: HILL

No Senator having voted in the affirmative and 33 Senators having voted in the negative, with 1 Senator being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Lois Skillings** of Brunswick for reappointment to the Midcoast Regional Redevelopment Authority was **CONFIRMED**.

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

The Following Communication: S.C. 912

STATE OF MAINE ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE COMMITTEE ON LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT

March 29, 2016

The Honorable Michael D. Thibodeau
President of the Senate of Maine
127th Maine State Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Labor, Commerce, Research and Economic Development has had under consideration the nomination of Sharon Eggleston of Brunswick, for appointment to the Midcoast Regional Redevelopment Authority.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS Senators 2 Volk of Cumberland, Patrick of Oxford

No Senator having voted in the affirmative and 33 Senators having voted in the negative, with 1 Senator being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Sharon Eggleston** of Brunswick for appointment to the Midcoast Regional Redevelopment Authority was **CONFIRMED**.

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

The Following Communication: S.C. 913

**STATE OF MAINE
ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE
COMMITTEE ON LABOR, COMMERCE, RESEARCH AND
ECONOMIC DEVELOPMENT**

March 29, 2016

The Honorable Michael D. Thibodeau
President of the Senate of Maine
127th Maine State Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Labor, Commerce, Research and Economic Development has had under consideration the nomination of Joshua W. Bragg of East Machias, for appointment to the Washington County Development Authority.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	3	Volk of Cumberland, Cushing of Penobscot, Patrick of Oxford
	Representatives	10	Herbig of Belfast, Austin of Gray, Bates of Westbrook, Campbell of Newfield, Fecteau of Biddeford, Gilbert of Jay, Lockman of Amherst, Mastraccio of Sanford, Stetkis of Canaan, Ward of Dedham
NAYS		0	
ABSENT		0	

Thirteen members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Joshua W. Bragg of East Machias, for appointment to the Washington County Development Authority be confirmed.

Signed,

S/Amy F. Volk
Senate Chair

S/Erin D. Herbig
House Chair

READ and ORDERED PLACED ON FILE.

The President Pro Tempore laid before the Senate the following: "Shall the recommendation of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 158, and with Joint Rule 506 of the 127th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#573)

YEAS: Senators: None

NAYS: Senators: ALFOND, BAKER, BRAKEY, BREEN, BURNS, COLLINS, CUSHING, CYRWAY, DAVIS, DIAMOND, DILL, GERZOFKY, GRATWICK, HAMPER, HASKELL, JOHNSON, KATZ, LANGLEY, LIBBY, MASON, MCCORMICK, MILLETT, MIRAMANT, PATRICK, ROSEN, SAVIELLO, THIBODEAU, VALENTINO, VOLK, WHITTEMORE, WILLETTE, WOODSOME, THE PRESIDENT PRO TEMPORE - PETER E. EDGEComb

EXCUSED: Senator: HILL

No Senator having voted in the affirmative and 33 Senators having voted in the negative, with 1 Senator being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Joshua W. Bragg** of East Machias, for appointment to the Washington County Development Authority was **CONFIRMED**.

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

The Following Communication: S.C. 914

**STATE OF MAINE
ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE
COMMITTEE ON LABOR, COMMERCE, RESEARCH AND
ECONOMIC DEVELOPMENT**

March 30, 2016

The Honorable Michael D. Thibodeau
President of the Senate of Maine
127th Maine State Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Labor, Commerce, Research and Economic Development has had under consideration the nomination of Emery Deabay of Bucksport, for reappointment to the Workers' Compensation Board.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	3	Volk of Cumberland, Cushing of Penobscot, Patrick of Oxford
	Representatives	10	Herbig of Belfast, Austin of Gray, Bates of Westbrook, Campbell of Newfield, Fecteau of Biddeford, Gilbert of Jay, Lockman of Amherst, Mastraccio of Sanford, Stetkis of Canaan, Ward of Dedham
NAYS		0	
ABSENT		0	

Thirteen members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Emery Deabay of Bucksport, for reappointment to the Workers' Compensation Board be confirmed.

Signed,

S/Amy F. Volk
Senate Chair

S/Erin D. Herbig
House Chair

READ and ORDERED PLACED ON FILE.

The President Pro Tempore laid before the Senate the following: "Shall the recommendation of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** be overridden?"

Senator **VOLK** of Cumberland moved to **TABLE** until Later in Today's Session, pending **CONSIDERATION**.

Senator **PATRICK** of Oxford requested a Roll Call.

Senate at Ease.

Senate called to order by the President.

Senator **PATRICK** of Oxford requested and received leave of the Senate to withdraw his request for a Roll Call.

On motion by Senator **VOLK** of Cumberland, Nomination **TABLED** until Later in Today's Session, pending **CONSIDERATION**.

The Following Communication: S.C. 909

**STATE OF MAINE
ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE
COMMITTEE ON HEALTH AND HUMAN SERVICES**

March 28, 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 Health and Human Services has voted unanimously to report the following bill(s) out "Ought Not to Pass":

L.D. 885	An Act To Promote Enhanced Eligibility Verification in Maine's Welfare System
L.D. 1648	An Act To Amend the Laws Governing the Controlled Substances Prescription Monitoring Program and To Review Limits on the Prescription of Controlled Substances

This is notification of the Committee's action.

Sincerely,

S/Sen. Eric L. Brakey
Senate Chair

S/Rep. Andrew M. Gattine
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 910

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

March 28, 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 Taxation has voted unanimously to report the following bill(s) out "Ought Not to Pass":

- L.D. 1519 An Act To Amend the Tax Laws To Strengthen Charitable Institutions, Encourage Home Ownership and Manage Medical Expenses
- L.D. 1667 An Act To Protect the Tax Base of Municipalities by Removing the Property Tax Exemption for Land Held for Conservation or Public Access Purposes

This is notification of the Committee's action.

Sincerely,

S/Sen. Earle L. McCormick S/Rep. Adam A. Goode
Senate Chair House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 917

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

March 30, 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 Aroostook, Senator Edgecomb to serve as President Pro Tempore. With this appointment Senator Edgecomb will serve as President Pro Tempore for the start of the regularly scheduled session on March 31, 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.

The Following Communication: H.C. 503

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

March 30, 2016

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

Dear Secretary Priest:

Senate Paper 82, Legislative Document 213, "An Act To Ensure the Comprehensive Medical, Dental, Educational and Behavioral Assessment of Children Entering State Custody," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

81 voted in favor and 66 against, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

Sincerely,

S/Robert B. Hunt
Clerk of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: H.C. 501

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

March 29, 2016

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

Dear Honorable Members of the 127th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 1517, "An Act To Enable an Alternative Organizational Structure To Purchase Group Health Insurance for Its Employees."

While I support the principle of enabling alternative organizational structures (AOS) to use scale to lower the cost of the insurance benefits they provide, this bill does not go far enough. Given the number of teachers and public employees throughout the state, there is much more we could do to allow municipal employees, state employees, university and community college employees, among others, to pool together to achieve cost savings. This bill does not provide an AOS with the option to join the state's benefit plan; instead it focuses on a narrow solution to a broad problem.

In his testimony presenting this bill, the bill's sponsor described the current challenge to the AOS system as an unintended consequence of the federal Affordable Care Act (ACA). That is being far too kind. The ACA was a sham, sold to the American people upon the premise that government mandates could lower the cost of insurance for hard-working men and women in this country while destroying the ability of the private sector to compete. In reality, the ACA continues to threaten the ability of the State of Maine, as an employer, to provide quality affordable benefits to state employees.

In December, Congress delayed the implementation of the Cadillac Tax until 2020. Had they not acted, many public employers in Maine, including the State and the University System, would be punished for providing generous, affordable benefits to our public sector employees and they still will be punished, until Congress acts to repeal this draconian measure that is certain to harm Maine people and Maine institutions.

I invite the Legislature and the newly established Commission to Reform Public Education Funding and Improve Student Performance in Maine to examine opportunities to reduce the cost of health insurance across all public sector institutions by leveraging scale if we pool our resources together. I am not content to nibble around the edges of our ballooning public costs. Now is the time for bold action.

For these reasons, I return LD 1517 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The accompanying Bill:

An Act To Enable an Alternative Organizational Structure To Purchase Group Health Insurance for Its Employees
(EMERGENCY)

H.P. 1042 L.D. 1517

Comes from the House, 134 members having voted in the affirmative and 13 in the negative, the veto of the Governor was Overridden and it was the vote of the House that the Bill become law notwithstanding the objections of the Governor.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#574)

YEAS: Senators: ALFOND, BAKER, BRAKEY, BREEN, BURNS, COLLINS, CUSHING, CYRWAY, DAVIS, DIAMOND, DILL, GERZOFISKY, GRATWICK, HAMPER, HASKELL, JOHNSON, KATZ, LANGLEY, LIBBY, MASON, MILLETT, MIRAMANT, PATRICK, ROSEN, SAVIELLO, THIBODEAU, VALENTINO, VOLK, WHITEMORE, WOODSOME

NAYS: Senators: MCCORMICK, WILLETTE, THE PRESIDENT PRO TEMPORE - PETER E. EDGEComb

EXCUSED: Senator: HILL

30 Senators having voted in the affirmative and 3 Senators having voted in the negative, with 1 Senator being excused, and 30 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

SENATE PAPERS

Bill "An Act To Establish a Public Service Berthing Vessel License for the Sale of Liquor"

S.P. 696 L.D. 1690

Presented by Senator MIRAMANT of Knox.
Cosponsored by Representative HOBBS of Saco and
Senators: ALFOND of Cumberland, LANGLEY of Hancock,
PATRICK of Oxford, Representatives: EVANGELOS of
Friendship, WARD of Dedham.
Approved for introduction by a majority of the Legislative Council
pursuant to Joint Rule 205.

On motion by Senator **CYRWAY** of Kennebec, **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS** and ordered printed.

Sent down for concurrence.

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

ORDERS

Joint Orders

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

S.P. 695

ORDERED, the House concurring, that the Joint Standing Committee on Criminal Justice and Public Safety shall report out, to the Senate, a bill to increase the tax assessment for correctional services for Oxford County to \$2,050,000.

READ and PASSED.

Sent down for concurrence.

Expressions of Legislative Sentiment recognizing:

The Honorable Jayne Crosby Giles, of Belfast, who was recognized as a Financial Services Champion for Maine and New England by the United States Small Business Administration. Ms. Giles, a former member of the House of Representatives representing Belfast, is Chief Executive Officer of MaineStream Finance in Bangor, a nonprofit organization dedicated to promoting economic development through the provision of credit, capital and financial services that are often unavailable from traditional financial institutions. She has over 30 years of banking experience. We extend our congratulations and best wishes to Ms. Giles on her receiving this prestigious honor;

SLS 1084

Sponsored by President **THIBODEAU** of Waldo.

Cosponsored by Representative: **HERBIG** of Belfast.

READ.

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

Senator **THIBODEAU**: Thank you, Mr. President. Ladies and gentlemen of the Senate, often we talk about the fact that when we become part of this Body, or the other Body at the other end of the hall, we all become part of a family. I enjoy the opportunity to honor a member of our family. The Honorable Jayne Giles, indeed, is a member of this family. She served here for two terms a few years ago and represented the community of Belfast and did a fabulous job doing just that. Today I am able to talk just a little bit about Jayne and her accomplishments in the private sector. Jayne not only cares about the folks of Belfast, she cares about the people of the state of Maine and has spent her entire

life trying to make sure that Maine's economy is as vibrant as possible. She has done that through her work as a loan officer and has received, obviously, a prestigious recognition for that lifelong commitment to making sure that the Maine small businesses have access to capital. Today I'm just pleased to be able to stand and recognize somebody that I consider a friend, I think that many of the folks in this Chamber consider a very good friend, and it's nice to see somebody like Jayne recognized and honored by her colleagues and friends. Mr. President, I appreciate the opportunity just to remind everybody of the success of a member of our family. Thank you.

THE PRESIDENT PRO TEMPORE: The Chair recognizes the Senator from Hancock, Senator Langley.

Senator **LANGLEY**: Thank you, Mr. President. Men and women of the Senate, I'd just like to rise to add a couple of extra words to the good Senator Thibodeau. One of the greatest things about being in a citizen led legislature is that people come from all walks of life and bring their expertise here. I had the pleasure of serving with Representative Giles in the 124th in the other Body. I can't tell you how nice it was to be able to speak with a person of her nature, that spent all of her years in community banking providing loans to the frontlines of people, citizens, getting homes and businesses. That expertise, which is not mine, was very valuable. This is a tremendous honor for her and she deserves every bit of it. Thank you, men and women of the Senate.

PASSED.

Sent down for concurrence.

THE PRESIDENT PRO TEMPORE: The Chair is pleased to recognize in the rear of the Chamber Jayne Giles, with husband, Mike Giles, of Belfast. Would they please stand and accept the greetings of the Senate.

Nick Gilpin, of Hampden, a senior at Hampden Academy and a player on the boys basketball team, who was named Mr. Maine Basketball for 2016 by the Maine Association of Basketball Coaches. Nick led the Hampden Academy team to an 82-4 overall record during the last four years, with three Eastern Maine Class A championships and Class A State titles in 2013 and 2014. The team never lost a home game with Nick on the court. This year, he averaged 17.6 points, 7.2 rebounds and 7.4 assists per game, and he ends his high school career with 1,093 points, 519 assists and 461 rebounds. He was also named the Kennebec Valley Athletic Conference Class A Player of the Year. We extend to Nick our congratulations and best wishes;

SLS 1087

Sponsored by Senator **CUSHING** of Penobscot.

Cosponsored by Senator: President **THIBODEAU** of Waldo, Representative: **DAVITT** of Hampden.

READ.

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

Senator **CUSHING**: Thank you, Mr. President. Ladies and gentlemen of the Senate, as many of us know, this is one of the privileges accorded us, the opportunity to recognize and highlight people in our communities who have gone on and made significant accomplishments. Today I'd like to share with you one of those individuals from Hampden, a young man who's done some pretty amazing things in his career. I'd like to start by mentioning the name Gilpin. It's been synonymous with some of the recent success of the Hampden Academy Basketball program. For more than six seasons now Nick, his brother, Zack, before him, and now his sister, Marisa, have been fixtures of Hampden basketball. For Nick Gilpin, I'm sure, it's a dream come true; having played some really good basketball and being able to do it with your brother; having several very successful seasons, scoring the buzzer beating three point shot from mid-court that moved the Hampden Broncos onto the Eastern Maine Championship in 2014; winning three consecutive Eastern Maine Championships and two Class A State titles and being selected the 2016 Maine Mr. Basketball. His high school career concludes, as was mentioned, with over 1,000 points, 500 assists, and almost 500 rebounds; setting pretty high standards for others to emulate. His high school career will show 82 wins and 3 losses. Most importantly through this is what he demonstrates both on and off the court; a level of leadership and character that serves him well now and may help define what he may do in the future. MCI basketball coach Josh Tardy had this to say about Nick Gilpin. "I was always impressed with how he truly lives his commitment to the team approach in basketball. This is what I always try to instill in my players. He is a model of how the game should be played." His coach, Russ Bartlett, himself a model of discipline and respect and teamwork, offered this thought. "The thing about Nick is he's very unselfish player. The success of the team always came first over his own personal success." This, ladies and gentlemen, is what we all desire in the young people who play athletics in our schools, that they will learn the importance of working together with grace and character. Nick Gilpin seems to have learned this and he lives it. We wish him well as he now goes on to college and are pleased to know he's staying here in Maine to attend Bates College. I am sure we've not heard the last of a Gilpin making a contribution to a sports team here in Maine. Thank you, Mr. President.

PASSED.

Sent down for concurrence.

THE PRESIDENT PRO TEMPORE: The Chair is pleased to recognize in the rear of the Chamber Nick Gilpin of Hampden. Would he please rise and accept the greetings of the Maine Senate.

The Hampden Academy Unified Basketball Team, which won the Unified Basketball North Regional Championship. Members of the team include seniors Kelsey Tripp, Kyle Townsend, Zach Ewing, Robbie Martin, Tyler Hewey, Dakota Clement and Chandler St. Clair; juniors Tessa Dinardo and Andrew Gendreau; sophomores Sarah Southard, Alex Ross, Isaiah Palmer, Josephine Trojecki and Kenny Brewer-Frazee; freshmen Eliot Small and Luke Kelley; managers Margaret Thurlow and Garrett White; and cheerleader Madison Springer. The team is coached

by Andrea Lee and Linda MacDonald. We extend to all the members of the team our congratulations and best wishes;
SLS 1088

Sponsored by Senator CUSHING of Penobscot.
Cosponsored by Senator: President THIBODEAU of Waldo,
Representative: DAVITT of Hampden.

READ.

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

Senator **CUSHING**: Thank you again, Mr. President. Ladies and gentlemen of the Senate, thank you for allowing me the privilege to highlight yet another unique and special accomplishment that Hampden has to offer, the Unified Basketball program. For those of you who may not be aware, Mr. President, Unified Basketball partners unified student athletes with other students as unified student partners to train, compete, and represent their school. Unified sports impacts all kinds of students and helps promote physical activity, teamwork, sportsmanship, and social inclusion. It gives students who have a common love of a sport a chance, in their own league, on their own terms, to support each other while competing. Hampden Academy has been a partner in Unified Sports Basketball for two seasons and they have been successful in winning both their Regional and their State Championships both years. The biggest win, though, has nothing to do with basketball, but it has to do with the friendships and support they offer to one another. It's a real community event that adds a special dynamic to this program and allows all students and parents a chance to leave fulfilled, regardless of who wins the game. I'm very proud to have with us today, Mr. President, the members of the Championship Hampden Academy Unified Basketball Team. Included in that is a young man, Zack Ewing, who was also just chosen this year as Mr. Hampden Academy, which I think speaks well to both his character and the support and success that Hampden Academy feels for their Unified Basketball Team. Thank you, Mr. President, for this opportunity to speak on these wonderful young people.

PASSED.

Sent down for concurrence.

THE PRESIDENT PRO TEMPORE: The Chair is pleased to recognize in the rear of the Chamber members of the Hampden Unified Basketball Team, along with their Coaches, Andrea Lee and Linda MacDonald, Mr. Wiseman, and Coach Russ Bartlett. They are the guests today of Senator Cushing of Penobscot and Senator Thibodeau of Waldo. Will the guests please rise and accept the greetings of the Maine Senate.

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

PAPERS FROM THE HOUSE

Joint Order

The following Joint Order:

H.P. 1155

**JOINT RESOLUTION
TO RECOGNIZE MAINE PATROL OFFICERS FOR THEIR
RESCUE AND LIFESAVING ACTIONS**

WHEREAS, the Maine Marine Patrol is responsible for the investigative and protective services work of the Department of Marine Resources, enforcing the State's marine resources conservation laws, rules and regulations; and

WHEREAS, the Maine Marine Patrol is responsible for patrolling the coast of Maine by land and aboard patrol vessels, protecting marine resources, coastal property and the public as the Maine Marine Patrol enforces applicable laws and investigates complaints and incidents; and

WHEREAS, marine patrol officers are highly trained professionals who undergo an extensive, thorough and time-consuming examination process; and

WHEREAS, a marine patrol officer must have knowledge of the laws and rules of the State, knowledge of search and rescue methods and knowledge of fish and marine life and their environment and habits in Maine coastal waters; and

WHEREAS, in a marine patrol officer's capacity as a law enforcement agent, an officer must show ability to use and maintain firearms, to communicate effectively, to endure strenuous physical activity and to quickly assess available facts and make sound decisions; and

WHEREAS, marine patrol officers serve our State proudly, protect our quality of life and exemplify the best character of our citizens, often putting their own lives at risk in public service; and

WHEREAS, we take this opportunity to salute the following marine patrol officers for their heroic rescue and lifesaving actions:

Marine Patrol Sergeant Russell Wright, of Lubec;
Marine Patrol Specialist Mark Murry, of Marshfield;
Marine Patrol Officer Wesley Dean, of Warren;
Marine Patrol Officer Brian Brodie, of Lubec;
Marine Patrol Officer Benjamin Burnes, of Wells;
Marine Patrol Officer Brian Tolman, of West Rockport; and
Marine Patrol Specialist Corrie Roberts, of Lincolnville; 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 heroic actions of marine patrol officers and the dedication, commitment and efforts of these public servants; and be it further

RESOLVED: That we extend our appreciation to all the men and women who serve as marine patrol officers for their dedication to the people and to the State; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Department of Marine Resources and to the individuals we recognize.

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

READ.

THE PRESIDENT PRO TEMPORE: The Chair recognizes the Senator from Sagadahoc, Senator Baker.

Senator **BAKER:** Thank you very much, Mr. President. Ladies and gentlemen of the Senate, I rise today to recognize the Maine Marine Patrol for their dedication to keeping our coastline safe. Here in Maine we are blessed with an abundant coastline that provides our citizens and people from all over the world with beautiful views, delicious seafood, and the means to earn a living. However, the ocean also brings with it dangers, both natural and manmade. That is where the Marine Patrol comes in. The Marine Patrol consistently goes above and beyond expectations in performing their duties and is highly regarded throughout all of New England. As a law enforcement agency, the Marine Patrol is responsible for enforcing our maritime laws and doing so in what can sometimes be treacherous conditions. They must know the waters in and out, not only how to navigate but also the marine life within. Their search and rescue knowledge is crucial to ensuring that our fishermen stay safe and that our recreational boaters and swimmers stay safe as well. In a coastal district like mine, where so much of our work and our play revolves around the ocean, I am particularly glad to know we have the talented men and women of the Marine Patrol on the job. Thank you, Maine Marine Patrol, for all you do to keep our waters safe.

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

Senator **BURNS:** Thank you, Mr. President. Ladies and gentlemen of the Senate, it's a great honor to be able to speak just very briefly about the men and women that are setting behind us here. As you can see, kind of the lion's share of this list comes from my district. We're very proud of them, very proud of all of them. I'm always amazed when I talk to my constituents, especially the fishing industry, of all the good things that I hear about the people that enforce that industry. I'm not sure that was always said about me when I was in uniform, but I had a different constituency. It's very gratifying to have these folks honored here today because they do an incredible job and they are an example of the law enforcement that we enjoy here in the state of Maine. It's a great honor to speak about them today. Thank you, Mr. President.

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

Senator **MIRAMANT:** Thank you, Mr. President. Men and women of the Senate, the Marine Patrol has had to work some issues where the experience and skills of the Marine Patrol have been brought to light and it's been a real pleasure. Not only that, I've been on the water my whole life and knowing that they are there in our coastal waters has been a real pleasure for me. I have the phone number on speed dial in my cell phone for the advent of that. It works much better than the radio in my boat does. We also had occasion to work on a bill that brought out a lot of comments from folks and we saw some of the darker side of our fishing industry too. We heard some things that these folks have to deal with daily, and I don't envy them that part of their job. I'll bet they love many parts, but having to work some of the darker character of some folks, that, fortunately, are a minority, must tax their skills and abilities. They are ready for an emergency. They're ready for the routine of their job. They're ready to face the ocean and whatever it throws at them every day. Then they work with some of the dark sides of character. I

don't know how you'd write a job description and then fill it with some people that are more dedicated and enjoy their job more than this group. I was a little ahead of myself. I wanted to come shake their hands. We're well represented in Knox County by these folks and I thank you all for your service to the people of Maine and I will still come over and shake your hands in a minute.

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

Senator **CYRWAY:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I'd like to just take a moment and show my appreciation for their work. I've managed to actually be on their boats for the last 17 years. I've managed to meet some of these fine gentlemen and I've seen how they work. They are very personable with everyone that they come in contact with. They really try their best. They are very well trained. They know how to handle most situations that are out there. They work very close with the Coast Guard. I've really got an appreciation of what they go through in all kinds of weather. It's not very pleasant in those really cold rainy and damp days. They go through it just like it's no different than a nice sunshiny day. It's amazing. I really have a strong appreciation for what they do and I want to thank them. Thank you, Mr. President.

THE PRESIDENT PRO TEMPORE: The Chair recognizes the Senator from Hancock, Senator Langley.

Senator **LANGLEY:** Thank you, Mr. President. I, too, would like to rise to support the remarks of my colleagues, but wanted to just tell a quick story. I serve on the Marine Resources Committee, it's my second session of doing that. I live on the water up in the Ellsworth area. One day I was at the docks getting water for my lobster tank. There's a friend of mine that owns a dock on Newbury Neck. That's out in the bay, western bay. Some folks, some families, were there vacationing, as it's a beautiful spot. I was standing there filling my tanks and the Moms were concerned about one of the boys who had slipped away in a kayak. If you're not careful, it looks more like a lake, certainly, if you're from away and don't know that the tides actually turn. Their boy, who was about 12 to 14 years old, had gone out over half way out into the bay. They were watching him and he was struggling. He was not able to fight the tide or the current to get back to shore. As the good Senator Miramant was just saying, I have their numbers in my phone as well. Called the Marine Patrol and they have a boat in the Ellsworth pier. They were able to launch somebody fairly quickly. It just goes to show you that they are there. They are out there on the frontlines. They are easily accessible and they risk life and limb to help people get off the water safely. I see them every day. Like I said, I live on the water, the Union River. It's elver season, so I've gotten to know many of their members by first name as they are down checking licenses during this time. If don't know much about elver season, it happens in the middle of the night. These folks are out working all night long during the fishing season here. They keep tremendous hours. Thank you, men and women of the Senate, for letting me add my remarks.

PASSED, in concurrence.

THE PRESIDENT PRO TEMPORE: The Chair is pleased to recognize in the rear of the Chamber Officer Wes Dean; wife, Emily; and parents, Ralph and Susan: Sergeant Russell Wright: Officer Brian Brodie: Specialist Mark Murry: Officer Brian Tolman; wife, Coleen: Specialist Corrie Roberts; nephew, Eli Miller; partner, Meredith Currier; and mother, Barbara Bell: Commissioner Patrick Kelleher: Colonel John Cornish: Major Rene Cloutier. Please join me in recognizing these outstanding citizens of the state of Maine.

Off Record Remarks

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

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

Senate called to order by the President.

Off Record Remarks

Senate at Ease.

Senate called to order by the President.

REPORTS OF COMMITTEE

House

Ought to Pass As Amended

The Committee on **HEALTH AND HUMAN SERVICES** on Resolve, Regarding Legislative Review of Chapter 120: Release of Data to the Public, a Late-filed Major Substantive Rule of the Maine Health Data Organization (EMERGENCY)
H.P. 1135 L.D. 1665

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-618).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-618).**

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

READ ONCE.

Committee Amendment "A" (H-618) **READ** and **ADOPTED**, in concurrence.

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

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

Divided Report

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Provide Access to Affordable Naloxone Hydrochloride for First Responders"
H.P. 1054 L.D. 1547

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-619)**.

Signed:

Senators:

BRAKEY of Androscoggin
HASKELL of Cumberland

Representatives:

GATTINE of Westbrook
BURSTEIN of Lincolnville
HAMANN of South Portland
HEAD of Bethel
HYMANSON of York
MALABY of Hancock
PETERSON of Rumford
STUCKEY of Portland
VACHON of Scarborough

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

Signed:

Senator:

McCORMICK of Kennebec

Representative:

SANDERSON of Chelsea

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-619)**.

Reports **READ**.

Senator **BRAKEY** of Androscoggin moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence.

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

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

Senator **BRAKEY**: Thank you, Mr. President. I just want to speak very briefly. Since we're doing a roll call, I want to speak very briefly to the report and the reasons why I would encourage this Body to adopt the motion before us. What this report does is it would make naloxone, commonly known as Narcan, available over the counter. We've had debates in this Chamber, I know we've had debates over similar issues last year, around this, around Narcan. Narcan is a substance that when an individual is having an overdose on opiates Narcan can be administered and that individual can be spared from death. I know that some folks question the value of it, of Narcan, on the basis of their worry that this encourages risky behavior and I think we all agree in this Chamber, every single person here would agree, that we do not want individuals overdosing on these opiates in the first place. I hope that someone who is suffering with an addiction to opiates, and finds himself in this position, will have the opportunity to learn the lesson from the terrible mistake that they're making. At the end of the day, you can't really learn the lesson from such a terrible mistake if you're not alive to learn the lesson. This bill would simply increase access to Narcan. Often times by making Narcan available over the counter, often times it's the family members who are worried about their son or their daughter or who would benefit from being able to have access to this, to have it on hand. This was a bi-partisan report, Republicans and Democrats. As someone who is pro-life, I view this as very much a pro-life bill. We are simply creating the opportunity for individuals to save someone's life so they might have the opportunity to learn the lesson of their mistakes and change their life around. Thank you very much, Mr. President, and I hope the Body will join me in supporting this report.

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

Senator **BURNS**: Thank you, Mr. President. Ladies and gentlemen of the Senate, I'll be very, very brief. I think that passing this bill in this form is a very bad message to be sending to the community that is now struggling with substance abuse. As far as I'm concerned to do this, to make this available over the counter to folks other than first responders and emergency services, is really telling people you have a license to experiment. I think this is a bad move for the state of Maine. Thank you, Mr. President.

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

Senator **CYRWAY**: Thank you, Mr. President. Ladies and gentlemen of the Senate, I'd like to just comment that this is enabling people to use drugs more often. We've had situations where actually there has been in other states use of this sometimes ten times to bring themselves back because they get dependent on it. They say, "Well, I have something that can bring me back." I've talked to, I've worked with, individuals when I was working in the jail. I was a Program Coordinator and I worked

with substance abuse counselors and I also worked as an Assistant Jail Administrator. Actually we had a scared straight program where we would actually bring inmates from the prison to high schools and talk and speak on these situations. Drugs are a very highly addictive substance which can actually get to the point where they don't look for a high any more, they just look for a rush. When it gets to that point, when you start buying this over the counter, they're going to be depending on that. They are going to say, "Hey, you got your Narcan on you, because I've got to use this." They're going to use it and then they're going to depend on that person to be the responsible person and put that in the hands of that young individual and say, "You're going to be responsible for my life." I don't think that's right, to just have over the counter and you're going to be responsible for somebody's life. We're talking really a large responsibility that you're putting on these people. How many of you, if you think about, have actually gave a shot to somebody? I would say 90% of you have not done that. I know Dr. Gratwick has. It's not an easy thing to just give somebody a shot. I remember my first time, I had to give it to a cow. It wasn't fun. I said, "Geez, am I going to hurt this cow?" Then when you give that shot this Narcan puts them in a serious hurt because it really is trying to revive them. You're going to watch them go through a really major change. It's scary. This is for first responders. This is not for just your everyday person to go and do that. I can't even imagine taking a family member, or parent, that's hooked on drugs and expecting their child to go get the Narcan and put it to them. Be careful when you go and vote for this because I think that this is a really big decision. I'd also like to just say this is basically not Sudafed. This is something very important. Thank you, Mr. President, for allowing me to speak.

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

Senator **BREEN:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I rise because I was lead Senate sponsor of this bill and I couldn't be prouder. I think one of the fundamental questions when we talk about addiction is: is it an illness? It is in all the medical literature. It is in my experience. It certainly is in our treatment regimes. Addiction is an illness. This is one treatment that will allow the folks in our communities and our towns, whether they're young people or elderly people or homemakers, whoever they may be, suffering with the illness of addiction to live another day and seek treatment. There was a time when it was only first responders who could use a device like an AED to revive folks who suffer with heart disease. Now we look around all over our communities and we have AEDs. We have folks in the community who know how to perform CPR. We don't tell folks with heart disease, "Oh, we're not going to use this device because, guess what, after we use it you're still going to have heart disease. Sorry." We don't have the same approach to people who have asthma and are having an asthma attack. If I have my daughter's inhaler in the drawer I get it out and I help. You know what, the next day she's still going to have asthma. I don't say, "Sorry, you've had enough asthma treatments." Ladies and gentlemen of the Senate, Mr. President, this bill is very simply about saving lives of people who suffer from the illness of addiction so that they can live another day and get to treatment, so that they can live another day and find rehab, so that their families do not have to feel helpless, and that their families have

hope that that person will live and have another chance to get well. Thank you, Mr. President.

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

Senator **HASKELL:** Thank you very much, Mr. President. Men and women of the Senate, I'd like to read a little bit of testimony to you that was provided to our committee when we heard about this bill. This is the testimony that came, there's a lot of testimony in here. I could be up here quite a while if I talked about the places where this has saved a life. You can't treat someone who's not alive. This is testimony that came from the Maine Chiefs of Police Association. This is a statement of Chief Douglas Bracy, who was the Legislative Committee Chair on behalf of the Maine Chiefs of Police Association. I think it's important to hear what it is they have to say. They speak in here about how law enforcement is the first to respond and they talk some about overdoses and its expansion. Their statement is, and I quote directly, "The Maine Chiefs fully support L.D. 1547." The responses to our opiate crisis that has occurred from our law enforcement officers has been stunning to me in the last year, year and a half. It's been amazing to me that these people on the ground are recognizing that value of treatment and they also recognize the value of Narcan. The York Police Department reported four saves since the inception of its program in 2015. They go on to say, and I will quote, "Although some would argue that we are enabling addicts to continue their ways, we would strongly disagree." Most people don't choose to become addicts. Circumstances such as over prescription fueled this crisis over the last several decades. This is again a direct quote from the Chiefs of Police, "We applaud the sponsor of this bill and our Attorney General for recognizing the importance of Naloxone and for their efforts to make it available." Once again, the Chiefs of Police fully support L.D. 1547. I encourage you to do the same.

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

Senator **GRATWICK:** Thank you very much, Mr. President. Ladies and gentlemen of the Senate, just very briefly. I did my medical training in Harlem Hospital. A number of years in the early 1970's, when Narcan was just a brand new drug. It was quite dramatic. Last year a whole lot of people died in the emergency room of drug overdoses. This year many of them survived. Narcan works. I have to tell you that I'm a very profound believer in the sanctity of life. I think life is very important. I know, personally, probably six people who would not be here if it were not for Narcan. Those are people who made a major contribution to our society. I'm not aware of major side effects for the medicine itself. I'm very much in favor of this bill. Thank you, Mr. President.

THE PRESIDENT: The pending question before the Senate is the motion by the Senator from Androscoggin, Senator Brakey to Accept the Majority Ought to Pass as Amended Report, in concurrence. A Roll Call has been ordered. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#575)

YEAS: Senators: ALFOND, BRAKEY, BREEN, COLLINS, CUSHING, DIAMOND, DILL, EDGEComb, GERZOFsky, GRATWICK, HAMPER, HASKELL, JOHNSON, KATZ, LANGLEY, LIBBY, MASON, MILLETT, MIRAMANT, PATRICK, ROSEN, SAVIELLO, VALENTINO, VOLK, WOODSOME

NAYS: Senators: BAKER, BURNS, CYRWAY, DAVIS, MCCORMICK, WHITTEMORE, WILLETTE, THE PRESIDENT - MICHAEL D. THIBODEAU

EXCUSED: Senator: HILL

25 Senators having voted in the affirmative and 8 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **BRAKEY** of Androscoggin to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **PREVAILED**.

READ ONCE.

Committee Amendment "A" (H-619) **READ** and **ADOPTED**, in concurrence.

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

Divided Report

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Specify That Certain Rules Regarding Services to Persons with Intellectual Disabilities or Autism Are Major Substantive Rules"

H.P. 1151 L.D. 1682

Reported that the same **Ought to Pass**, pursuant to the Maine Revised Statutes, Title 5, chapter 377-A.

Signed:

Senators:
BRAKEY of Androscoggin
HASKELL of Cumberland

Representatives:
GATTINE of Westbrook
BURSTEIN of Lincolnville
HAMANN of South Portland
HEAD of Bethel
HYMANSON of York
PETERSON of Rumford
STUCKEY of Portland
VACHON of Scarborough

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

Signed:

Senator:
McCORMICK of Kennebec

Representatives:
MALABY of Hancock
SANDERSON of Chelsea

Comes from the House with the Majority **OUGHT TO PASS**, pursuant to the Maine Revised Statutes, Title 5, chapter 377-A, Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.

Reports **READ**.

On motion by Senator **BRAKEY** of Androscoggin, the Majority **OUGHT TO PASS**, pursuant to the Maine Revised Statutes, Title 5, chapter 377-A, Report **ACCEPTED**, in concurrence.

READ ONCE.

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

Divided Report

The Majority of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Authorize Advance Deposit Wagering for Horse Racing"

H.P. 875 L.D. 1279

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-614)**.

Signed:

Senators:
CYRWAY of Kennebec
COLLINS of York
PATRICK of Oxford

Representatives:
DILLINGHAM of Oxford
GOLDEN of Lewiston
HANINGTON of Lincoln
KINNEY of Limington
LONGSTAFF of Waterville
MONAGHAN of Cape Elizabeth
SAUCIER of Presque Isle
TURNER of Burlington

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

Signed:

Ordered sent down forthwith.

Representatives:

LUCHINI of Ellsworth
SCHNECK of Bangor

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-614)**.

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 SAVIELLO for the Committee on **ENVIRONMENT AND NATURAL RESOURCES** on Bill "An Act To Update Maine's Solid Waste Management Laws"

S.P. 626 L.D. 1578

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-448)**.

Report **READ**.

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

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 Facilitate the Use of State Education Subsidies
S.P. 573 L.D. 1475
(C "A" S-388)

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.

Off Record Remarks

Emergency Measure

An Act To Amend Lobster and Crab Fishing License Laws
H.P. 1026 L.D. 1503
(H "A" H-610; S "A" S-435
to C "A" H-588)

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

Mandate

An Act To Ensure a Public Process When Discontinuing or Abandoning a Public Road

H.P. 903 L.D. 1325
(S "A" S-414 to C "A" H-558)

This being a Mandate, in accordance with the provisions of Section 21 of Article IX of the Constitution, 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 **PASSED TO BE ENACTED** and, having been signed by the President, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

Acts

An Act To Streamline Judicial Review of Certain Land Use Decisions

H.P. 528 L.D. 775
(C "A" H-602)

An Act To Increase the Safety of Social Workers
H.P. 1022 L.D. 1499
(C "A" H-605)

An Act To Attract and Retain Medical Examiners by Increasing the Fees for Services Provided by Medical Examiners
S.P. 617 L.D. 1565
(C "A" S-443)

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.

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Improve the Maine Tree Growth Tax Law Program"

H.P. 1157 L.D. 1691

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

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

ORDERS OF THE DAY

Unfinished Business

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

The Chair laid before the Senate the following Tabled and Later Assigned (3/29/16) matter:

SENATE REPORT - from the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Implement Certain Recommendations of the Task Force on School Leadership" (EMERGENCY)

S.P. 691 L.D. 1684

Report - **Ought to Pass**

Tabled - March 29, 2016, by Senator **MASON** of Androscoggin

Pending - **ACCEPTANCE OF REPORT**

(In Senate, March 29, 2016, Report **READ**.)

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

The Chair laid before the Senate the following Tabled and Later Assigned (3/9/16) matter:

HOUSE REPORTS - from 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

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-524)** (7 members)

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

Tabled - March 9, 2016, by Senator **CYRWAY** of Kennebec

Pending - **ACCEPTANCE OF EITHER REPORT**

(In House, March 9, 2016, 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)**.)

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

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

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

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

Senator **PATRICK:** Thank you, Mr. President. Ladies and gentlemen of the Senate, colleagues and friends, I rise in opposition to this motion for several reasons. In the newspapers many times over the last several years we've heard of issues where we have puppy mills, we have people have multiple amounts of animals that have been abused; and we, as a collective society, just are appalled at what happens. This bill doesn't do that. What this bill does is allow a group of people to sue the State. I have been on the Committee for 14 years now and suits against the State I do not take lightly and have very rarely ever voted for them. I think this may be the second one that I've voted for in 14 years.

How does this differ from the abused animals that we're are outraged at? Well, Maine requires that all daycare facilities in the State apply for and maintain a license through the Department of Health and Human Services. The Department of Health and Human Services is controlled by the rules for the licensing of childcare facilities which sets guidelines not only for the licensing of childcare facilities but also the qualifications of applicants and employees and the rights of the children within those facilities. What is this bill about? This bill is about numerous families who entrusted their greatest asset, which is our children, to the care of a daycare provider. Ladies and gentlemen, the Department of Health and Human Services, within the department that oversees

this, had 26 to 29 openings during the time that these atrocities to the children, our greatest asset, went on. I really think that there was bungling from the start to the finish. I do realize that they made some corrective actions, which are okay; but when you have kids that are abused day after day, week after week, month after month, for years, shame on us for letting that go. Shame on those that had the responsibility in DHHS to make sure that those kids were taken care of, make sure the complaints that the parents were making were heard, and that there would be corrective action taken for these children who were abused. There were many sorts of abuse that were rained on these kids, and I think that maybe some of the other people will be up to talk about them, but it's appalling to me how we can let any State agency or anyone abuse our kids and get away with it. Was there abuse? Absolutely. Does DHHS know there was abuse? Yes. Did they actually do their due diligence and make sure there were corrections to this daycare center? Well, it's now closed down; but that doesn't take the pain and suffering that these kids had to put up with for years.

The thing of it is, what we decided to do, in agreement with the parents -- there's probably five or six groups of parents and kids that were abused that brought a suit forward -- because of the liability to the State of \$400,000, we actually are only going to allow one group, the group as a whole, to have the opportunity to sue. It doesn't say they're going to win, but they want the opportunity to sue because of the shortcomings of what DHHS did, the abuse that their kids had at the hands of the daycare provider; and I can't see what harm it would do for all of us, unanimously, voting for this, to make sure that they have their day in court, Mr. President. Thank you.

THE PRESIDENT: The pending question before the Senate is the motion by the Senator from Kennebec, Senator Cyrway to Accept the Minority Ought Not to Pass Report, in Non-Concurrence. A Roll Call has been ordered. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#576)

YEAS: Senators: BAKER, BRAKEY, BURNS, CUSHING, CYRWAY, EDGECOMB, HAMPER, MASON, MCCORMICK, ROSEN, WHITTEMORE, WILLETTE, THE PRESIDENT - MICHAEL D. THIBODEAU

NAYS: Senators: ALFOND, BREEN, COLLINS, DAVIS, DIAMOND, DILL, GERZOFISKY, GRATWICK, HASKELL, JOHNSON, KATZ, LANGLEY, LIBBY, MILLETT, MIRAMANT, PATRICK, SAVIELLO, VALENTINO, VOLK, WOODSOME

EXCUSED: Senator: HILL

13 Senators having voted in the affirmative and 20 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **CYRWAY** of Kennebec to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE**, **FAILED**.

The Majority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**, in concurrence.

READ ONCE.

Committee Amendment "A" (H-524) **READ** and **ADOPTED**, in concurrence.

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

The Chair laid before the Senate the following Tabled and Later Assigned (3/30/16) matter:

Bill "An Act To Allow School Resource Officers To Have Jurisdiction at Off-site Events" (EMERGENCY)
H.P. 1041 L.D. 1516

Tabled - March 30, 2016, by Senator **CUSHING** of Penobscot

Pending - **CONSIDERATION**

(In House, March 29, 2016, **VETO OVERRIDDEN** and the Bill **PASSED TO BE ENACTED**, notwithstanding the objections of the Governor.)

(In Senate, March 30, 2016, Veto Communication (H.C. 499) **READ** and **ORDERED PLACED ON FILE**.)

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#577)

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

NAYS: Senators: BURNS, DAVIS, EDGECOMB, HAMPER, MCCORMICK, WILLETTE

EXCUSED: Senator: HILL

27 Senators having voted in the affirmative and 6 Senators having voted in the negative, with 1 Senator being excused, and 27 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

The Chair laid before the Senate the following Tabled matter pending a Ruling of the Chair:

SENATE REPORTS - from the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act Relating to Penalties for Drug Offenses"

S.P. 672 L.D. 1647

Report "A" - **Ought Not to Pass** (7 members)

Report "B" - **Ought to Pass as Amended by Committee Amendment "A" (S-425)** (5 members)

Report "C" - **Ought to Pass as Amended by Committee Amendment "B" (S-426)** (1 member)

Tabled - March 30, 2016

Pending - **RULING OF THE CHAIR**

(In Senate, March 30, 2016, Senator **ROSEN** of Hancock moved to **ACCEPT** Report "B" **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-425)**. Roll Call Ordered.)

THE CHAIR MADE THE FOLLOWING RULING:

"The Senator from Piscataquis, Senator Davis, questioned whether the Committee's Amendment "A" (S-425) to L.D. 1647 was Germane. The Chair has made the ruling and it is as follows: Committee Amendment "A" (S-425) to L.D. 1647 is germane. L.D. 1647 seeks to amend a section in 29-A MRSA dealing with the suspension of one's driver's license as it relates to operating under the influence and length of suspension from 150 days to 180 days. The Committee Amendment "A" (S-425) makes the same change to other provisions of the operating under the influence laws. This amendment simply seeks to make the statutes consistent with the proposed 150-to 180-day suspension.

The Chair **RULED COMMITTEE AMENDMENT "A" (S-425) GERMANE**.

THE PRESIDENT: The pending question before the Senate is the motion by the Senator from Hancock, Senator Rosen to Accept Report "B" Ought to Pass as Amended by Committee Amendment "A" (S-425). A Roll Call has been ordered. Is the Senate ready for the question?

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

Senator **DIAMOND:** Thank you, Mr. President. Ladies and gentlemen of the Senate, just a quick summary. We were most of the way through this debate yesterday and it centered on the fact, should we be suspending driver's licenses for non-driving offenses? I think we've been, as a Legislature and as a Senate, very tough on drugs. We've been tough on drug users. We've been tough on OUI. We've been tough on all those things. This is a case where it's separate from the toughness. This is a case of where we're saying we're going to suspend licenses for something that had nothing to do with driving. Over the years, over the past 30 years, we've been very good about this, as a collective Body, with Governors, and the Secretary of States, we chose not to do that. I'm asking you, urging you, to resist that. We've done well. We've been really tough on these people that violate our laws on drug use and driving and OUI and that sort of thing. This is a separate issue. This issue is talking about applying something to suspend a driver's license that has no relationship to that driving. I know the temptation is there. It has been over the years. I'm going to ask you to resist that because this is not the proper way to deal with our driver's licenses. Thank you, Mr. President.

THE PRESIDENT: The pending question before the Senate is the motion by the Senator from Hancock, Senator Rosen to Accept Report "B" Ought to Pass as Amended by Committee Amendment "A" (S-425). A Roll Call has been ordered. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#578)

YEAS: Senators: BAKER, BURNS, CYRWAY, KATZ, LANGLEY, MCCORMICK, ROSEN, VOLK, WHITTEMORE, THE PRESIDENT - MICHAEL D. THIBODEAU

NAYS: Senators: ALFOND, BRAKEY, BREEN, COLLINS, CUSHING, DAVIS, DIAMOND, DILL, EDGEComb, GERZOFsky, GRATWICK, HAMPER, HASKELL, JOHNSON, LIBBY, MASON, MILLETT, MIRAMANT, PATRICK, SAVIELLO, VALENTINO, WILLETTE, WOODSOME

EXCUSED: Senator: HILL

10 Senators having voted in the affirmative and 23 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **ROSEN** of Hancock to **ACCEPT** Report "B" **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-425) FAILED**.

Senator **MASON** of Androscoggin moved the Senate **RECONSIDER** whereby it **FAILED** to **ACCEPT** Report "B" **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-425)**.

Same Senator moved to **TABLE** until Later in Today's Session, pending the motion by same Senator to **RECONSIDER** whereby it **FAILED** to **ACCEPT** Report "**B**" **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-425)**.

PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-450).

Sent down for concurrence.

Senate at Ease.

Senate called to order by the President.

Senator **MASON** of Androscoggin requested and received leave of the Senate to withdraw his motion to **RECONSIDER** whereby it **FAILED** to **ACCEPT** Report "**B**" **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-425)**.

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

On further motion by same Senator, **TABLED** until Later in Today's Session, pending **ACCEPTANCE OF ANY REPORT**.

Off Record Remarks

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

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

SENATE REPORT - from the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Implement Certain Recommendations of the Task Force on School Leadership" (EMERGENCY)

S.P. 691 L.D. 1684

On motion by Senator **MASON** of Androscoggin, **ADJOURNED** until Friday, April 1, 2016, at 10:00 in the morning.

Report - **Ought to Pass**

Tabled - March 31, 2016, by Senator **MASON** of Androscoggin

Pending - **ACCEPTANCE OF REPORT**

(In Senate, March 29, 2016, Report **READ**.)

Report **ACCEPTED**.

Under suspension of the Rules, **READ TWICE**.

On motion by Senator **LANGLEY** of Hancock, Senate Amendment "A" (S-450) **READ**.

THE PRESIDENT: The Chair recognizes the Senator from Hancock, Senator Langley.

Senator **LANGLEY:** Thank you, Mr. President. Men and women of the Senate, this is a unanimous report out of the Education Committee. As it worked its way through it acquired a \$148,000 fiscal note. This amendment strikes the following word "shall" and replaces it with the word "may" and that word "shall" was worth \$148,000. It is now has been stripped out of the bill and it can move forward. Thank you for your time and your patience.

On motion by Senator **LANGLEY** of Hancock, Senate Amendment "A" (S-450) **ADOPTED**.