

MAINE STATE LEGISLATURE

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Senate Legislative Record
One Hundred and Twenty-Eighth Legislature

State of Maine

Daily Edition

First Regular Session
beginning December 7, 2016

beginning at Page 1

**STATE OF MAINE
ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE
FIRST REGULAR SESSION
JOURNAL OF THE SENATE**

In Senate Chamber
Wednesday
April 19, 2017

Senate called to order by President Pro Tempore Susan A. Deschambault of York County.

Prayer by Father Frank Morin, St. Michael Parish in Augusta.

FATHER MORIN: Good God, we come together here to pray today and remember, as in years past in this beautiful capital of ours, people who we celebrate on this day of Franco-American heritage. We wish to recognize and honor these people and their values that we cherish that they demonstrated in their lives, values that contributed to the common good of our society. Good God, continue to bless them and all immigrants in our state and their descendants who continue to contribute to the common good politically, socially, and economically in this beautiful state. We pray with gratitude for these good citizens and we seek to follow their example. We pray also for the members of the House of Representatives and of this Senate. We pray all of this in Your great name, O loving and powerful God. Amen.

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

National Anthems by Rachel Boucher Ellis of Augusta.

Pledge of Allegiance led by Senator Mark N. Dion of Cumberland County.

Reading of the Journal of Tuesday, April 18, 2017.

Doctor of the day, Hani Jarawan, M.D. of Portland.

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. 1007

**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-huitième Législature, assemblés dans la première session régulière, au nom des gens que nous représentons, proclamons que mercredi, 19 avril, 2017 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
RECOGNIZING 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-eighth Legislature now assembled in the First Regular Session, on behalf of the people we represent, proclaim that Wednesday, April 19, 2017 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.

Franco-American Day Ceremony

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

PAPERS FROM THE HOUSE

Joint Orders

Expressions of Legislative Sentiment recognizing:

The Honorable Paulette G. Beaudoin, of Biddeford, on her posthumous induction into the Franco-American Hall of Fame. Representative Beaudoin served in the Maine House of Representatives from 2006 to 2014 representing District No. 135. Before, during and after her legislative service, she was relied upon by French-speaking residents in Biddeford to help them understand issues affecting the State and Biddeford. We acknowledge Representative Beaudoin's service to her community and to the State, and we send her family our congratulations on her posthumous induction into the Franco-American Hall of Fame;

HLS 244

Jean Paul Fortin, of Augusta, on his induction into the Franco-American Hall of Fame. Mr. Fortin, who was elected President of Le Club Calumet in 1996, received the club's highest honor, La Medaille d'Honneur, in 2008 for his outstanding service to the club and the community at large. Since his retirement in 1997, he has worked as a full-time volunteer on a variety of projects in the community. We acknowledge Mr. Fortin'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 245

Juliana L'Heureux, of Topsham, on her induction into the Franco-American Hall of Fame. Ms. L'Heureux has been writing articles and presenting to groups about the history, language, culture and religion of the Francophones and the State's Franco-Americans for the past 30 years. Among her many efforts, she has served on the Task Force for Franco-Americans and is a member of the Board of the University of Southern Maine Lewiston Auburn College Franco-American Collection. We acknowledge Ms. L'Heureux's service to her community and to the State, and we send her our congratulations on her induction into the Franco-American Hall of Fame;

HLS 246

Dr. Muriel Poulin, of Springvale, on her induction into the Franco-American Hall of Fame. Dr. Poulin's nursing career has spanned more than 50 years in over a dozen countries, and she has been honored as a "living legend" by the American Academy of Nursing for her contributions to the field. Since her return to Springvale in 1989, she has given her all to the process of bettering the community. We acknowledge Dr. Poulin's service to her community and to the State, and we send her our congratulations on her induction into the Franco-American Hall of Fame;

HLS 247

Lionel Meservier, of Lewiston, on his induction into the Franco-American Hall of Fame. Mr. Meservier, a member of the C'est Si Bon Band, has promoted the French language and French music, playing throughout the northeastern United States and at the Quebec Winter Carnival. He also participated in the French Program at Hall-Dale Elementary School in Hallowell and in the University of Southern Maine, Lewiston, Senior College French Reacquisition Class. We acknowledge Mr. Meservier'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 248

Andre Pied, of Skowhegan, on his induction into the Franco-American Hall of Fame. Mr. Pied helped create the French language exchange between Skowhegan's adult education program and Commission scolaire de la Beauce-Etchemin in Saint-Georges, Quebec, Canada. He also played an instrumental role in the Kennebec-Chaudiere International Corridor commission. We acknowledge Mr. Pied'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 249

Joel and Therese Dionne, of Madawaska, on their induction into the Franco-American Hall of Fame. Mr. and Mrs. Dionne have been long-term, tireless advocates for the preservation of the French language and culture in the St. John Valley. Among their many other efforts, they helped organize the 2014 World Acadian Congress and have led fund-raising and membership drives of the Association Francaise de la Vallee St-Jean, of which they are members. We acknowledge Mr. and Mrs. Dionne's service to their community and to the State, and we send them our congratulations on their induction into the Franco-American Hall of Fame;

HLS 250

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

READ and **PASSED**, in concurrence.

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

THE PRESIDENT PRO TEMPORE: The Chair is pleased to recognize in the rear of the Chamber the 2017 inductees of the Maine Franco-American Hall of Fame. The Chair would ask that when the inductee's names are called they would please stand. We will hold the applause until all the inductees have been announced.

Jean Paul Fortin of Kennebec County. He is the guest of the Senator from Kennebec, Senator Katz.

Juliana L'Heureux of Sagadahoc County. She is the guest of the Senator from Sagadahoc, Senator Vitelli.

Nel Meservier of Androscoggin County. He is the guest of the Senator from Androscoggin, Senator Libby.

Muriel Poulin of York County. She is the guest of the Senator from York, Senator Woodsome. Welcome and, Mrs. Poulin, Happy Birthday tomorrow. May I tell them how old you will be?

Last, but surely not least, Susan Beaulieu and Diane Turgeon, who are the daughters of the Honorable Paulette Beaudoin who is this year's posthumous inductee. They are the guests of the Chair.

Thank you.

Please stay standing and I would like to welcome all the inductees to the Senate and I would also ask that they remain standing and all their guests please rise and accept the congratulations of the Maine Senate. All their guests please.

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 York, Senator **DESCHAMBault**, to her seat on the Floor.

The Senate was called to order by the President.

Off Record Remarks

The Chair noted the absence of the Senator from Franklin, Senator **SAVIELLO**, the Senator from Cumberland, Senator **VOLK**, the Senator from Aroostook, Senator **CARPENTER**, and the Senator from Cumberland, Senator **BREEN**, and further excused the same Senators from today's Roll Call votes.

PAPERS FROM THE HOUSE

Non-Concurrent Matter

Bill "An Act To Remove Certain Restrictions Imposed on Retired State Employees Who Return to Work as Educators"
H.P. 970 L.D. 1396

Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** suggested and ordered printed.

In Senate, April 13, 2017, on motion by Senator **HAMPER** of Oxford, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** in **NON-CONCURRENCE**.

Comes from the House, that Body having **INSISTED** on its former action whereby the Bill was **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS**.

On motion by Senator **LANGLEY** of Hancock, the Senate **RECEDED** and **CONCURRED**.

Off Record Remarks

Non-Concurrent Matter

Bill "An Act To Remove Barriers to Workforce Development in Alcohol and Drug Counseling and To Increase the MaineCare Reimbursement Rates for Certain Counselors"
H.P. 955 L.D. 1376

Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** suggested and ordered printed.

In Senate, April 13, 2017, on motion by Senator **LANGLEY** of Hancock, **REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** in **NON-CONCURRENCE**.

Comes from the House, that Body having **INSISTED** on its former action whereby the Bill was **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**.

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

Non-Concurrent Matter

JOINT ORDER - Expression of Legislative Sentiment
Recognizing Gerald and Sheril Peters of Sangerville
SLS 187

In Senate, April 13, 2017, **READ** and **PASSED**.

Comes from the House, **READ** and **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

On motion by Senator **DAVIS** of Piscataquis, the Senate **RECEDED** and **CONCURRED**.

House Paper

Bill "An Act To Strengthen the Efficacy of the Medical Marijuana Laws"

H.P. 798 L.D. 1135

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

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

COMMUNICATIONS

The Following Communication: S.C. 313

**STATE OF MAINE
128TH LEGISLATURE
OFFICE OF THE PRESIDENT**

April 18, 2017

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

Dear Secretary Priest:

Pursuant to Senate Rules, I hereby appoint the Senator from York, Senator Deschambault to preside from the rostrum over the legislative business conducted in the chamber for the session to be held on April 19, 2017. This temporary assignment shall commence at the beginning of that daily session, and expire at the end of that daily session if not sooner by the return to the rostrum of the President or the Senator with the standing appointment on March 29, 2017 to otherwise serve as President Pro Tempore.

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: S.C. 310

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

April 14, 2017

Honorable Michael D. Thibodeau, President of the Senate
Honorable Sara Gideon, Speaker of the House
128th Legislature
State House
Augusta, Maine 04333

Dear President Thibodeau and Speaker Gideon:

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. 269 An Act To Provide Training for Caregivers of Children with Autism and Related Disorders
- L.D. 307 An Act To Facilitate the Implementation of Mobile Narcotic Treatment Programs in Rural Counties in the State
- L.D. 804 An Act To Establish Long-term Memory Care Facilities and To Provide Adequate Staffing and Reimbursement

This is notification of the Committee's action.

Sincerely,

S/Sen. Eric L. Brakey
Senate Chair

S/Rep. Patricia Hymanson
House Chair

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

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

The Following Communication: S.C. 312

April 14, 2017

**STATE OF MAINE
ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE
COMMITTEE ON TRANSPORTATION**

The 128th Legislature of the State of Maine
State House
Augusta, Maine

April 14, 2017

Dear Honorable Members of the 128th Legislature:

Honorable Michael D. Thibodeau, President of the Senate
Honorable Sara Gideon, Speaker of the House
128th Legislature
State House
Augusta, Maine 04333

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 172 "An Act to Improve Officer Safety at Roadside Incidents."

Dear President Thibodeau and Speaker Gideon:

This bill would allow police to use red emergency lights on their vehicles. The bill specifies that 50 percent of the emergency lights on police vehicles may be red. My objections to this bill are many. First, and most importantly, we need to have uniformity when it comes to emergency lighting. It would be bad policy to have such a multitude of different colored lights on emergency vehicles that motorists are not able to identify one type of emergency vehicle from another.

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

Second, different colored emergency lights are treated differently by motorists. Since becoming Governor, I have had the privilege of being driven around the State by my Executive Protection Unit. Because I do not have to concentrate on driving, I have been able to watch the driving habits of my fellow citizens. In my travels, I have noticed motorists pull over much less frequently for red lights than they do for blue lights.

- L.D. 878 An Act To Allow Municipalities To Permit the Operation of Golf Carts on Municipally Owned Streets
- L.D. 923 An Act To Establish an Enhanced Driver's License for Qualified Maine Residents To Facilitate Travel across Certain International Borders
- L.D. 963 An Act To Require Certain Personnel on a Bridge Painting Project To Be Certified
- L.D. 977 An Act To Allow a Motorist To Make a Left Turn at a Red Light under Certain Conditions
- L.D. 1011 An Act To Require Pedestrians To Wear Reflective Clothing on Public Ways after Sunset
- L.D. 1069 Resolve, To Increase the Availability of Motorcycle Rider Education

And the third flaw with this bill is that it allows red lights, but does not mandate them. Because of this, some departments would likely allow red lights and some would not. This patchwork approach would lead to confusion. Finally, if we were to mandate the use of red lights by police, then the Legislature should fund this local mandate.

This is notification of the Committee's action.

Because LD 172 fails to take into account these important public safety hazards, I cannot support it. For this reason, I return LD 172 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

Sincerely,

S/Sen. Ronald F. Collins
Senate Chair

S/Rep. Andrew J. McLean
House Chair

S/Paul R. LePage
Governor

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

READ and **ORDERED PLACED ON FILE.**

The accompanying Bill:

The Following Communication: H.C. 132

An Act To Improve Officer Safety at Roadside Incidents
H.P. 128 L.D. 172

Comes from the House with the **VETO OVERRIDDEN** and the Bill **PASSED TO BE ENACTED**, notwithstanding the objections of the Governor.

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 (#78)

YEAS: Senators: BELLOWS, BRAKEY, CARSON, CHENETTE, CHIPMAN, COLLINS, CUSHING, CYRWAY, DAVIS, DESCHAMBAULT, DIAMOND, DILL, DION, DOW, GRATWICK, HAMPER, HILL, JACKSON, KATZ, KEIM, LANGLEY, LIBBY, MAKER, MASON, MILLETT, MIRAMANT, ROSEN, VITELLI, WHITTEMORE, WOODSOME, PRESIDENT THIBODEAU

NAYS: Senators: None

EXCUSED: Senators: BREEN, CARPENTER, SAVIELLO, VOLK

31 Senators having voted in the affirmative and no Senator having voted in the negative, with 4 Senators being excused, and 31 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.

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

Senate at Ease.

The Senate was called to order by the President.

Off Record Remarks

SENATE PAPERS

Bill "An Act Regarding Community Corrections Funds"
S.P. 519 L.D. 1490

Presented by Senator CYRWAY of Kennebec.
Cosponsored by Representative BRADSTREET of Vassalboro and Senators: CUSHING of Penobscot, KATZ of Kennebec, LANGLEY of Hancock, LIBBY of Androscoggin, Representatives: ALLEY of Beals, BERRY of Bowdoinham, FARRIN of Norridgewock, PICCHIOTTI of Fairfield.

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

Sent down for concurrence.

Bill "An Act To Control Electricity Transmission Costs through the Development of Nontransmission Alternatives"
S.P. 516 L.D. 1487

Presented by Senator DION of Cumberland.

On motion by Senator **WOODSOME** of York, **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed.

Sent down for concurrence.

Bill "An Act To Authorize the Revocation, Suspension or Denial of a Guide License under Specified Circumstances"
S.P. 518 L.D. 1489

Presented by Senator DAVIS of Piscataquis.
Submitted by the Department of Inland Fisheries and Wildlife pursuant to Joint Rule 204.

On motion by Senator **CYRWAY** of Kennebec, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed.

Sent down for concurrence.

Bill "An Act To Provide for Safety, Quality and Transparency in the Retail Marijuana Industry"
S.P. 520 L.D. 1491

Presented by Senator KATZ of Kennebec.
Cosponsored by Senator: LIBBY of Androscoggin, Representative: HARVELL of Farmington.

On motion by Senator **MASON** of Androscoggin, **REFERRED** to the Joint Select Committee on **MARIJUANA LEGALIZATION IMPLEMENTATION** and ordered printed.

Sent down for concurrence.

Bill "An Act To Attract, Educate and Retain New Mainers To Strengthen the Workforce"

S.P. 521 L.D. 1492

Presented by Senator KATZ of Kennebec.
Cosponsored by Representative STEWART of Presque Isle and Senators: HILL of York, LANGLEY of Hancock, MAKER of Washington, Representative: MASTRACCIO of Sanford.

Committee on **STATE AND LOCAL GOVERNMENT** suggested and ordered printed.

Senator **DAVIS** of Piscataquis moved to **REFER** to the Committee on **STATE AND LOCAL GOVERNMENT**.

Senate at Ease.

The Senate was called to order by the President.

Off Record Remarks

Senator **DAVIS** of Piscataquis requested and received leave of the Senate to withdraw his motion to **REFER** to the Committee on **STATE AND LOCAL GOVERNMENT**.

On motion by Senator **LANGLEY** of Hancock, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS**.

Sent down for concurrence.

Off Record Remarks

Bill "An Act To Require That Landowners with Property Enrolled in the Tree Growth Tax Program Receive Timely Notice of Changes in Valuation of That Property"

S.P. 517 L.D. 1488

Presented by Senator BRAKEY of Androscoggin.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

On motion by Senator **DOW** of Lincoln, **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.

ORDERS

Joint Order

Expression of Legislative Sentiment recognizing:

Richmond Police Officer Christopher Giles and Sagadahoc County Sheriff Deputy Ian Alexander, both of Richmond, who were awarded the Award of Valor by the Maine Sheriffs Association for their heroic actions last Christmas morning when they rescued a man from a structure fire on Maine Street in Richmond. We extend to Officer Giles and Deputy Sheriff Alexander our congratulations and best wishes;

SLS 193

Sponsored by Senator VITELLI of Sagadahoc.
Cosponsored by Representatives: BERRY of Bowdoinham, PIERCE of Dresden.

READ.

THE PRESIDENT: The Chair recognizes the Senator from Sagadahoc, Senator Vitelli.

Senator **VITELLI:** Thank you, Mr. President. I rise today to recognize Richmond Police Officer Christopher Giles and Sheriff Deputy Ian Alexander who were given the Award of Valor by the Maine Sheriffs Association. Last Christmas morning Officer Giles and Sheriff Deputy Alexander responded to reports of a burning building on Main Street in Richmond. 30 year old Wade Welner, who was renting a unit in the building, had to be pulled from his smoke filled apartment building. According to the Richmond Police Chief, Giles and Alexander were able to force Welner's door open and pull him out of the apartment. At the time, Welner was unconscious and had severe smoke inhalation. He was then brought to Maine Medical Center where he was in critical condition and spent the next several days recovering. Officer Giles and Sheriff Deputy Alexander deserve commendation for their efforts that morning as their heroic actions saved Welner's life. I extend my best wishes and congratulations to both men and welcome my colleagues in the Senate to do the same. I know that we would all wish to have such brave men respond to an emergency if we were involved and I really salute their valor. Thank you, Mr. President.

PASSED.

Sent down for concurrence.

REPORTS OF COMMITTEES

House

Pursuant to Public Law

The Committee on **HEALTH AND HUMAN SERVICES** on Resolve, To Establish a Pilot Project To Provide Travel Vouchers to Persons with Disabilities in Rural Communities

H.P. 1020 L.D. 1481

Reported that the same be **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**, pursuant to Public Law 2015, Chapter 452, section 3.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**.

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

Resolve and accompanying papers **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**, in concurrence.

Pursuant to Statute

The Committee on **JUDICIARY** on Bill "An Act To Implement the Recommendations of the Right To Know Advisory Committee Concerning Existing Public Records Exceptions"

H.P. 1021 L.D. 1482

Reported that the same be **REFERRED** to the Committee on **JUDICIARY**, pursuant to the Maine Revised Statutes, Title 1, section 411, subsection 6, paragraph G.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **JUDICIARY**.

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

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

Ought to Pass

The Committee on **JUDICIARY** on Bill "An Act To Amend the Laws Governing the Circumstances of Death That Must Be Reported to the Office of Chief Medical Examiner"

H.P. 378 L.D. 534

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

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

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

Bill **READ ONCE**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Ought to Pass As Amended

The Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Improve Vocational Rehabilitation under the Maine Workers' Compensation Act of 1992"

H.P. 428 L.D. 612

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-44)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-44)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-44) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act Regarding the Funding of Volunteer Fire Departments"

H.P. 108 L.D. 150

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-46)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-46)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-46) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **TRANSPORTATION** on Bill "An Act To Require Moped Riders under 18 Years of Age To Wear a Helmet"

H.P. 86 L.D. 118

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-36)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-36)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-36) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **MARINE RESOURCES** on Bill "An Act To Allow the Sale of Saltwater Smelt for Bait" H.P. 433 L.D. 617

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

Signed:

Senators:

MAKER of Washington
VITELLI of Sagadahoc

Representatives:

KUMIEGA of Deer Isle
ALLEY of Beals
BATTLE of South Portland
BLUME of York
DEVIN of Newcastle
HAGGAN of Hampden
SIMMONS of Waldoboro
SUTTON of Warren
TUELL of East Machias

The Minority of the same Committee on the same subject reported that the same **Ought To Pass**.

Signed:

Representative:

HAWKE of Boothbay Harbor

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

Reports **READ**.

On motion by Senator **MAKER** of Washington, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

Divided Report

The Majority of the Committee on **MARINE RESOURCES** on Bill "An Act To Ensure Appropriate Training for Harbor Masters" H.P. 438 L.D. 622

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-33)**.

Signed:

Senators:

MAKER of Washington
BRAKEY of Androscoggin
VITELLI of Sagadahoc

Representatives:

KUMIEGA of Deer Isle
ALLEY of Beals
BATTLE of South Portland
BLUME of York
DEVIN of Newcastle
SIMMONS of Waldoboro
TUELL of East Machias

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

Signed:

Representatives:

HAGGAN of Hampden
HAWKE of Boothbay Harbor
SUTTON of Warren

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-33)**.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-33) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Improve Requirements for Reporting to the Commission on Governmental Ethics and Election Practices" H.P. 507 L.D. 716

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

Signed:

Senator:
CARPENTER of Aroostook

Representatives:
LUCHINI of Ellsworth
CASÁS of Rockport
HICKMAN of Winthrop
LONGSTAFF of Waterville
MONAGHAN of Cape Elizabeth
SCHNECK of Bangor

The Minority of the same Committee on the same subject reported that the same **Ought To Pass**.

Signed:

Senators:
MASON of Androscoggin
COLLINS of York

Representatives:
DILLINGHAM of Oxford
FARRIN of Norridgewock
HANINGTON of Lincoln
WHITE of Washburn

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

Reports **READ**.

Senator **MASON** of Androscoggin moved the Senate **ACCEPT** the Minority **OUGHT TO PASS** Report, in **NON-CONCURRENCE**.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** the Minority **OUGHT TO PASS** Report, in **NON-CONCURRENCE**.

Divided Report

The Majority of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act Regarding Advertisements by Maine Clean Election Act Candidates"

H.P. 571 L.D. 791

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

Signed:

Senator:
CARPENTER of Aroostook

Representatives:

LUCHINI of Ellsworth
CASÁS of Rockport
HICKMAN of Winthrop
LONGSTAFF of Waterville
MONAGHAN of Cape Elizabeth
SCHNECK of Bangor

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-30)**.

Signed:

Senators:
MASON of Androscoggin
COLLINS of York

Representatives:
DILLINGHAM of Oxford
FARRIN of Norridgewock
HANINGTON of Lincoln
WHITE of Washburn

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

Reports **READ**.

Senator **MASON** of Androscoggin moved the Senate **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report, in **NON-CONCURRENCE**.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report, in **NON-CONCURRENCE**.

Senate

Change of Committee

Senator **HAMPER** for the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act To Abolish the 5-year Cap for Retired State Employees Who Return to Work"
S.P. 336 L.D. 1029

Reported that the same be **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS**.

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

REFERRED to the Committee on **EDUCATION AND CULTURAL AFFAIRS**.

Sent down for concurrence.

Ought to Pass

Senator VOLK for the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Update the Licensure Renewal Provision of the Board of Licensure in Medicine"

S.P. 208 L.D. 593

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

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

Bill **READ ONCE**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Require Permits for Wildlife in Captivity and Notification of the Escape of Exotic Wildlife in Captivity"

S.P. 91 L.D. 305

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-30)**.

Signed:

Senators:

CYRWAY of Kennebec
CARPENTER of Aroostook

Representatives:

DUCHESNE of Hudson
ALLEY of Beals
LYFORD of Eddington
REED of Carmel
STEARNS of Guilford

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

Signed:

Representatives:

HARLOW of Portland
MASON of Lisbon
THERIAULT of China
WOOD of Greene

Reports **READ**.

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

Divided Report

The Majority of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Continue the Doctors for Maine's Future Scholarship Program" S.P. 164 L.D. 503

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-31)**.

Signed:

Senators:

VOLK of Cumberland
BELLOWS of Kennebec
LANGLEY of Hancock

Representatives:

FECTEAU of Biddeford
BATES of Westbrook
HANDY of Lewiston
MASTRACCIO of Sanford
SYLVESTER of Portland
VACHON of Scarborough

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

Signed:

Representatives:

AUSTIN of Gray
LOCKMAN of Amherst
STETKIS of Canaan

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-31) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

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

SECOND READERS

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

House As Amended

Bill "An Act To Extend the Legal Hours for Harvesting Lobster"
(EMERGENCY)

H.P. 15 L.D. 14
(C "A" H-35)

Bill "An Act To Establish the Seaweed Advisory Council and To
Enhance the Management of the Seaweed Fishery"

H.P. 275 L.D. 369
(C "A" H-34)

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

An Act To Clarify That the Department of Transportation Is
Exempt from Property Assessment Liabilities When Acquiring
Property by Condemnation

H.P. 284 L.D. 393
(C "A" H-23)

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.

Senate

Bill "An Act To Conform Maine Law Regarding Insurer Privacy
Notices to Federal Law"

S.P. 220 L.D. 658

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

Sent down for concurrence.

Senate As Amended

Bill "An Act To Improve Attendance at Public Elementary
Schools"

S.P. 44 L.D. 96
(C "A" S-28)

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:

Acts

An Act To Provide Opportunity for Energy Cost Reduction for
Maine Businesses and Citizens

S.P. 110 L.D. 344
(C "A" S-16)

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 (4/13/17) matter:

Bill "An Act To Prevent Overdose Deaths and Infectious Diseases
by Establishing Safer Drug Use Facilities"

H.P. 954 L.D. 1375

Tabled - April 13, 2017, by Senator **MASON** of Androscoggin

Pending - **REFERENCE**

(In House, **REFERRED** to the Committee on **HEALTH AND
HUMAN SERVICES** and ordered printed.)

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

The Chair laid before the Senate the following Tabled and Later
Assigned (4/13/17) matter:

Bill "An Act To Establish Speed Limits at Loring Commerce
Centre and Brunswick Landing" (EMERGENCY)

S.P. 45 L.D. 97

Tabled - April 13, 2017, by Senator **MASON** of Androscoggin

Pending - **CONSIDERATION**

(In Senate, March 30, 2017, **PASSED TO BE ENACTED**, in
concurrence.)

(In Senate, Veto Communication (S.C. 293) **READ** and
ORDERED PLACED ON FILE.)

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

The Chair laid before the Senate the following Tabled and Later Assigned (4/13/17) matter:

Bill "An Act To Adjust the Timing for Recounts in Certain Municipal and Local School Elections"
H.P. 881 L.D. 1269

Tabled - April 13, 2017, by Senator **MASON** of Androscoggin
Pending - **FURTHER CONSIDERATION**

(Committee on **VETERANS AND LEGAL AFFAIRS** suggested and ordered printed.)

(In Senate, April 4, 2017, on motion by Senator **MASON** of Androscoggin, **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS** in **NON-CONCURRENCE**.)

(In House, that Body **INSISTED** on its former action whereby the Bill was **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**.)

On motion by Senator **MASON** of Androscoggin, the Senate **RECEDED** and **CONCURRED**.

The Chair laid before the Senate the following Tabled and Later Assigned (4/18/17) matter:

Bill "An Act To Protect Maine Children from Lung Cancer by Requiring Radon Testing in Schools"
H.P. 988 L.D. 1433

Tabled - April 18, 2017, by Senator **MASON** of Androscoggin

Pending - **REFERENCE**

(In House, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.)

On motion by Senator **BRAKEY** of Androscoggin, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**, in **NON-CONCURRENCE**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (4/18/17) matter:

SENATE REPORTS - from the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act Regarding Refusing To Submit to Arrest or Detention"
H.P. 184 L.D. 251

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-24)** (9 members)

Minority - **Ought Not to Pass** (4 members)

Tabled - April 18, 2017, by Senator **ROSEN** of Hancock

Pending - **ACCEPTANCE OF EITHER REPORT**

(In House, 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-24)**.)

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

Senator **CYRWAY** of Kennebec requested a Roll Call.

Senator **JACKSON** of Aroostook moved to **TABLE** until Later in Today's Session pending motion by Senator **ROSEN** of Hancock to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE**.

Senate at Ease.

The Senate was called to order by the President.

On motion by Senator **JACKSON** of Aroostook, **TABLED** until Later in Today's Session pending motion by Senator **ROSEN** of Hancock to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE**. (Roll Call Requested)

The Chair laid before the Senate the following Tabled and Later Assigned (4/18/17) matter:

HOUSE REPORTS - from the Committee on **TRANSPORTATION** on Resolve, To Study the Feasibility and Cost of Providing Passenger Rail Service to the City of Bangor
H.P. 315 L.D. 435

Majority - **Ought Not to Pass** (11 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (H-26)** (2 members)

Tabled - April 18, 2017, by Senator **COLLINS** of York

Pending - **ACCEPTANCE OF EITHER REPORT**

(In House, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.)

Senator **COLLINS** of York moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence.

On motion by Senator **GRATWICK** of Penobscot, 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 Penobscot, Senator Gratwick.

Senator **GRATWICK:** Thank you, Mr. President. Ladies and gentlemen of the Senate, not unsurprisingly, I think this is a wonderful bill and I would urge you to follow my light on this particular topic. I think it would be of great benefit to both the President of the Senate's district as well as mine. As you well know, roughly 40% of Maine will be served by this. It's going to be a major economic boost for our area. Bangor, the Queen City, with its new waterfront concerts and the Cross Center, etcetera, etcetera, is really becoming a hub. It is the entry to the north woods. It's the entry to Bar Harbor. This is planning for the future. This bill is going to allow us to plan better and it's going to benefit the home territory of the Senate President and me, as well as at least one-third of us here in this room. Thank you, Mr. President.

THE PRESIDENT: The pending question before the Senate is the motion by the Senator from York, Senator Collins, to Accept the Majority Ought Not to Pass 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 (#79)

YEAS: Senators: BRAKEY, COLLINS, CUSHING, CYRWAY, DAVIS, DOW, HAMPER, KATZ, KEIM, LANGLEY, MAKER, MASON, ROSEN, WHITTEMORE, WOODSOME, PRESIDENT THIBODEAU

NAYS: Senators: BELLOWS, CARSON, CHENETTE, CHIPMAN, DESCHAMBAULT, DIAMOND, DILL, DION, GRATWICK, HILL, JACKSON, LIBBY, MILLETT, MIRAMANT, VITELLI

EXCUSED: Senators: BREEN, CARPENTER, SAVIELLO, VOLK

16 Senators having voted in the affirmative and 15 Senators having voted in the negative, with 4 Senators being excused, the motion by Senator **COLLINS** of York to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence, **PREVAILED**.

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

Bill "An Act To Establish Speed Limits at Loring Commerce Centre and Brunswick Landing" (EMERGENCY)
S.P. 45 L.D. 97

Tabled - April 19, 2017, by Senator **MASON** of Androscoggin

Pending - **CONSIDERATION**

(In Senate, March 30, 2017, **PASSED TO BE ENACTED**, in concurrence.)

(In Senate, Veto Communication (S.C. 293) **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 (#80)

YEAS: Senators: BELLOWS, BRAKEY, CARSON, CHENETTE, CHIPMAN, COLLINS, CUSHING, CYRWAY, DAVIS, DESCHAMBAULT, DIAMOND, DILL, DION, DOW, GRATWICK, HAMPER, HILL, JACKSON, KATZ, KEIM, LANGLEY, LIBBY, MAKER, MASON, MILLETT, MIRAMANT, ROSEN, VITELLI, WOODSOME, PRESIDENT THIBODEAU

NAYS: Senator: WHITTEMORE

EXCUSED: Senators: BREEN, CARPENTER, SAVIELLO, VOLK

30 Senators having voted in the affirmative and 1 Senator having voted in the negative, with 4 Senators 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.

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

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Clarify the Status of the Financial Industry Regulatory Authority and the National Association of Registered Agents and Brokers under the Maine Insurance Code"
H.P. 1025 L.D. 1486

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

On motion by Senator **WHITTEMORE** of Somerset, **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES** and ordered printed, in concurrence.

All matters thus acted upon were ordered sent down forthwith for 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, April 20, 2017 at 10:00 in the morning.