

**STATE OF MAINE  
ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE  
SECOND REGULAR SESSION  
JOURNAL OF THE SENATE**

In Senate Chamber  
Tuesday  
March 22, 2016

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

Prayer by Reverend Kim Shrader, Winslow Congregational  
Church.

**REVEREND SHRADER:** Let us be a people at prayer. Holy  
God, this morning this Body gathers to do the work of the state.  
We ask that You would pour Your wisdom down upon each  
member, that You would give them clarity and humility. Help  
them to learn to work together to the benefit of this state,  
protecting the most vulnerable, helping where help is needed.  
We ask, O God, that You would bless these proceedings today,  
that Your will would be seen to be done, that through these  
proceedings a tiny piece of the kingdom of heaven would be seen  
here and now. We lift this prayer to You, O God, in thanks giving  
and peace and honor and glory to Your name. Amen.

Pledge of Allegiance led by Senator Kimberley C. Rosen of  
Hancock County.

Reading of the Journal of Thursday, March 17, 2016.

Doctor of the day, Kathleen Kotas, M.D. of Bar Harbor.

Off Record Remarks

Out of order and under suspension of the Rules, on motion by  
Senator **MASON** of Androscoggin, the following Senate Order:  
S.O. 31

Ordered, that a message be sent to the House of Representatives  
proposing a Convention of the two branches of the Legislature be  
held at 10:45 this morning in the Hall of the House for the purpose  
of extending to Brigadier General Douglas A. Farnham, Adjutant  
General of the Maine National Guard, an invitation to attend the  
Convention and make such communication as pleases him.

**READ and PASSED.**

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

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

**ORDERS**

**Joint Orders**

Expressions of Legislative Sentiment recognizing:

The Ellsworth High School Boys Swim Team on its winning for  
the first time the 2016 Class B State Championship. Members of  
the team include Talor Hamilton, Cooper Holmes, Zach McGraw,  
Sam Alvarado, Brian Whalley, Jack McKechnie, Hayden Sattler,  
Austin Baron, Richie Matthews, Camden Holmes, Sam Pelletier,  
Ben Mazgaj, Hunter Clark, Beckett Markosian, Cole Stevenson  
and Carter Frank; assistant coaches Jaime Frost and Maks  
Grover; and head coach Jim Goodman. We extend to all the  
members of the team our congratulations and offer them our best  
wishes;

SLS 1012

Sponsored by Senator **LANGLEY** of Hancock.  
Cosponsored by Representative: **LUCHINI** of Ellsworth.

**READ.**

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

Senator **LANGLEY:** Thank you, Mr. President. Women and men  
of the Senate, I rise today to recognize the accomplishments of  
the Ellsworth High School Swim Team as they capture their first  
ever State Championship. Ellsworth High has never won a State  
Swimming and Diving Championship, but they've been close a  
number of years. Coach Jim Goodman has worked to grow the  
program and develop athletes in his 13 years with the local  
Downeast Family YMCA. His hard work has paid off as Coach  
Goodman has been recognized as the Class B Maine Principals'  
Association Coach of the Year. The Ellsworth School Eagles  
dominated the Class B Swimming and Diving Championships  
from the get-go, grabbing the lead in the opening race and never  
letting go in route to a 362 point win. Senior Talor Hamilton  
paced Ellsworth with meet records in the 50 free style and the  
100 free style and his legs on the record setting 200 medley relay  
and the 400 free style relay team. He was named Performer of  
the Meet for the second straight year. Earlier in this session Talor  
was recognized as the 2015 Wendy's High School Heisman State  
Award winner and candidates for this award maintain a 3.0 GPA  
and have proved themselves to be role models in the community,  
and Talor has served as a role model for both his team and the  
community.

Men and women of the Senate, we often talk in the  
Education Committee about how important school culture is to the  
success of a school. I'm proud of the culture that's in our high  
school, in our school system, in Ellsworth as evidenced by recent

State Championships in wrestling, runners up in State Basketball, jazz band runners up, and it's a tremendous testament to the folks and the adults in the school in Ellsworth. With that, I thank you for your time.

**PASSED.**

Sent down for concurrence.

**THE PRESIDENT:** The Chair is pleased to recognize Coach Goodman and the Ellsworth High Swim Team. Would they please rise and accept the greetings of the Maine Senate.

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Off Record Remarks

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At this point a message was received from the House of Representatives, borne by Representative MCCABE of Skowhegan informing the Senate that the House concurred with the proposition for a Convention of the two branches of the Legislature to be held in the Hall of the House at 10:45 in the morning for the purpose of extending to Brigadier General Douglas A. Farnham, Adjutant General of the Maine National Guard, an invitation to attend the Convention and make such communication as pleases him.

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The Ellsworth High School Boys Basketball Team, of Ellsworth, which won the Class B North Championship. We extend to all the members of the team our congratulations and best wishes;  
SLS 1013

Sponsored by Senator LANGLEY of Hancock.  
Cosponsored by Representative: LUCHINI of Ellsworth.

**READ.**

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

Senator **LANGLEY:** Thank you, Mr. President. Men and women of the Senate, it's really an honor to recognize our students and the work and the efforts that they put in for this. Basketball season, as you know, is just one of the highlights of being in Maine and what a good run they had. Being in the State Championship game, even losing, is no short matter. With that, I certainly enjoy recognizing our team today. Thank you very much.

**PASSED.**

Sent down for concurrence.

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Off Record Remarks

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The President requested the Sergeant-At-Arms escort the Senator from Androscoggin, Senator **MASON**, to the rostrum where he assumed the duties as President Pro Tempore.

The President took a seat on the Floor.

The Senate was called to order by President Pro Tempore **GARRETT P. MASON** of Androscoggin County.

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**Joint Resolution**

Joint Resolution in Memoriam:

WHEREAS, the Legislature has learned with deep regret of the death of:

Lois C. Whitcomb, of Waldo, a noted dairy farmer and cattle breeder. Mrs. Whitcomb was born in Farmington and graduated from Farmington Normal School with a degree in education in 1945, later doing graduate work at Cornell University. She spent most of her adult life on the Birches Road in Waldo, where she and her late husband, Colby, and their 5 children raised Springdale Farm to national prominence for their Jersey and Guernsey cattle breeding. She was a strong supporter of education, particularly education in agriculture, serving both as an Extension agent and a 4-H Extension leader, and an avid supporter of cultural exchange, hosting foreign exchange students, particularly those from international agricultural programs. Her farming legacy is being continued by her granddaughters Carrie and Holly Whitcomb. She and her husband received the New England Jersey Association Senior Breeder Award and the Maine Dairy Industry Association and University of Maine Cooperative Extension Maine Dairy Shrine Distinguished Breeder Award. They were recognized by the Legislature for excellence in the dairy industry in 2001. Mrs. Whitcomb will be long remembered and sadly missed by her family and friends;

SLS 1017

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, I rise this morning to remember the life of Lois Whitcomb. Many of you would know her son, our Agricultural Commissioner Walt Whitcomb. Lois was a wonderful lady and a pioneer in the dairy industry in Waldo County, somebody that has, obviously, been at being a dairy farmer not just for decades but since the 1940s. Let me suggest to you that she truly was revered and respected by everyone who knew her. It is no surprise to any of us that her children have been extremely successful in the dairy industry and, indeed, now her grandchildren are taking over that farm. That didn't happen without real hard work and dedication. As you've heard read,

Lois was involved in all sorts of aspects to support the agricultural industry throughout her years because she saw the value in that. She knew how important the dairy industry and, indeed, agriculture was to the entire state of Maine. I would suggest to you that the apple didn't fall far from the tree with her son. I guess Lois is going to be sadly missed by all who knew her, but fondly remembered. Today we just take a few moments to remember the life of an extraordinary woman. Thank you, Mr. President.

**ADOPTED.**

Sent down for concurrence.

**THE PRESIDENT PRO TEMPORE:** The Chair is pleased to recognize in the rear of the Chamber Commissioner Walt Whitcomb and his family. Would they please rise and accept the condolences of the Senate.

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 Androscoggin, Senator **MASON**, to his seat on the floor.

Senate called to order by the President.

**COMMUNICATIONS**

The Following Communication: S.C. 877

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

March 18, 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 Education and Cultural Affairs has had under consideration the nomination of Paula D. Silsby of Portland, for appointment to the Maine Community College System, Board of Trustees.

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 1 Langley of Hancock

Representatives 7 Kornfield of Bangor, Daughtry of Brunswick, Farnsworth of Portland, Maker of Calais, McClellan of Raymond, Pouliot of Augusta, Stearns of Guilford

NAYS 0

ABSENT 5 Sen. Edgecomb of Aroostook, Sen. Millett of Cumberland, Rep. Hubbell of Bar Harbor, Rep. Pierce of Falmouth, Rep. Tipping-Spitz of Orono

Eight 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 Paula D. Silsby of Portland, for appointment to the Maine Community College System, Board of Trustees be confirmed.

Signed,

S/Brian D. Langley  
Senate Chair

S/Victoria P. Kornfield  
House Chair

**READ and ORDERED PLACED ON FILE.**

The President laid before the Senate the following: "Shall the recommendation of the Committee on **EDUCATION AND CULTURAL AFFAIRS** be overridden?"

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#525)**

YEAS: Senators: None

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

No Senator having voted in the affirmative and 34 Senators having voted in the negative, 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 **Paula D. Silsby** of Portland for appointment to the Maine Community College System, Board of Trustees was **CONFIRMED**.

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

The Following Communication: S.C. 876

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

March 18, 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 Education and Cultural Affairs has had under consideration the nomination of Michael A. Thibodeau of Presque Isle, for appointment to the Maine Community College System, Board of Trustees.

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	1	Langley of Hancock
	Representatives	7	Kornfield of Bangor, Daughtry of Brunswick, Farnsworth of Portland, Maker of Calais, McClellan of Raymond, Pouliot of Augusta, Stearns of Guilford
NAYS		0	
ABSENT		5	Sen. Edgecomb of Aroostook, Sen. Millett of Cumberland, Rep. Hubbell of Bar Harbor, Rep. Pierce of Falmouth, Rep. Tipping-Spitz of Orono

Eight 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 Michael A. Thibodeau of Presque Isle, for appointment to the Maine Community College System, Board of Trustees be confirmed.

Signed,

S/Brian D. Langley  
Senate Chair

S/Victoria P. Kornfield  
House Chair

**READ and ORDERED PLACED ON FILE.**

The President laid before the Senate the following: "Shall the recommendation of the Committee on **EDUCATION AND CULTURAL AFFAIRS** be overridden?"

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#526)**

YEAS: Senators: None

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

No Senator having voted in the affirmative and 34 Senators having voted in the negative, 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 **Michael A. Thibodeau** of Presque Isle for appointment to the Maine Community College System, Board of Trustees was **CONFIRMED**.

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

The Following Communication: S.C. 878

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

March 18, 2016

**ROLL CALL (#527)**

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

YEAS: Senators: None  
NAYS: Senators: ALFOND, BAKER, BRAKEY, BREEN, BURNS, COLLINS, CUSHING, CYRWAY, DAVIS, DIAMOND, DILL, EDGECOMB, GERZOFISKY, GRATWICK, HAMPER, HASKELL, HILL, JOHNSON, KATZ, LANGLEY, LIBBY, MASON, MCCORMICK, MILLETT, MIRAMANT, PATRICK, ROSEN, SAVIELLO, VALENTINO, VOLK, WHITTEMORE, WILLETTE, WOODSOME, THE PRESIDENT - MICHAEL D. THIBODEAU

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 Education and Cultural Affairs has had under consideration the nomination of Suzanne K. Grover of Norway, for appointment to the Maine Community College System, Board of Trustees.

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	1	Langley of Hancock
	Representatives	7	Kornfield of Bangor, Daughtry of Brunswick, Farnsworth of Portland, Maker of Calais, McClellan of Raymond, Pouliot of Augusta, Stearns of Guilford
NAYS		0	
ABSENT		5	Sen. Edgecomb of Aroostook, Sen. Millett of Cumberland, Rep. Hubbell of Bar Harbor, Rep. Pierce of Falmouth, Rep. Tipping-Spitz of Orono

Eight 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 Suzanne K. Grover of Norway, for appointment to the Maine Community College System, Board of Trustees be confirmed.

Signed,

S/Brian D. Langley  
Senate Chair

S/Victoria P. Kornfield  
House Chair

**READ and ORDERED PLACED ON FILE.**

The President laid before the Senate the following: "Shall the recommendation of the Committee on **EDUCATION AND CULTURAL AFFAIRS** be overridden?"

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

No Senator having voted in the affirmative and 34 Senators having voted in the negative, 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 **Suzanne K. Grover** of Norway for appointment to the Maine Community College System, Board of Trustees was **CONFIRMED**.

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

The Following Communication: S.C. 848

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

March 15, 2016

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

Dear President Thibodeau and Speaker Eves:

Please accept this letter as the report of the findings of the Joint Standing Committee on Energy, Utilities and Technology from its review and evaluation of the Maine Municipal and Rural Electrification Cooperative Agency under the State Government Evaluation Act, Title 3 Maine Revised Statutes, chapter 35.

The committee finds that the Maine Municipal and Rural Electrification Cooperative Agency (MMRECA) has not yet exercised its statutory authorities under the enabling law and no funds have been expended by the agency. The committee further finds that there is value in maintaining the MMRECA as a vehicle for joint action among consumer-owned electric utilities. Based on these findings, the committee recommends that the law enabling the MMRECA be left in place to allow the agency to use the powers granted therein should the opportunity arise.

Sincerely,

S/Senator David Woodsome  
Senate Chair

S/Representative Mark Dion  
House Chair

**READ and ORDERED PLACED ON FILE.**

The Following Communication: S.C. 849

**STATE OF MAINE  
127<sup>TH</sup> LEGISLATURE  
OFFICE OF THE GOVERNOR**

March 17, 2016

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

Dear President Thibodeau:

This is to inform you that I am today nominating Major Rene M. Cloutier of Cushing for appointment to the Board of Trustees, Maine School for Marine Science, Technology, Transportation and Engineering.

Pursuant Title 20-A MRSA §8234, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The Following Communication: S.C. 850

**STATE OF MAINE  
127<sup>TH</sup> LEGISLATURE  
OFFICE OF THE GOVERNOR**

March 17, 2016

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

Dear President Thibodeau:

This is to inform you that I am today nominating Captain Michael S. Flanagan of Thomaston for appointment to the Board of Trustees, Maine School for Marine Science, Technology, Transportation and Engineering.

Pursuant Title 20-A MRSA §8234, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The Following Communication: S.C. 851

**STATE OF MAINE  
127<sup>TH</sup> LEGISLATURE  
OFFICE OF THE GOVERNOR**

March 17, 2016

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

Dear President Thibodeau:

This is to inform you that I am today nominating Captain Eric P. Jergenson of Stockton Springs for appointment to the Board of Trustees, Maine School for Marine Science, Technology, Transportation and Engineering.

Pursuant Title 20-A MRSA §8234, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The Following Communication: S.C. 852

**STATE OF MAINE  
127<sup>TH</sup> LEGISLATURE  
OFFICE OF THE GOVERNOR**

March 17, 2016

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

Dear President Thibodeau:

This is to inform you that I am today nominating Thomas F. Marx of Liberty for appointment to the Board of Trustees, Maine School for Marine Science, Technology, Transportation and Engineering.

Pursuant Title 20-A MRSA §8234, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: S.C. 853

**STATE OF MAINE  
127<sup>TH</sup> LEGISLATURE  
OFFICE OF THE GOVERNOR**

March 17, 2016

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

Dear President Thibodeau:

This is to inform you that I am today nominating Almon D. Rivers of Searsport for appointment to the Board of Trustees, Maine School for Marine Science, Technology, Transportation and Engineering.

Pursuant Title 20-A MRSA §8234, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: S.C. 854

**STATE OF MAINE  
127<sup>TH</sup> LEGISLATURE  
OFFICE OF THE GOVERNOR**

March 17, 2016

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

Dear President Thibodeau:

This is to inform you that I am today nominating Carla R. Scocchi of Penobscot for appointment to the Board of Trustees, Maine School for Marine Science, Technology, Transportation and Engineering.

Pursuant Title 20-A MRSA §8234, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: S.C. 855

**STATE OF MAINE  
127<sup>TH</sup> LEGISLATURE  
OFFICE OF THE GOVERNOR**

March 17, 2016

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

Dear President Thibodeau,

This is to inform you that I am today nominating Sharon A. Eggleston of Brunswick for appointment to the Midcoast Regional Redevelopment Authority.

Pursuant to Title 5, MRSA §13083-I, this reappointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Labor, Commerce, Research and Economic Development.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: S.C. 856

**STATE OF MAINE  
127<sup>TH</sup> LEGISLATURE  
OFFICE OF THE GOVERNOR**

March 17, 2016

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

**STATE OF MAINE  
127<sup>TH</sup> LEGISLATURE  
OFFICE OF THE GOVERNOR**

March 17, 2016

Dear President Thibodeau,

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

This is to inform you that I am today nominating Lois N. Skillings of Brunswick for reappointment to the Midcoast Regional Redevelopment Authority.

Dear President Thibodeau:

Pursuant to Title 5, MRSA §13083-I, this reappointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Labor, Commerce, Research and Economic Development.

This is to inform you that I am today nominating Emery A. Deabay of Bucksport for reappointment to the Workers' Compensation Board.

Sincerely,

Pursuant to Title 39-A, MRSA §151, this reappointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Labor, Commerce, Research and Economic Development.

S/Paul R. LePage  
Governor

Sincerely,

**READ and ORDERED PLACED ON FILE.**

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: S.C. 857

**STATE OF MAINE  
127<sup>TH</sup> LEGISLATURE  
OFFICE OF THE GOVERNOR**

March 17, 2016

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The Following Communication: S.C. 859

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

**STATE OF MAINE  
127<sup>TH</sup> LEGISLATURE  
OFFICE OF THE GOVERNOR**

Dear President Thibodeau:

March 17, 2016

This is to inform you that I am today nominating Andrew P. Charles of South Portland for reappointment to the Workers' Compensation Board.

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

Pursuant to Title 39-A, MRSA §151, this reappointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Labor, Commerce, Research and Economic Development.

Dear President Thibodeau,

Sincerely,

This is to inform you that I am today nominating Gregory A. McNeal of Fairfield for appointment to the Gambling Control Board.

S/Paul R. LePage  
Governor

Pursuant to Title 8, MRSA §1002, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Veterans and Legal Affairs.

**READ and ORDERED PLACED ON FILE.**

Sincerely,

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The Following Communication: S.C. 858

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**



The Following Communication: S.C. 860

**STATE OF MAINE  
127<sup>TH</sup> LEGISLATURE  
OFFICE OF THE GOVERNOR**

March 17, 2016

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

Dear President Thibodeau,

This is to inform you that I am today nominating Lisa L. Turner of Freeport for appointment to the Land for Maine's Future Board.

Pursuant to Title 5, MRSA §6204, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Agriculture, Conservation and Forestry.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: S.C. 861

**STATE OF MAINE  
127<sup>TH</sup> LEGISLATURE  
OFFICE OF THE GOVERNOR**

March 17, 2016

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

Dear President Thibodeau,

This is to inform you that I am today nominating Bradley S. Moll of Yarmouth for appointment to the Land for Maine's Future Board.

Pursuant to Title 5, MRSA §6204, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Agriculture, Conservation and Forestry.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The Following Communication: S.C. 862

**STATE OF MAINE  
ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE  
COMMITTEE ON AGRICULTURE, CONSERVATION AND  
FORESTRY**

March 16, 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 Agriculture, Conservation and Forestry has voted unanimously to report the following bill(s) out "Ought Not to Pass":

L.D. 1595 Resolve, Authorizing the Reconveyance of Land and Authorizing the Sinclair Sanitary District To Lease Land for Telecommunications Purposes

This is notification of the Committee's action.

Sincerely,

S/Sen. Peter E. Edgecomb Senate Chair S/Rep. Craig V. Hickman House Chair

**READ and ORDERED PLACED ON FILE.**

---

The Following Communication: S.C. 863

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

March 16, 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 Judiciary has voted unanimously to report the following bill(s) out "Ought Not to Pass":

L.D. 951 An Act To Restore Judicial Discretion in the Administration of Fines

This is notification of the Committee's action.

Sincerely,

S/Sen. David C. Burns  
Senate Chair

S/Rep. Barry J. Hobbins  
House Chair

**READ and ORDERED PLACED ON FILE.**

---

The Following Communication: S.C. 864

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

March 15, 2016

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

Dear President Thibodeau and Speaker Eves:

Please accept this letter as the report of the findings of the Joint Standing Committee on Education and Cultural Affairs from its review and evaluation of the Maine Library Commission under the State Government Evaluation Act, Title 3 Maine Revised Statutes, chapter 35.

During the Second Regular Session of the 127th Maine Legislature, the Education and Cultural Affairs Committee received GEA reports from all of the State's cultural affairs agencies. We were impressed with the enthusiasm these agencies bring to their work.

The Committee finds that the Maine State Library and the Maine Library Commission advocate the participation of libraries throughout the State in the Maine Schools and Libraries Network "MSLN"), which offers broadband Internet access and network services in libraries to all members of the public. The MSLN works effectively because funding from the federal eRate program, as well as funds from the Maine Technology Education Access Fund (MTEAF) via the Public Utilities Commission, are used to support broadband Internet access and network services in our public libraries.

We understand that Maine libraries did not have any financial responsibility for providing MSLN services until 2016, but now are assessed a fee to participate in MSLN because of budget reductions in the program. These reductions are due to diminishing MTEAF funds resulting from the decline in fees collected on traditional landline telephone services. The Committee recognizes the importance of MSLN and supports alternative funding models that recognize the decline in landline telephone-based fees to fund these services.

The Committee further finds that the Maine State Library, the Maine State Museum, the Maine Arts Commission and the Maine Historic Preservation Commission occupy buildings that are in need of significant deferred maintenance and, as a result, may not meet today's needs to serve the public and maintain collection materials. These agencies have expressed concern that these facilities may not be comfortable and safe for patrons and staff without continuous maintenance. Beyond the ability to meet current needs, these agencies also shared their exciting visions for a new or transformed cultural building to enhance and expand services, as well as serve as a cultural and artistic center.

Notwithstanding the concerns raised above, the Committee finds that the Maine Library Commission is operating within its statutory authority.

Sincerely,

S/Senator Brian D. Langley  
Senate Chair

S/Representative Victoria P. Kornfield  
House Chair

**READ and ORDERED PLACED ON FILE.**

---

The Following Communication: S.C. 865

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

March 15, 2016

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

Dear President Thibodeau and Speaker Eves:

Please accept this letter as the report of the findings of the Joint Standing Committee on Education and Cultural Affairs from its review and evaluation of the Maine State Library under the State Government Evaluation Act, Title 3 Maine Revised Statutes, chapter 35.

During the Second Regular Session of the 127th Maine Legislature, the Education and Cultural Affairs Committee received GEA reports from all of the State's cultural affairs agencies. We were impressed with the enthusiasm these agencies bring to their work.

The Committee finds that the Maine State Library and the Maine Library Commission advocate the participation of libraries throughout the State in the Maine Schools and Libraries Network "MSLN"), which offers broadband Internet access and network

services in libraries to all members of the public. The MSLN works effectively because funding from the federal eRate program, as well as funds from the Maine Technology Education Access Fund (MTEAF) via the Public Utilities Commission, are used to support broadband Internet access and network services in our public libraries.

We understand that Maine libraries did not have any financial responsibility for providing MSLN services until 2016, but now are assessed a fee to participate in MSLN because of budget reductions in the program. These reductions are due to diminishing MTEAF funds resulting from the decline in fees collected on traditional landline telephone services. The Committee recognizes the importance of MSLN and supports alternative funding models that recognize the decline in landline telephone-based fees to fund these services.

The Committee further finds that the Maine State Library, the Maine State Museum, the Maine Arts Commission and the Maine Historic Preservation Commission occupy buildings that are in need of significant deferred maintenance and, as a result, may not meet today's needs to serve the public and maintain collection materials. These agencies have expressed concern that these facilities may not be comfortable and safe for patrons and staff without continuous maintenance. Beyond the ability to meet current needs, these agencies also shared their exciting visions for a new or transformed cultural building to enhance and expand services, as well as serve as a cultural and artistic center.

Notwithstanding the concerns raised above, the Committee finds that the Maine State Library is operating within its statutory authority.

Sincerely,

S/Senator Brian D. Langley  
Senate Chair

S/Representative Victoria P. Kornfield  
House Chair

**READ and ORDERED PLACED ON FILE.**

The Following Communication: S.C. 866

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

March 15, 2016

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

Dear President Thibodeau and Speaker Eves:

Please accept this letter as the report of the findings of the Joint Standing Committee on Education and Cultural Affairs from its review and evaluation of the Maine Historic Preservation Commission under the State Government Evaluation Act, Title 3 Maine Revised Statutes, chapter 35.

During the Second Regular Session of the 127th Maine Legislature, the Education and Cultural Affairs Committee received GEA reports from all of the State's cultural affairs agencies. We were impressed with the enthusiasm these agencies bring to their work.

The Committee further finds that the Maine State Library, the Maine State Museum, the Maine Arts Commission and the Maine Historic Preservation Commission occupy buildings that are in need of significant deferred maintenance and, as a result, may not meet today's needs to serve the public and maintain collection materials. These agencies have expressed concern that these facilities may not be comfortable and safe for patrons and staff without continuous maintenance. Beyond the ability to meet current needs, these agencies also shared their exciting visions for a new or transformed cultural building to enhance and expand services, as well as serve as a cultural and artistic center.

Notwithstanding the concerns raised above, the Committee finds that the Maine Historic Preservation Commission is operating within its statutory authority.

Sincerely,

S/Senator Brian D. Langley  
Senate Chair

S/Representative Victoria P. Kornfield  
House Chair

**READ and ORDERED PLACED ON FILE.**

The Following Communication: S.C. 867

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

March 15, 2016

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

Dear President Thibodeau and Speaker Eves:

Please accept this letter as the report of the findings of the Joint Standing Committee on Education and Cultural Affairs from its review and evaluation of the Maine Arts Commission under the State Government Evaluation Act, Title 3 Maine Revised Statutes, chapter 35.

During the Second Regular Session of the 127th Maine Legislature, the Education and Cultural Affairs Committee received GEA reports from all of the State's cultural affairs agencies. We were impressed with the enthusiasm these agencies bring to their work.

The Committee further finds that the Maine State Library, the Maine State Museum, the Maine Arts Commission and the Maine Historic Preservation Commission occupy buildings that are in need of significant deferred maintenance and, as a result, may not meet today's needs to serve the public and maintain collection materials. These agencies have expressed concern that these facilities may not be comfortable and safe for patrons and staff without continuous maintenance. Beyond the ability to meet current needs, these agencies also shared their exciting visions for a new or transformed cultural building to enhance and expand services, as well as serve as a cultural and artistic center.

Notwithstanding the concerns raised above, the Committee finds that the Maine Arts Commission is operating within its statutory authority.

Sincerely,

S/Senator Brian D. Langley  
Senate Chair

S/Representative Victoria P. Kornfield  
House Chair

**READ and ORDERED PLACED ON FILE.**

The Following Communication: S.C. 868

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

March 15, 2016

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

Dear President Thibodeau and Speaker Eves:

Please accept this letter as the report of the findings of the Joint Standing Committee on Education and Cultural Affairs from its review and evaluation of the Maine State Cultural Affairs Council

under the State Government Evaluation Act, Title 3 Maine Revised Statutes, chapter 35.

During the Second Regular Session of the 127th Maine Legislature, the Education and Cultural Affairs Committee received GEA reports from all of the State's cultural affairs agencies. We were impressed with the enthusiasm these agencies bring to their work.

The Committee further finds that the Maine State Library, the Maine State Museum, the Maine Arts Commission and the Maine Historic Preservation Commission occupy buildings that are in need of significant deferred maintenance and, as a result, may not meet today's needs to serve the public and maintain collection materials. These agencies have expressed concern that these facilities may not be comfortable and safe for patrons and staff without continuous maintenance. Beyond the ability to meet current needs, these agencies also shared their exciting visions for a new or transformed cultural building to enhance and expand services, as well as serve as a cultural and artistic center.

Notwithstanding the concerns raised above, the Committee finds that the Maine State Cultural Affairs Council is operating within its statutory authority.

Sincerely,

S/Senator Brian D. Langley  
Senate Chair

S/Representative Victoria P. Kornfield  
House Chair

**READ and ORDERED PLACED ON FILE.**

The Following Communication: S.C. 869

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

March 15, 2016

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

Dear President Thibodeau and Speaker Eves:

Please accept this letter as the report of the findings of the Joint Standing Committee on Education and Cultural Affairs from its review and evaluation of the Maine Historical Society under the State Government Evaluation Act, Title 3 Maine Revised Statutes, chapter 35.

During the Second Regular Session of the 127th Maine Legislature, the Education and Cultural Affairs Committee received GEA reports from all of the State's cultural affairs agencies, including the Maine Historical Society. We were impressed with the enthusiasm these agencies bring to their work.

The Committee finds that the Maine Historical Society is operating within its statutory authority.

Sincerely,

S/Senator Brian D. Langley  
Senate Chair

S/Representative Victoria P. Kornfield  
House Chair

**READ and ORDERED PLACED ON FILE.**

---

The Following Communication: S.C. 870

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

March 15, 2016

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

Dear President Thibodeau and Speaker Eves:

Please accept this letter as the report of the findings of the Joint Standing Committee on Education and Cultural Affairs from its review and evaluation of the Maine State Museum Commission under the State Government Evaluation Act, Title 3 Maine Revised Statutes, chapter 35.

During the Second Regular Session of the 127th Maine Legislature, the Education and Cultural Affairs Committee received GEA reports from all of the State's cultural affairs agencies. We were impressed with the enthusiasm these agencies bring to their work.

The Committee further finds that the Maine State Library, the Maine State Museum, the Maine Arts Commission and the Maine Historic Preservation Commission occupy buildings that are in need of significant deferred maintenance and, as a result, may not meet today's needs to serve the public and maintain collection materials. These agencies have expressed concern that these facilities may not be comfortable and safe for patrons and staff without continuous maintenance. Beyond the ability to meet current needs, these agencies also shared their exciting visions

for a new or transformed cultural building to enhance and expand services, as well as serve as a cultural and artistic center.

Notwithstanding the concerns raised above, the Committee finds that the Maine State Museum Commission is operating within its statutory authority.

Sincerely,

S/Senator Brian D. Langley  
Senate Chair

S/Representative Victoria P. Kornfield  
House Chair

**READ and ORDERED PLACED ON FILE.**

---

The Following Communication: S.C. 871

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

March 15, 2016

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

Dear President Thibodeau and Speaker Eves:

Please accept this letter as the report of the findings of the Joint Standing Committee on Education and Cultural Affairs from its review and evaluation of the Maine State Museum under the State Government Evaluation Act, Title 3 Maine Revised Statutes, chapter 35.

During the Second Regular Session of the 127th Maine Legislature, the Education and Cultural Affairs Committee received GEA reports from all of the State's cultural affairs agencies. We were impressed with the enthusiasm these agencies bring to their work.

The Committee further finds that the Maine State Library, the Maine State Museum, the Maine Arts Commission and the Maine Historic Preservation Commission occupy buildings that are in need of significant deferred maintenance and, as a result, may not meet today's needs to serve the public and maintain collection materials. These agencies have expressed concern that these facilities may not be comfortable and safe for patrons and staff without continuous maintenance. Beyond the ability to meet current needs, these agencies also shared their exciting visions for a new or transformed cultural building to enhance and expand services, as well as serve as a cultural and artistic center.

Notwithstanding the concerns raised above, the Committee finds that the Maine State Museum is operating within its statutory authority.

Sincerely,

S/Senator Brian D. Langley  
Senate Chair

S/Representative Victoria P. Kornfield  
House Chair

**READ and ORDERED PLACED ON FILE.**

---

The Following Communication: S.C. 872

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

March 15, 2016

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

Dear President Thibodeau and Speaker Eves:

Please accept this letter as the report of the findings of the Joint Standing Committee on Education and Cultural Affairs from its review and evaluation of the Office of the State Historian under the State Government Evaluation Act, Title 3 Maine Revised Statutes, chapter 35.

During the Second Regular Session of the 127th Maine Legislature, the Education and Cultural Affairs Committee received GEA reports from all of the State's cultural affairs agencies. We were impressed with the enthusiasm these agencies bring to their work.

The Committee further finds that the Maine State Library, the Maine State Museum, the Maine Arts Commission and the Maine Historic Preservation Commission, including the Office of the State Historian, occupy buildings that are in need of significant deferred maintenance and, as a result, may not meet today's needs to serve the public and maintain collection materials. These agencies have expressed concern that these facilities may not be comfortable and safe for patrons and staff without continuous maintenance. Beyond the ability to meet current needs, these agencies also shared their exciting visions for a new or transformed cultural building to enhance and expand services, as well as serve as a cultural and artistic center.

Notwithstanding the concerns raised above, the Committee finds that the Office of the State Historian is operating within its statutory authority.

Sincerely,

S/Senator Brian D. Langley  
Senate Chair

S/Representative Victoria P. Kornfield  
House Chair

**READ and ORDERED PLACED ON FILE.**

---

The Following Communication: S.C. 873

**STATE OF MAINE  
127<sup>TH</sup> LEGISLATURE  
OFFICE OF THE GOVERNOR**

March 18, 2016

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

Dear President Thibodeau:

This is to inform you that I am today nominating Brent M. Boyles of Presque Isle for reappointment to the Efficiency Maine Trust Board.

Pursuant to Title 35-A, MRSA §10103, this reappointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Energy, Utilities and Technology.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: S.C. 874

**STATE OF MAINE  
127<sup>TH</sup> LEGISLATURE  
OFFICE OF THE GOVERNOR**

March 18, 2016

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

Dear President Thibodeau:

This is to inform you that I am today nominating Herbert L. Crosby of Orono for appointment to the Efficiency Maine Trust Board.

Pursuant to Title 35-A, MRSA §10103, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Energy, Utilities and Technology.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The Following Communication: S.C. 875

**STATE OF MAINE  
127<sup>TH</sup> LEGISLATURE  
OFFICE OF THE GOVERNOR**

March 18, 2016

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

Dear President Thibodeau:

This is to inform you that I am today nominating David J. Barber of Cape Elizabeth for reappointment to the Efficiency Maine Trust Board.

Pursuant to Title 35-A, MRSA §10103, this reappointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Energy, Utilities and Technology.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

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

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

After Convention

In Senate Chamber

Senate called to order by the President

The Following Communication: H.P. 1131

**STATE OF MAINE  
OFFICE OF THE  
SECRETARY OF STATE  
AUGUSTA, MAINE 04333-0148**

March 15, 2016

Honorable Robert B. Hunt  
Clerk of the House  
2 State House Station  
Augusta, Maine 04333

Dear Clerk Hunt:

Enclosed please find my official certification to the 127th Legislature of the citizen initiative petition entitled "An Act To Establish the Fund To Advance Public Kindergarten to Grade 12 Education".

Sincerely,

S/Matthew Dunlap  
Secretary of State

**State of Maine  
Secretary of State**

I, Matthew Dunlap, Secretary of State, hereby certify that written petitions bearing valid signatures of 66,849 electors of this State were addressed to the Legislature of the State of Maine and were filed in the office of the Secretary of State on February 1, 2016, requesting that the Legislature consider an act entitled, "An Act To Establish the Fund To Advance Public Kindergarten to Grade 12 Education".

I further certify that the number of signatures submitted is in excess of ten percent of the total votes cast in the last gubernatorial election preceding the filing of such petitions, as required by Article IV, Part Third, Section 18 of the Constitution of Maine, that number being 61,123.

I further certify this initiative petition to be valid and attach herewith the text of the legislation circulated on the petition's behalf.

In testimony whereof, I have caused the Great Seal of the State of Maine to be hereunto affixed. Given under my hand at Augusta on the fifteenth day of March in the year two thousand and sixteen.

S/Matthew Dunlap  
Secretary of State

Comes from the House, **READ and ORDERED PLACED ON FILE.**

**READ and ORDERED PLACED ON FILE**, in concurrence.

The accompanying Bill:

An Act To Establish the Fund To Advance Public Kindergarten to Grade 12 Education

I.B. 3 L.D. 1660

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

Comes from the House, Bill and accompanying papers **INDEFINITELY POSTPONED.**

Senator **LANGLEY** of Hancock moved to **TABLE** until Later in Today's Session, pending **REFERENCE**, in **NON-CONCURRENCE.**

Senate at Ease.

Senate called to order by the President.

Senator **LANGLEY** of Hancock requested and received leave of the Senate to withdraw his motion to **TABLE** until Later in Today's Session, pending **REFERENCE**, in **NON-CONCURRENCE.**

Bill and accompanying papers **INDEFINITELY POSTPONED**, in concurrence

The Following Communication: H.P. 1132

**STATE OF MAINE  
OFFICE OF THE  
SECRETARY OF STATE  
AUGUSTA, MAINE 04333-0148**

March 15, 2016

Honorable Robert B. Hunt  
Clerk of the House  
2 State House Station  
Augusta, Maine 04333

Dear Clerk Hunt:

Enclosed please find my official certification to the 127th Legislature of the citizen initiative petition entitled "An Act To Raise the Minimum Wage".

Sincerely,

S/Matthew Dunlap  
Secretary of State

**State of Maine  
Secretary of State**

I, Matthew Dunlap, Secretary of State, hereby certify that written petitions bearing valid signatures of 75,275 electors of this State were addressed to the Legislature of the State of Maine and were filed in the office of the Secretary of State on January 14, 2016, requesting that the Legislature consider an act entitled, "An Act To Raise the Minimum Wage".

I further certify that the number of signatures submitted is in excess of ten percent of the total votes cast in the last gubernatorial election preceding the filing of such petitions, as required by Article IV, Part Third, Section 18 of the Constitution of Maine, that number being 61,123.

I further certify this initiative petition to be valid and attach herewith the text of the legislation circulated on the petition's behalf.

In testimony whereof, I have caused the Great Seal of the State of Maine to be hereunto affixed. Given under my hand at Augusta on the fifteenth day of March in the year two thousand and sixteen.

S/Matthew Dunlap  
Secretary of State

Comes from the House, **READ** and **ORDERED PLACED ON FILE.**

**READ** and **ORDERED PLACED ON FILE**, in concurrence.

The accompanying Bill:

An Act To Raise the Minimum Wage  
I.B. 4 L.D. 1661

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

Comes from the House, Bill and accompanying papers **INDEFINITELY POSTPONED.**

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

The Following Communication: H.P. 1133

**STATE OF MAINE  
OFFICE OF THE  
SECRETARY OF STATE  
AUGUSTA, MAINE 04333-0148**

March 15, 2016

Honorable Robert B. Hunt  
Clerk of the House  
2 State House Station  
Augusta, Maine 04333



Dear Clerk Hunt:

Enclosed please find my official certification to the 127th Legislature of the citizen initiative petition entitled "An Act To Require Background Checks for Gun Sales".

Sincerely,

S/Matthew Dunlap  
Secretary of State

---

**State of Maine**  
**Secretary of State**

I, Matthew Dunlap, Secretary of State, hereby certify that written petitions bearing valid signatures of 65,821 electors of this State were addressed to the Legislature of the State of Maine and were filed in the office of the Secretary of State on January 19, 2016, requesting that the Legislature consider an act entitled, "An Act To Require Background Checks for Gun Sales".

I further certify that the number of signatures submitted is in excess of ten percent of the total votes cast in the last gubernatorial election preceding the filing of such petitions, as required by Article IV, Part Third, Section 18 of the Constitution of Maine, that number being 61,123.

I further certify this initiative petition to be valid and attach herewith the text of the legislation circulated on the petition's behalf.

In testimony whereof, I have caused the Great Seal of the State of Maine to be hereunto affixed. Given under my hand at Augusta on the fifteenth day of March in the year two thousand and sixteen.

S/Matthew Dunlap  
Secretary of State

Comes from the House, **READ** and **ORDERED PLACED ON FILE**.

**READ** and **ORDERED PLACED ON FILE**, in concurrence.

The accompanying Bill:

An Act To Require Background Checks for Gun Sales  
I.B. 5 L.D. 1662

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

Comes from the House, Bill and accompanying papers **INDEFINITELY POSTPONED**.

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

---

Senate at Ease.

Senate called to order by the President.

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**SENATE PAPERS**

Bill "An Act To Facilitate Internal Hiring by Reforming the Use of Registers in the State Civil Service System"  
S.P. 682 L.D. 1668

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

On motion by Senator **MASON** of Androscoggin, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

Sent down for concurrence.

---

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

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**REPORTS OF COMMITTEES**

**House**

**Ought to Pass As Amended**

The Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Implement the Recommendations of the Criminal Law Advisory Commission Relative to the Maine Criminal Code and Related Statutes"  
H.P. 1094 L.D. 1603

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-566)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-566)**.

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

**READ ONCE**.

Committee Amendment "A" (H-566) **READ** and **ADOPTED**, in concurrence.

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

---

The Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Make Certain Statutory Changes in Light of the New Maine Rules of Unified Criminal Procedure"  
H.P. 1108 L.D. 1632

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-565)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-565)**.

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

**READ ONCE.**

Committee Amendment "A" (H-565) **READ** and **ADOPTED**, in concurrence.

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

---

The Committee on **TAXATION** on Bill "An Act To Establish Municipal Cost Components for Unorganized Territory Services To Be Rendered in Fiscal Year 2016-17"  
H.P. 1102 L.D. 1623

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-562)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-562)**.

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

**READ ONCE.**

Committee Amendment "A" (H-562) **READ** and **ADOPTED**, in concurrence.

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

---

The Committee on **TRANSPORTATION** on Bill "An Act To Modernize Road User Fees"  
H.P. 771 L.D. 1110

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-563)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-563)**.

Report **READ**.

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

---

**Senate**

**Ought to Pass**

Senator BURNS for the Committee on **JUDICIARY** on Bill "An Act To Extend the Time for Commencing an Action Relating to Death Caused by Homicide"

S.P. 646 L.D. 1605

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

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

Under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED AS AMENDED**.

Sent down for concurrence.

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**Ought to Pass As Amended**

Senator BRAKEY for the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Facilitate MaineCare Assisted Living by Providing a Cost-of-living Adjustment to Private Nonmedical Institutions and Adult Family Care Homes"  
S.P. 589 L.D. 1527

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-402)**.

Report **READ**

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#528)**

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

NAYS: Senators: None

34 Senators having voted in the affirmative and no Senator having voted in the negative, the **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-402)** Report **ACCEPTED**.

**READ ONCE.**

Committee Amendment "A" (S-402) **READ** and **ADOPTED**.

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

Sent down for concurrence.

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Senator BRAKEY for the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Improve Hospital Governance by Clarifying the Requirement for a Certificate of Need for Intracorporation Transfers"

S.P. 624 L.D. 1573

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-410)**.

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

**READ ONCE.**

Committee Amendment "A" (S-410) **READ** and **ADOPTED**.

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

Sent down for concurrence.

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Senator BRAKEY for the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act Regarding the Long-term Care Ombudsman Program"

S.P. 655 L.D. 1617

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-389)**.

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

**READ ONCE.**

Committee Amendment "A" (S-389) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Senator VOLK for the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Conform Maine Law to Federal Law Regarding Closings and Mass Layoffs and To Strengthen Employee Severance Pay Protections"

S.P. 515 L.D. 1389

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-409)**.

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

**READ ONCE.**

Committee Amendment "A" (S-409) **READ** and **ADOPTED**.

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

Sent down for concurrence.

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#### Divided Report

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Increase Sentences Imposed for the Illegal Importation of Scheduled Drugs"

S.P. 602 L.D. 1541

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-403)**.

Signed:

Senators:

ROSEN of Hancock  
BURNS of Washington

Representatives:

CHENETTE of Saco  
GERRISH of Lebanon  
LONG of Sherman  
NADEAU of Winslow  
THERIAULT of China  
TIMMONS of Cumberland

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "B" (S-404)**.

Signed:

Senator:

GERZOFKY of Cumberland

Representatives:

FOWLE of Vassalboro  
DAVITT of Hampden  
LAJOIE of Lewiston  
WARREN of Hallowell

Reports **READ**.

Senator **ROSEN** of Hancock moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-403)** Report.

Senate at Ease.

Senate called to order by the President.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-403)** Report.

**Divided Report**

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Ensure Nondiscrimination against Gun Owners in Public Housing" S.P. 620 L.D. 1572

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-405)**.

Signed:

Senators:

- ROSEN of Hancock
- BURNS of Washington
- GERZOFKY of Cumberland

Representatives:

- GERRISH of Lebanon
- LONG of Sherman
- THERIAULT of China
- TIMMONS of Cumberland

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

Signed:

Representatives:

- FOWLE of Vassalboro
- CHENETTE of Saco
- DAVITT of Hampden
- LAJOIE of Lewiston
- NADEAU of Winslow
- WARREN of Hallowell

Reports **READ**.

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

**Divided Report**

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Resolve, To Provide Funding for the County Jail Operations Fund (EMERGENCY) S.P. 652 L.D. 1614

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-400)**.

Signed:

Senator:

ROSEN of Hancock

Representatives:

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

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

Signed:

Senators:

- BURNS of Washington
- GERZOFKY of Cumberland

Reports **READ**.

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

**READ ONCE**.

Committee Amendment "A" (S-400) **READ** and **ADOPTED**.

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

Sent down forthwith for concurrence.

**Divided Report**

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Improve Teaching Assignments in Maine's Public Schools" S.P. 604 L.D. 1544

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

Signed:

Senators:

LANGLEY of Hancock  
EDGECOMB of Aroostook

Representatives:

KORNFIELD of Bangor  
FARNSWORTH of Portland  
HUBBELL of Bar Harbor  
MAKER of Calais  
McCLELLAN of Raymond  
PIERCE of Falmouth  
POULIOT of Augusta  
STEARNS of Guilford

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-401).**

Signed:

Senator:

MILLETT of Cumberland

Representatives:

DAUGHTRY of Brunswick  
TIPPING-SPITZ of Orono

Reports **READ.**

Senator **LANGLEY** of Hancock moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

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**Divided Report**

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Replace a Statue in the National Statuary Hall Collection"

S.P. 645 L.D. 1604

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

Signed:

Senators:

LANGLEY of Hancock  
EDGECOMB of Aroostook

Representatives:

KORNFIELD of Bangor  
FARNSWORTH of Portland  
MAKER of Calais  
McCLELLAN of Raymond  
STEARNS of Guilford

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-413).**

Signed:

Senator:

MILLETT of Cumberland

Representatives:

DAUGHTRY of Brunswick  
HUBBELL of Bar Harbor  
PIERCE of Falmouth  
POULIOT of Augusta  
TIPPING-SPITZ of Orono

Reports **READ.**

Senator **LANGLEY** of Hancock moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

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**Divided Report**

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Resolve, To Enhance the Administration of the Child and Adult Care Food Program by Creating Clear Guidelines for Organizations and Streamlining the Application Process  
S.P. 570 L.D. 1472

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-411).**

Signed:

Senator:

HASKELL of Cumberland

Representatives:

GATTINE of Westbrook  
BURSTEIN of Lincolnville  
HAMANN of South Portland  
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:

Senators:

BRAKEY of Androscoggin  
McCORMICK of Kennebec

Representatives:  
HEAD of Bethel  
MALABY of Hancock  
SANDERSON of Chelsea

Sent down for concurrence.

Reports **READ**.

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

**Divided Report**

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Resolve, Regarding Home Care Service Rates for Serving Persons with Complex Medical Needs  
S.P. 657 L.D. 1619

**Divided Report**

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Expand Geropsychiatric Facility Capacity"

S.P. 654 L.D. 1616

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

Signed:

Senators:  
BRAKEY of Androscoggin  
McCORMICK of Kennebec

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-412)**.

Representatives:  
HEAD of Bethel  
HYMANSON of York  
MALABY of Hancock  
SANDERSON of Chelsea  
VACHON of Scarborough

Signed:

Senator:  
HASKELL of Cumberland

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-408)**.

Signed:

Senator:  
HASKELL of Cumberland

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

Representatives:  
GATTINE of Westbrook  
BURSTEIN of Lincolnville  
HAMANN of South Portland  
PETERSON of Rumford  
STUCKEY of Portland

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

Signed:

Senators:  
BRAKEY of Androscoggin  
McCORMICK of Kennebec

Reports **READ**.

Senator **BRAKEY** of Androscoggin moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

Representatives:  
HEAD of Bethel  
SANDERSON of Chelsea

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

Reports **READ**.

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

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

**READ ONCE**.

Committee Amendment "A" (S-412) **READ** and **ADOPTED**.

Senator **HASKELL:** Thank you very much, Mr. President. Ladies and gentlemen of the Senate, I'd like to just speak briefly about this bill and what it does. This was one of the bills that came out of the Commission to Study Difficult to Place Patients. When I talk about difficult to place patients I know some of you have had some exposure to this because of the number of bills we had out of this committee. It really involves patients who have significant

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

medical needs. Unfortunately a large number of these patients are being cared for in hospital settings when they are no longer in need of hospital level care, when their level of care would be more appropriate either at home with appropriate supports or in a facility with adequate supports. What we have found, when we looked at the reasons that some of these patients have not been moved from hospitals to nursing homes, is that their needs are complex and sometimes expensive in a way that really hinders nursing homes, for instance, in being able to take a great number of these patients. Some of these patients require 24/7 care. People who are on ventilators. People who need to be moved with heavy equipment. Bariatric patients, that requires specialized equipment, which is expensive. There are patients who require more services than you would assume that a nursing home would be able to provide. There are nursing homes that are accepting these patients, but there are few of them. They'll take one or two of these difficult to place patients. One of the reasons is, as they say, right now they are stretched, at best, with the staffing that they are providing for all of their patients, for all of those folks for whom that is their home. If they have to move additional staff over for one of these difficult to place patients that reduces the amount of service that can be provided to other people who are residing in those facilities. This Resolve asks the Department of Health and Human Services to look at that rate structure. Instead of creating a nursing home rate structure which is based just on individuals, that one and this one and that one and that one, to take into consideration some of these more difficult to place patients and see whether there couldn't be additional reimbursement to the nursing home if they were willing to take on one of these patients. I believe that this is a very early beginning in order to allow us to take into consideration these patients and make sure that the nursing homes are adequately funded when we ask them to take on these special cases, who could be one of mine or one of yours or one of us. Thank you very much.

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

Senator **BRAKEY:** Thank you, Mr. President. I rise today in support of the Majority Ought Not to Pass Report on L.D. 1619. We reviewed this legislation in the Health and Human Services Committee and a bi-partisan majority determined that this bill was unnecessary in light of other legislation that our committee has already unanimously recommended. This bill would require DHHS to implement a demonstration project that will provide enhanced rates for homecare services with participation limited to patients with complex medical needs enrolled in the Homeward Bound Program. There is nothing intrinsically wrong with this proposal when considered in isolation, but the Health and Human Services Committee has recently unanimously recommended the implementation of a very comprehensive DHHS rate study which would increase homecare service rates significantly at a cost of over \$8 million in the General Fund. As DHHS wrote in their testimony, "The Department has conducted a rate study of home health services and this committee adopted the recommendations of that study. Adoption of those rates will result in a substantial rate increase for home health services." Adequately funding home health services for our seniors is among our top priorities in the Health and Human Services Committee this session. This legislation, L.D. 1619, while looked at in isolation is a good bill, in this case it is not only redundant with what has already been

recommended but could potentially be disruptive in the implementation of those recommendations. I will be voting in favor of the bi-partisan Ought Not to Pass Majority Report and I would invite the Chamber to join with me. Thank you very much, Mr. President.

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

Senator **HASKELL:** Thank you very much, Mr. President. I would just, not hesitantly, but I would just like to tell you that the rates studies that are done are done based on the current populations. They are not based on this population of people who continue to be served in hospitals when it's not necessary, some of them for short periods but there are also some who have been in quite long periods in hospitals awaiting placement in a more appropriate setting. Our laws require that people be placed in the least restrictive facility possible and the hospitals are not it. They do a good job with what they do but this is not hospital level care. This is nursing home care. I would appreciate it if people would take that into consideration as we vote on this bill. Thank you.

**THE PRESIDENT:** The pending question before the Senate is the motion by the Senator from Androscoggin, Senator Brakey to Accept the Majority Ought Not to Pass Report. 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 (#529)**

**YEAS:** Senators: BAKER, BRAKEY, BURNS, COLLINS, CUSHING, CYRWAY, DAVIS, EDGECOMB, HAMPER, KATZ, LANGLEY, MASON, MCCORMICK, ROSEN, VOLK, WHITTEMORE, WILLETTE, THE PRESIDENT - MICHAEL D. THIBODEAU

**NAYS:** Senators: ALFOND, BREEN, DIAMOND, DILL, GERZOFKY, GRATWICK, HASKELL, HILL, JOHNSON, LIBBY, MILLETT, MIRAMANT, PATRICK, SAVIELLO, VALENTINO, WOODSOME

18 Senators having voted in the affirmative and 16 Senators having voted in the negative, the motion by Senator **BRAKEY** of Androscoggin to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report **PREVAILED**.

Sent down for concurrence.

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**Divided Report**

The Majority of the Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Encourage Health Insurance Consumers To Comparison Shop for Health Care Procedures and Treatment"

S.P. 470 L.D. 1305

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-406).**

Signed:

Senator:

GRATWICK of Penobscot

Representatives:

BECK of Waterville  
BROOKS of Lewiston  
COOPER of Yarmouth  
MELARAGNO of Auburn  
MORRISON of South Portland  
TUCKER of Brunswick

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "B" (S-407).**

Signed:

Senators:

WHITTEMORE of Somerset  
BAKER of Sagadahoc

Representatives:

FOLEY of Wells  
PICCHIOTTI of Fairfield  
PRESCOTT of Waterboro  
WALLACE of Dexter

Reports **READ.**

On motion by Senator **WHITTEMORE** of Somerset, **TABLED** until Later in Today's Session, pending **ACCEPTANCE OF EITHER 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 Regarding Maine Spirits

S.P. 565 L.D. 1467  
(C "A" S-394)

This being an Emergency Measure and having received the affirmative vote of 34 Members of the Senate, with no Senator having voted in the negative, and 34 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and, having been signed by the President, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

**Emergency Measure**

An Act To Expand the Early Processing of Absentee Ballots

H.P. 1050 L.D. 1539  
(C "A" H-560)

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

**Emergency Resolve**

Resolve, To Provide Wage Parity for Supervisors of Law Enforcement Personnel

S.P. 585 L.D. 1523  
(C "A" S-383)

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

**Acts**

An Act To Increase Government Efficiency

S.P. 446 L.D. 1241

An Act To Amend the Maine Guaranteed Access Reinsurance Association Act

S.P. 605 L.D. 1545  
(C "A" S-393)

An Act To Implement the Recommendations of the Maine Affordable Housing Working Group

H.P. 1095 L.D. 1607  
(C "A" H-557)

An Act To Enact the Recommendations of the Study of the Allocations of the Fund for a Healthy Maine

H.P. 1121 L.D. 1650

An Act To Exempt Certain Natural Gas Consumers from an Assessment and To Extend a Moratorium on Assessments for Other Large-volume Consumers of Natural Gas

H.P. 1122 L.D. 1651

**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.

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An Act Regarding Maximum Allowable Cost Pricing Lists Used by Pharmacy Benefit Managers

H.P. 788 L.D. 1150  
(C "B" H-556)

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

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An Act To Reduce Morbidity and Mortality Related to Injected Drugs

H.P. 1057 L.D. 1552  
(C "A" H-559)

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

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An Act To Provide Additional Resources for Nurse Education Consultants in the Department of Health and Human Services

S.P. 656 L.D. 1618  
(C "A" S-391)

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

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**Resolve**

Resolve, Authorizing Legislation To Streamline the Laws Governing the Licensing and Conduct of Beano and Games of Chance

H.P. 692 L.D. 997  
(C "A" H-554)

On motion by Senator **CUSHING** of Penobscot, placed on the **SPECIAL STUDY TABLE**, pending **FINAL PASSAGE**, in concurrence.

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

**PAPERS FROM THE HOUSE**

**House Papers**

Bill "An Act To Protect the Tax Base of Municipalities by Removing the Property Tax Exemption for Land Held for Conservation or Public Access Purposes"

H.P. 1137 L.D. 1667

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.

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**Pursuant to Statute  
Maine Health Data Organization**

The **Maine Health Data Organization**, pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying 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

Be **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed pursuant to Joint Rule 218.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed pursuant to Joint Rule 218.

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

**REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed pursuant to Joint Rule 218, in concurrence.

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**Pursuant to Statute  
Commission on Governmental Ethics and Election Practices**

The **Commission on Governmental Ethics and Election Practices**, pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 3: Maine Clean Election Act and Related Provisions, a Late-filed Major Substantive Rule of the Commission on Governmental Ethics and Election Practices (EMERGENCY)

H.P. 1136 L.D. 1666

Be **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS** and ordered printed pursuant to Joint Rule 218.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS** and ordered printed pursuant to Joint Rule 218.

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

Ordered sent down forthwith for concurrence.

**REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS** and ordered printed pursuant to Joint Rule 218, in concurrence.

Off Record Remarks

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

Senate at Ease.

Senate called to order by the President.

**ORDERS**

**Joint Order**

On motion by Senator **DIAMOND** of Cumberland, the following Joint Order:

S.P. 683

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

**ORDERED**, the House concurring, that Bill, "An Act To Protect Maine Voters from Intimidating Videotaping at the Polls," S.P. 625, L.D. 1574, and all its accompanying papers, be recalled from the Governor's desk to the Senate.

On motion by Senator **MASON** of Androscoggin, **ADJOURNED** until Wednesday, March 23, 2016, at 10:00 in the morning, in memory of and lasting tribute to Lois C. Whitcomb of Waldo.

**READ** and **PASSED**.

Sent down for concurrence.

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

**ORDERS OF THE DAY**

**Unfinished Business**

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

The Chair laid before the Senate the following Tabled and Later Assigned (3/10/16) matter:

JOINT ORDER - Authorizing the Joint Standing Committee on Energy, Utilities and Technology To Report Out a Bill Relating to Contracts for the Purchase of Energy and Capacity with Generation Facilities That Are Deemed To Produce Zero Greenhouse Gas Emissions

S.P. 668

Tabled - March 10, 2016, by Senator **WOODSOME** of York

Pending - **PASSAGE**

(In Senate, March 10, 2016, **READ**.)

**PASSED**.