

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

In Senate Chamber  
Friday  
March 28, 2014

Senate called to order by President Justin L. Alfond of Cumberland County.

Prayer by Reverend Carolyn Eklund, St. Paul's Episcopal Church in Brunswick.

**REVEREND EKLUND:** Let us pray. O God, our creator, You give us all that is good. We thank You for the state of Maine, its natural majesty and beauty. It gives abundance and it delights us. We ask You to be present with our citizens who live here and labor here, that they may have pride in our resources and in their work. We ask You to be present with those who seek rest and recreation in this land of vacations. Holy God, we thank You for the men and women who have made this state strong and we ask You to guide our State Legislature and Governor to enact such laws as shall please You and for the welfare of the people of Maine. Today we ask You to give the leaders of this assembly a zeal for justice and the strength of mercy to use their elected power and influence for the common good and to Your glory. Amen.

Reading of a Prayer by Senator Edmund S. Muskie by Jim Case of Yarmouth.

**MR. CASE:** Thank you Mr. President. It is indeed a great honor to appear before you and to repeat the words, and prayer, offered by Senator Muskie at a Presidential Prayer Breakfast in 1969. You'll learn that Senator Muskie was far more succinct in addressing the Almighty than he was in many of the remarks you may have heard him deliver. These are the words of Senator Muskie.

Our Father, we are gathered here this morning perplexed and deeply troubled. We are grateful for the many blessings You have bestowed upon us, the great resources of land and people, the freedom to apply them to uses of our own choosing, the successes which have marked our efforts. We are perplexed that, notwithstanding these blessings, we have not succeeded in making possible a life of promise for all our people and that growing dissatisfaction threatens our unity and our progress towards peace and justice. We are deeply troubled that we may not be able to agree upon the common purposes and the basis for mutual trust which are essential if we are to overcome these difficulties and so, Our Father, we turn to You for help. Teach us to listen to one another with the kind of attention which is receptive to points of view, however different, with a healthy skepticism as to our own infallibility. Teach to understand one another with the kind of sensitivity which springs from deeply seated sympathy and compassion. Teach us to trust one another beyond mere tolerance, with a willingness to take the chance on

the perfectibility of our fellow man. Teach us to help one another beyond charity, in the kind of mutual involvement which is essential if a free society is to work. We ask it in the Jesus' name. Amen.

Pledge of Allegiance led by Senator Ronald F. Collins of York County.

Reading of the Journal of Thursday, March 27, 2014.

Doctor of the day, Megan Berube, MD of Westbrook.

Off Record Remarks

Senator **CAIN** of Penobscot was granted unanimous consent to address the Senate on the Record.

**Senator CAIN:** Thank you Mr. President. Men and women of the Senate, in case you had to block your eyes from the sparkling gold in the back right corner, you might have noticed that the Old Town High School Boys' Basketball Team is here with the Class B State Championship gold ball. It's a real honor for myself and the Representative from Old Town to host them here at the State House today and celebrate this victory. This is Old Town High School's first state victory in 23 years. The first time since 1991. I did confirm that that is, in fact, since before every member of the team, except the coach, was born. They are really starting a new generation and with only three seniors graduating this year we are assured to have another strong season in 2015. I just want to personally say that I was reading the articles in the paper and following this team all season. It was quoted in the paper that as they entered the post-season they were merely hoping to win one game, but they ended up winning it all. I think that's a testament to not just the skill of their play but of the tenacity of the heart that they brought to this entire season and the inspiration that they are for their classmates and for the state. I just want to take a minute and thank them and their coach, Brian McDormand, for being here today to celebrate this victory. Thank you and congratulations.

**THE PRESIDENT:** The Chair is pleased to recognize in the rear of the chamber the Old Town Boys' Basketball Team, the Class B State Champions, with their coach, Brian McDormand. Would they please rise and accept the warm greetings of the Maine State Senate.

PAPERS FROM THE HOUSE

Non-Concurrent Matter

Resolve, To Terminate a MaineCare Transportation Contract (EMERGENCY)

S.P. 658 L.D. 1663 (C "A" S-441)

In Senate, March 24, 2014, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-441).**

Comes from the House, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-441) AS AMENDED BY HOUSE AMENDMENT "A" (H-754)** thereto, in **NON-CONCURRENCE.**

On motion by Senator **JACKSON** of Aroostook, the Senate **RECEDED** and **CONCURRED.**

The following Joint Resolution:

H.P. 1330

**JOINT RESOLUTION RECOGNIZING MAINE'S REALTORS**

WHEREAS, the Maine Association of REALTORS® has nearly 4,000 members actively involved in the business of real estate and it has approximately 1,000 affiliate members, including lenders, appraisers, title companies, building inspectors, surveyors and insurance providers; and

WHEREAS, the not-for-profit association provides each member with an equal voice and representation in the real estate profession, serving members in all 16 Maine counties and in their communities; and

WHEREAS, the benefit that the Maine Association of REALTORS® provides to Maine's economy includes not only the money spent and reinvested in the sale price of a property, but all those services and expenditures that occur in relation to a property transaction, both for a buyer and a seller; and

WHEREAS, according to national statistics, it is estimated that one job is generated for every 2 home sales and that each home sale contributes about \$60,000 to the economy; and

WHEREAS, the real estate market in Maine is recovering, as evidenced by the number of home sales increasing by 17.12% in 2012 and the median price of a home increasing by 3.03%; and

WHEREAS, home ownership has been enhanced by the work in Maine of the public and private sectors to provide housing opportunities; and

WHEREAS, expanding home ownership will strengthen our State and its families and communities, enhance our economy and create jobs; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-sixth Legislature now assembled in the Second Regular Session, take this opportunity to recognize the Maine Association of REALTORS® and its members for their positive contributions to and the significant role they play in the lives of Maine citizens and their communities and that their service and dedication to this

State are a tribute to those values and principles that we all hold dear; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Maine Association of REALTORS® and its 13 local association boards.

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

**READ** and **ADOPTED**, in concurrence.

**COMMUNICATIONS**

The Following Communication: S.C. 846

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

March 26, 2014

The Honorable Justin L. Alford  
President of the Senate of Maine  
126th 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 Energy, Utilities and Technology has had under consideration the nomination of Lenora Burke of Brunswick, for appointment to the Efficiency Maine Trust Board.

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

YEAS	Senators	2	Cleveland of Androscoggin, Youngblood of Penobscot
	Representatives	7	Hobbins of Saco, Beavers of South Berwick, Dunphy of Embden, Gideon of Freeport, Libby of Waterboro, Newendyke of Litchfield, Rykerson of Kittery
NAYS		0	
ABSENT		4	Sen. Jackson of Aroostook, Rep. Harvell of Farmington, Rep. Russell of Portland, Rep. Tipping-Spitz of Orono

Nine 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 Lenora Burke of Brunswick, for appointment to the Efficiency Maine Trust Board be confirmed.

Signed,

S/John J. Cleveland  
Senate Chair

S/Barry J. Hobbins  
House Chair

**READ and ORDERED PLACED ON FILE.**

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

The President laid before the Senate the following: "Shall the recommendation of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 126<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 (#511)**

YEAS: Senators: None

NAYS: Senators: BOYLE, BURNS, CAIN, CLEVELAND, COLLINS, CRAVEN, DUTREMBLE, FLOOD, GERZOFISKY, GRATWICK, HAMPER, HASKELL, HILL, JACKSON, JOHNSON, KATZ, LACHOWICZ, LANGLEY, MASON, MAZUREK, MILLETT, PATRICK, PLUMMER, SAVIELLO, SHERMAN, THIBODEAU, THOMAS, TUTTLE, VALENTINO, VITELLI, WHITTEMORE, WOODBURY, THE PRESIDENT - JUSTIN L. ALFOND

EXCUSED: Senators: CUSHING, YOUNGBLOOD

No Senator having voted in the affirmative and 33 Senators having voted in the negative, with 2 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Lenora Burke** of Brunswick for appointment to the Efficiency Maine Trust Board was **CONFIRMED**.

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

The Following Communication: S.C. 847

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

March 26, 2014

The Honorable Justin L. Alfond  
President of the Senate of Maine  
126th 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 Energy, Utilities and Technology has had under consideration the nomination of Scott C. Dunning of Hampden, for appointment to the Efficiency Maine Trust Board.

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

YEAS	Senators	2	Cleveland of Androscoggin, Youngblood of Penobscot
	Representatives	8	Hobbins of Saco, Beavers of South Berwick, Dunphy of Embden, Gideon of Freeport, Harvell of Farmington, Libby of Waterboro, Newendyke of Litchfield, Rykerson of Kittery
NAYS		0	
ABSENT		3	Sen. Jackson of Aroostook, Rep. Russell of Portland, Rep. Tipping-Spitz of Orono

Ten 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 Scott C. Dunning of Hampden, for appointment to the Efficiency Maine Trust Board be confirmed.

Signed,

S/John J. Cleveland  
Senate Chair

S/Barry J. Hobbins  
House Chair

**READ and ORDERED PLACED ON FILE.**

The President laid before the Senate the following: "Shall the recommendation of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 126<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 (#512)**

YEAS: Senators: None

NAYS: Senators: BOYLE, BURNS, CAIN, CLEVELAND, COLLINS, CRAVEN, DUTREMBLE, FLOOD, GERZOFKY, GRATWICK, HAMPER, HASKELL, HILL, JACKSON, JOHNSON, KATZ, LACHOWICZ, LANGLEY, MASON, MAZUREK, MILLETT, PATRICK, PLUMMER, SAVIELLO, SHERMAN, THIBODEAU, THOMAS, TUTTLE, VALENTINO, VITELLI, WHITTEMORE, WOODBURY, THE PRESIDENT - JUSTIN L. ALFOND

EXCUSED: Senators: CUSHING, YOUNGBLOOD

No Senator having voted in the affirmative and 33 Senators having voted in the negative, with 2 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Scott C. Dunning** of Hampden for appointment to the Efficiency Maine Trust Board 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-SIXTH LEGISLATURE  
COMMITTEE ON ENERGY, UTILITIES AND TECHNOLOGY**

March 26, 2014

The Honorable Justin L. Alfond  
President of the Senate of Maine  
126th 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 Energy, Utilities and Technology has had under consideration the nomination of Kenneth C. Fletcher of Winslow, for appointment to the Efficiency Maine Trust Board.

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

YEAS	Senators	2	Cleveland of Androscoggin, Youngblood of Penobscot
	Representatives	8	Hobbins of Saco, Beavers of South Berwick, Dunphy of Emden, Gideon of Freeport, Harvell of Farmington, Libby of Waterboro, Newendyke of Litchfield, Rykerson of Kittery
NAYS		0	
ABSENT		3	Sen. Jackson of Aroostook, Rep. Russell of Portland, Rep. Tipping-Spitz of Orono

Ten 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 Kenneth C. Fletcher of Winslow, for appointment to the Efficiency Maine Trust Board be confirmed.

Signed,

S/John J. Cleveland  
Senate Chair

S/Barry J. Hobbins  
House Chair

**READ and ORDERED PLACED ON FILE.**

The President laid before the Senate the following: "Shall the recommendation of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 126<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 (#513)**

YEAS: Senators: None

NAYS: Senators: BOYLE, BURNS, CAIN, CLEVELAND, COLLINS, CRAVEN, DUTREMBLE, FLOOD, GERZOFKY, GRATWICK, HAMPER, HASKELL, HILL, JACKSON, JOHNSON, KATZ, LACHOWICZ, LANGLEY, MASON, MAZUREK, MILLETT, PATRICK, PLUMMER, SAVIELLO, SHERMAN, THIBODEAU, THOMAS, TUTTLE, VALENTINO, VITELLI, WHITTEMORE, WOODBURY, THE PRESIDENT - JUSTIN L. ALFOND

EXCUSED: Senators: CUSHING, YOUNGBLOOD

No Senator having voted in the affirmative and 33 Senators having voted in the negative, with 2 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Kenneth C. Fletcher** of Winslow for appointment to the Efficiency Maine Trust Board was **CONFIRMED**.

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

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**SENATE PAPERS**

Bill "An Act To Allow Property Maintenance Activities notwithstanding a Consent Agreement with the Department of Environmental Protection"

S.P. 747 L.D. 1848

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

On motion by Senator **BOYLE** of Cumberland, **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and ordered printed.

Sent down for concurrence.

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

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**ORDERS**

**Joint Resolution**

On motion by Senator **PATRICK** of Oxford (Cosponsored by Senators: President ALFOND of Cumberland, BOYLE of Cumberland, CAIN of Penobscot, CRAVEN of Androscoggin, DUTREMBLE of York, GERZOFISKY of Cumberland, GRATWICK of Penobscot, HASKELL of Cumberland, JACKSON of Aroostook, JOHNSON of Lincoln, LACHOWICZ of Kennebec, MILLETT of Cumberland, THIBODEAU of Waldo, TUTTLE of York, VITELLI of Sagadahoc, WOODBURY of Cumberland, Representatives: BEAUDOIN of Biddeford, BEAVERS of South Berwick, BECK of Waterville, BERRY of Bowdoinham, BRIGGS of Mexico, BROOKS of Winterport, CAMPBELL of Newfield, CAREY of Lewiston, CASSIDY of Lubec, CHAPMAN of Brooksville, COOPER of Yarmouth, COTTA of China, Speaker EVES of North Berwick, FREDETTE of Newport, FREY of Bangor, GIDEON of Freeport, GILBERT of Jay, HICKMAN of Winthrop, KNIGHT of Livermore Falls, KRUGER of Thomaston, KUMIEGA of Deer Isle, KUSIAK of Fairfield, LIBBY of Lewiston, LONGSTAFF of Waterville, LUCHINI of Ellsworth, MacDONALD of Boothbay, MARKS of Pittston, MASON of Topsham, MASTRACCIO of Sanford, McCABE of Skowhegan, MOONEN of Portland, PEOPLES of Westbrook, PLANTE of Berwick, ROCHELO of

Biddeford, RUSSELL of Portland, SANBORN of Gorham, STUCKEY of Portland, TIPPING-SPITZ of Orono), the following Joint Resolution:

S.P. 749

**JOINT RESOLUTION  
TO HONOR THE 100TH ANNIVERSARY OF THE BIRTH OF  
THE HONORABLE EDMUND S. MUSKIE**

WHEREAS, the Honorable Edmund S. Muskie was born in Rumford, Oxford County, Maine, on March 28, 1914, and died on March 26, 1996, and this year marks the centennial of his birth; and

WHEREAS, he graduated cum laude from Bates College in 1936, where he was a member of Phi Beta Kappa and class president, and in 1939 he graduated from Cornell University Law School; and

WHEREAS, Edmund S. Muskie held the offices of State Representative, Governor, United States Senator and United States Secretary of State during his exceptional and noteworthy career in politics and government; and

WHEREAS, his illustrious career began with a law practice in Waterville and service in the United States Navy during World War II before his election to the Maine House of Representatives in 1946, where he served until 1951, including 2 terms as House Minority Leader; and

WHEREAS, as a 4-term United States Senator, Edmund S. Muskie was respected in Maine and earned the appreciation of Maine and the Nation for his work on the Foreign Relations Committee, the Governmental Affairs Committee and the Environment and Public Works Committee, as Chairman of the Senate Committee on the Budget and crafting such landmark federal legislation as the federal Clean Air Act and the federal Clean Water Act, a lasting legacy to the American people; and

WHEREAS, as a trusted and respected man of integrity, Edmund S. Muskie was in the center of national politics: as a candidate for Vice-President of the United States in 1968, as a candidate for President of the United States in 1972 and as United States Secretary of State in 1980; and

WHEREAS, Edmund S. Muskie received over 30 honorary degrees from colleges and universities throughout the country; he was the Chairman Emeritus of the Institute for the Study of Diplomacy at Georgetown University and Chairman Emeritus of the Center for National Policy and served on the board of directors of the American Academy of Diplomacy and the Committee for a Responsible Federal Budget; and

WHEREAS, in 1981, Edmund S. Muskie received the Notre Dame Laetare Medal and the Distinguished Service Award from the Association of Former Members of Congress and, in the same year, the Presidential Medal of Freedom; and

WHEREAS, the Muskie School of Public Service was founded in his honor, befitting a person who best exemplified the ideal of public service and the finest qualities of the Maine character as he worked diligently for the common good; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-sixth Legislature, now assembled in the Second Regular Session, take this opportunity to honor the life and career of Edmund S. Muskie on the centennial of his birth and to recognize his distinguished service to the people of the State of Maine and to the Nation, and respectfully request that when the Legislature adjourns this date, it do so in honor and lasting tribute to the memory of Edmund S. Muskie; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the family of the Honorable Edmund S. Muskie and to the Muskie School of Public Service.

**READ.**

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

Senator **PATRICK:** Thank you Mr. President. Ladies and gentlemen of the Senate, colleagues and friends, I'm proud to present this Joint Resolution to honor the 100<sup>th</sup> anniversary of the birth of the Honorable Edmund S. Muskie. We all know the slogan "Made in Maine". Well there is no truer a statement for Ed Muskie. Born and raised in my hometown of Rumford, Senator Muskie remained rooted in Maine even as he graced the national and international stage. The son of hardworking Polish immigrants, Senator Muskie was the first in his family to go to college. He worked hard too, all the way to Bates College, Cornell Law School, and the United States Navy. He embodied the Maine value of persistence. He never gave up. When he lost his race to become Mayor of Waterville he went on to serve in the Legislature and then as Governor and then, of course, later as Senator. These accomplishments just barely scratch the surface of the life of Ed Muskie. While Senator Muskie's commitment to public service is his legacy, it was his ability to lead and to stand up and to take political risks that has made our world a better place. Perhaps it was his connection to Maine's natural resources, our forests, our lakes, and oceans that made him such a staunch advocate and leader in landmark environmental laws. Regardless, every American has Senator Muskie to thank for our nation's commitment to clear air and to clean water. I grew up along the banks of the Androscoggin, ladies and gentlemen, and I remember back, probably in 1968, when I was around 5 or 6 years old and you'd look out across the river and it was just thick with three feet of foam. The color and the stench from that river, which was the Androscoggin and it was, I think, my recollection that at one time the Androscoggin River in Maine was the second most polluted river in the United States of America. Now you look at the river and the water is clear and the river smells fine. There is no foam. It's really befitting that in Rumford along the banks of the Androscoggin River that the Ed Muskie Memorial sits with Ed Muskie's plaque facing the river. Senator Muskie was larger than life, not shy to express his opinions. He was also not afraid to compromise. Three words define his approach to politics, and I'm sure many other things; listening, understanding, and trust. Listening, understanding, and trust. These values are as critical to public service today as they were in Senator Muskie's lifetime. On the 100<sup>th</sup> anniversary of his birth I hope we will all pledge to live our lives and serve our constituents as Senator Muskie did

with listening, understanding, and trust. Thank you, Mr. President.

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

Senator **GERZOFSKY:** Thank you Mr. President. Ladies and gentlemen of the Senate, I'm sure that every person in this room has met people in their lives that have had an impact on them. We talk about them all the time here in sentiments and memoriams. We often talk about the people that we know and have met along the way. I was very fortunate not only to have met Senator Muskie but to have gotten to know him a little bit. I went to his last birthday party. It was a great event. It was very touching because I had an opportunity to sit and talk to him for a little while. He was getting along in age but he was still that big, robust, strong man that we all would remember from his younger days. As we sat and talked that day he knew I was going through some challenges. He made everything personal. He would listen to you and you would know you were the only person in the universe that he was listening to that moment. He would advise you as if you were the leading member in his family that he was trying to give advice to. I remember that day that there were a lot of dignitaries there; there were a lot of politicians there. I was there with some of my family members, my mom and my grandmother. Senator Muskie pulled our Senator Diamond off to the side, who was then Secretary of State. As Senator Diamond came over to talk to us he said, "Now Stan's going through a little challenge right now so let's make sure we keep him here in Maine. As Secretary of State, I'm sure that you can help do that. You don't have to suspend his driver's license, but you might be able to find some gainful employment for him and will be able to keep him here and help him through his trials." That's Senator Muskie. As great a man as he was, and as big a world figure as he was, he didn't hesitate to stop to talk to somebody that really wasn't part of his family but knew his family. It wasn't part of his immediate problems. I think he had a lot greater problems that he was worrying about that day, but he took a little bit of time to worry about somebody else's problems. I'll always remember when you met Senator Muskie you walked away with many impressions, but one that I've always walked away with and will never forget is the size of his hand, because when he shook your hand, or he put his hand on your shoulder, you felt a great warmth and a great compassion. Mr. President, it was one of the fondest memories I will ever have is talking to Senator Muskie over the years, especially that last conversation. Mr. President, if you ever felt that hand, nothing like mine around your throat, his was really warm and comforting. I want to say we'll all see each other on the other side someday but Senator Muskie is always here every day. Thank you very much.

**THE PRESIDENT:** The Chair recognizes the Senator from York, Senator Tuttle.

Senator **TUTTLE:** Thank you Mr. President. Members of the Senate, it's indeed an honor for me to speak in memory of former Senator Muskie. I, Senator Gerzofsky, Senator Patrick, and former Senator Diamond, we sort of got taken under Ed Muskie's wing. I remember I had an uncle that talked about his first campaign for Governor. What the candidates would do is they

would go and they would get them all to stand on a milk cart. If you know Senator Muskie, I think he was 6'3" or 6'4", so they made him stand on the milk cart, which he didn't need to do when he gave a good speech to the folks that were coming home from the mills. My uncle told me that back when he ran for Governor the biggest expense was buying a car. What he would do is he'd be in Sanford one day and he'd be in Biddeford the other day. He would stay with a local family, and that's the grassroots politics that I think all of who are here today do and know and I think that just shows a different time and what a great man he was. As Senator Gerzofsky said, I'm sure that he is with us today. Mr. President, thank you.

On motion by Senator **PATRICK** of Oxford, **ADOPTED**.

Sent down for concurrence.

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

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Joint Resolution in Memoriam:

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

The Honorable Herbert Trafton Silsby II, of Ellsworth, a former judge of the Maine Superior Court. Mr. Silsby, born in Brewer, attended Ellsworth High School and graduated from Higgins Classical Institute in 1943. He served in the United States Army during World War II and graduated from Bowdoin College in 1947. Mr. Silsby attended Boston University School of Law but never graduated because he had passed the bar examination at the end of his second year and was admitted to practice in 1949. Throughout his life, Mr. Silsby distinguished himself as a lawyer, jurist, civic leader, Maine and local historian and author. He began his legal career as a member of the law firm of Silsby and Silsby in 1949, practicing with his father and brother. From 1951 to 1955, Mr. Silsby served as an Ellsworth Municipal Court Judge. In 1977, Governor James Longley nominated him to the Maine Superior Court, where he served for 15 years, until his retirement in 1992. He was a member of the Board of Governors of the Maine Trial Lawyers Association, served as the President of the Maine State Bar Association and was a member of the Maine Judicial Council. Mr. Silsby was active in his church and served as a Sunday school superintendent and deacon at the First Congregational Church of Ellsworth. He also was a director of the Maine Conference of Congregational Churches. Mr. Silsby served his community on the Ellsworth City Council, including as chair in 1977, and was honored as the Ellsworth Citizen of the Year in 1993. He served with numerous local organizations, including the Ellsworth Junior Chamber of Commerce, and as trustee of the Ellsworth Public Library. He was a Rotarian for 50 years and was honored twice with the Paul Harris Fellow Award for his commitment to the Rotary Club. Mr. Silsby served as president of the Maine Historical Society and was a member of the American Antiquarian Society. He loved sharing his enthusiasm for history in his popular newspaper column in *The Ellsworth American*. Mr. Silsby will be long remembered for his

active and distinguished life and greatly missed by his family and many friends;

SLS 845

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 an honor to recognize the life of Judge Herb Silsby today in the Maine Senate because the life of Herbert Trafton Silsby is truly a Maine story of the finest kind. The sentiment that was just read recounts a life full of public service and devotion to his community. I knew the Judge more as a member of the First Congregational Church of Ellsworth and through the Ellsworth Rotary. As much as Herb loved the law, I believe his true calling was that of a historian. He was a tremendous historian, authoring many books and columns. During one conversation I had with him regarding the restaurants that have come and gone in Ellsworth he recounted a story of a man being dragged by a team of horses and a wagon down Maine Street in Ellsworth as he was delivering produce to local restaurants in the 1800s. He had an amazing memory for historical details. I would learn more about the history of Ellsworth in a five minute conversation with him than in the Historical Society on Main Street. On another occasion, upon reading the history of the First Congregational Church of Ellsworth written by Judge Silsby, I asked him why he had not updated the history from the 1960s. His reply was that too many of the people are still living. That shows real wisdom that only a Judge can wield. There are countless stories like this spanning his 88 years and he will be greatly missed. Thank you, Mr. President, women and men of the Senate, for joining me in honoring the passing of Herbert Trafton Silsby.

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

Senator **KATZ:** Thank you Mr. President. Men and women of the Senate, I think I'm the only one in the Chamber who actually had the honor of appearing before Justice Silsby when he was a Superior Court Justice. He was everything you would want a Judge to be. Wise, as my colleague just said, considerate of everyone in the court room, patient with young lawyers, respectful, and thoughtful. As Senator Langley has said, as the memoriam sets out, he was far more than a judge. Justice Silsby understood that he was lucky and that it was his obligation to give back to the community as a result. One of the books he wrote was called One Years of Law and Justice. It was a history of the Bar Association. In the prelude to that he said the following, "The members of a profession have a moral duty. It is generally considered to do pro bono work. The legal profession is, in some respects, a privileged group and, in return, owes society a fair contribution of time and talent." Justice Silsby lived those words. Those of us who practice before him miss him. Thank you, Mr. President.

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

Senator **HASKELL:** Thank you very much Mr. President. I didn't have an opportunity to know Mr. Silsby, but I do know that his public service legend lives on. I know that his commitment to the people of the state of Maine is carried forward. I've had the opportunity to work with his daughter, who is on my list that all of you in the Senate know that I have regularly read from, who was the first woman U.S. attorney in Maine, Ms. Paula Silsby. I think something that is important to understand about people like the Honorable Herbert Silsby is that their legacy does live on, that their impact on us as individuals, on their families, and all of those of us who were around him, does still beat both here in this Chamber and in the state of Maine. Thank you.

**ADOPTED.**

Sent down for concurrence.

**THE PRESIDENT:** The Chair is pleased to recognize in the rear of the chamber Paula Silsby, the daughter of the Honorable Herbert Trafton Silsby. She is the former United States District Attorney for Maine. She resides in the city of Portland and today she is the guest of the Senator from Hancock, Senator Langley. Would she please rise and accept the warm greetings of the Maine State Senate.

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "B" (H-731).**

Signed:

Representative:  
LONG of Sherman

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-730)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-730) AS AMENDED BY HOUSE AMENDMENT "A" (H-739)** thereto.

Reports **READ.**

Senator **GERZOFSKY** of Cumberland moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-730)** Report, in concurrence.

On motion by Senator **JACKSON** of Aroostook, **TABLED** until Later in Today's Session, pending the motion by Senator **GERZOFSKY** of Cumberland to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-730)** Report, in concurrence.

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**REPORTS OF COMMITTEES**

**House**

**Divided Report**

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act Designating the Chief of the State Police as the Only Issuing Authority of a Permit To Carry a Concealed Handgun"

H.P. 183 L.D. 222

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-730).**

Signed:

Senators:  
GERZOFSKY of Cumberland  
DUTREMBLE of York  
PLUMMER of Cumberland

Representatives:  
DION of Portland  
CASAVANT of Biddeford  
KAENRATH of South Portland  
LAJOIE of Lewiston  
MARKS of Pittston  
PEASE of Morrill  
PLANTE of Berwick  
TYLER of Windham  
WILSON of Augusta

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**Divided Report**

The Majority of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act Regarding Wind Power Siting in the Unorganized Territory"

H.P. 947 L.D. 1323

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

Signed:

Senators:  
CLEVELAND of Androscoggin  
JACKSON of Aroostook

Representatives:  
HOBBINS of Saco  
BEAVERS of South Berwick  
GIDEON of Freeport  
HARVELL of Farmington  
RUSSELL of Portland  
RYKERSON of Kittery  
TIPPING-SPITZ of Orono

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "B" (H-601).**

Signed:



Senator:

YOUNGBLOOD of Penobscot

Representatives:

DUNPHY of Embden  
LIBBY of Waterboro  
NEWENDYKE of Litchfield

Comes from the House with the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-601)**.

Reports **READ**.

Senator **CLEVELAND** of Androscoggin moved the Senate **ACCEPT** the Majority **OUGHT NOT 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 Majority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE**.

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**Senate**

**Ought to Pass Pursuant to Joint Order**

Senator **MILLETT** for the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Resolve, To Establish the Commission To Study College Affordability and College Completion (EMERGENCY)

S.P. 748 L.D. 1849

Reported that the same **Ought to Pass**, pursuant to Joint Order 2013, S.P. 721.

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

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

On motion by Senator **MILLETT** of Cumberland, Senate Amendment "A" (S-468) **READ** and **ADOPTED**.

**PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-468)**.

Sent down for concurrence.

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**Ought to Pass As Amended**

Senator **HASKELL** for the Committee on **TAXATION** on Bill "An Act To Amend the Reporting Requirements for the Business Equipment Tax Exemption" (EMERGENCY)

S.P. 618 L.D. 1627

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-462)**.

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

**READ ONCE**.

Committee Amendment "A" (S-462) **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 **HEALTH AND HUMAN SERVICES** on Bill "An Act To Enhance the Stability and Predictability of Health Care Costs for Returning Veterans and Others by Addressing the Issues Associated with Hospital Charity Care and Bad Debt"

S.P. 631 L.D. 1640

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-464)**.

Signed:

Senators:

CRAVEN of Androscoggin  
LACHOWICZ of Kennebec

Representatives:

FARNSWORTH of Portland  
CASSIDY of Lubec  
DORNEY of Norridgewock  
GATTINE of Westbrook  
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:

Senator:

HAMPER of Oxford

Representatives:

MALABY of Hancock  
McELWEE of Caribou  
SANDERSON of Chelsea  
SIROCKI of Scarborough

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

Reports **READ**.

Senator **CRAVEN** of Androscoggin moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** 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 TO PASS AS AMENDED** Report.

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-730)** (12 members)

Minority - **Ought To Pass as Amended by Committee Amendment "B" (H-731)** (1 member)

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**ORDERS OF THE DAY**

On motion by Senator **HILL** of York, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act To Provide Fiscal Predictability to the MaineCare Program and Health Security to Maine People

S.P. 552 L.D. 1487  
(C "B" S-419)

Tabled - March 27, 2014, by Senator **HILL** of York

Pending - **ENACTMENT**, in concurrence

(In Senate, March 12, 2014, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (S-419).**)

(In House, March 19, 2014, **PASSED TO BE ENACTED.**)

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

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Senate at Ease.

Senate called to order by the President.

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Senator **HASKELL** of Cumberland was granted unanimous consent to address the Senate off the Record.

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**RECESSED** until the sound of the bell.

After Recess

Senate called to order by the President.

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**ORDERS OF THE DAY**

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

SENATE REPORTS - from the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act Designating the Chief of the State Police as the Only Issuing Authority of a Permit To Carry a Concealed Handgun"

H.P. 183 L.D. 222

Tabled - March 28, 2014, by Senator **JACKSON** of Aroostook

Pending - motion by Senator **GERZOFSKY** of Cumberland to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-730)** Report, in concurrence

(In House, March 27, 2014, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-730)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-730) AS AMENDED BY HOUSE AMENDMENT "A" (H-739)** thereto.)

(In Senate, March 28, 2014, Reports **READ.**)

On motion by Senator **GERZOFSKY** of Cumberland, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-730)** Report **ACCEPTED**, in concurrence.

**READ ONCE.**

Committee Amendment "A" (H-730) **READ.**

House Amendment "A" (H-739) to Committee Amendment "A" (H-730) **READ** and **ADOPTED**, in concurrence.

On motion by Senator **MASON** of Androscoggin, Senate Amendment "A" (S-470) to Committee Amendment "A" (H-730) **READ.**

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

Senator **MASON:** Thank you Mr. President. Men and women of the Senate, this amendment amends the Committee Amendment. It allows Mainers to carry a handgun, openly or concealed, without a permit. As we all know, it is legal to carry a weapon openly. The only difference between open and concealed is if a person is wearing a jacket. The bill also preserves the current permitting process to protect hard fought reciprocity agreements with other states. The amendment also gives permitting authority to the State Police and Chiefs of Police of the towns in our state. The amendment gives authority to the Attorney General to suggest changes in the permitting process, to be reviewed by the Criminal Justice Committee as they come along. The amendment continues to respect federal law in that anywhere there is a federal prohibition that prohibition will continue to be upheld. In short, this amendment preserves the permitting process we have now while empowering Mainers to exercise their Second Amendment rights without restrictions. Mr. President, men and women of the Senate, I urge your support of the amendment. Thank you.

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

Senator **HASKELL**: Thank you Mr. President. I certainly oppose the direction that this amendment would take us in. I believe that this is a method to kind of roll two things into one. One is to completely undermine the system of concealed weapon permits that we have currently here in this state which provides both for law enforcement and officials some confidence in the people who have those concealed carry permits and who are able to show them and use them, qualify for them, and be on the registry, which is now confidential. I think that taking away this registry, a registry that is permissive, does not go to any of the goals that were intended when the law went into place regarding concealed carry. I also think that this amendment goes far beyond that, into the territory of stand your ground legislation. I think neither one of these things are places we want to go, Mr. President, and therefore I move Indefinite Postponement of this amendment.

Senator **HASKELL** of Cumberland moved to **INDEFINITELY POSTPONE** Senate Amendment "A" (S-470) to Committee Amendment "A" (H-730).

On motion by Senator **KATZ** of Kennebec, 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 Cumberland, Senator Plummer.

Senator **PLUMMER**: Thank you Mr. President. Men and women of the Senate, I rise to oppose the motion for Indefinite Postponement and I will work very hard to confine my remarks to that motion. I do think that we need to vote down the Indefinite Postponement so those of us who strongly support the Constitution of the United States and the Constitution of Maine can express our support for constitutional carry. My interpretation of those Constitutions is that we do guarantee people the right to carry. I would urge people to vote against the Indefinite Postponement. Thank you, Mr. President.

**THE PRESIDENT**: The pending question before the Senate is the motion by the Senator from Cumberland, Senator Haskell to Indefinitely Postpone Senate Amendment "A" (S-470) to Committee Amendment "A" (H-730). 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 (#514)**

YEAS: Senators: BOYLE, CAIN, CLEVELAND, CRAVEN, DUTREMBLE, GERZOFISKY, GRATWICK, HASKELL, HILL, JACKSON, JOHNSON, LACHOWICZ, MAZUREK, MILLETT, PATRICK, VALENTINO, VITELLI, WOODBURY, THE PRESIDENT - JUSTIN L. ALFOND

NAYS: Senators: BURNS, COLLINS, FLOOD, HAMPER, KATZ, LANGLEY, MASON, PLUMMER, SAVIELLO, SHERMAN, THIBODEAU, THOMAS, TUTTLE, WHITTEMORE

EXCUSED: Senators: CUSHING, YOUNGBLOOD

19 Senators having voted in the affirmative and 14 Senators having voted in the negative, with 2 Senators being excused, the motion by Senator **HASKELL** of Cumberland to **INDEFINITELY POSTPONE** Senate Amendment "A" (S-470) to Committee Amendment "A" (H-730), **PREVAILED**.

Committee Amendment "A" (H-730) as Amended by House Amendment "A" (H-739) thereto, **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME**.

On motion by Senator **KATZ** of Kennebec, 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 (#515)**

YEAS: Senators: BOYLE, CAIN, CLEVELAND, CRAVEN, DUTREMBLE, GERZOFISKY, GRATWICK, HASKELL, HILL, JACKSON, JOHNSON, LACHOWICZ, MAZUREK, MILLETT, PATRICK, PLUMMER, VALENTINO, VITELLI, WOODBURY, THE PRESIDENT - JUSTIN L. ALFOND

NAYS: Senators: BURNS, COLLINS, FLOOD, HAMPER, KATZ, LANGLEY, MASON, SAVIELLO, SHERMAN, THIBODEAU, THOMAS, TUTTLE, WHITTEMORE

EXCUSED: Senators: CUSHING, YOUNGBLOOD

20 Senators having voted in the affirmative and 13 Senators having voted in the negative, with 2 Senators being excused, **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

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

Senate at Ease.

Senate called to order by the President.

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

**PAPERS FROM THE HOUSE**

**Joint Resolution**

The following Joint Resolution:

H.P. 1331

**JOINT RESOLUTION RECOGNIZING VIETNAM WAR  
REMEMBRANCE DAY ON MARCH 30, 2014**

WHEREAS, March 30th of each year is Vietnam War Remembrance Day in Maine, to honor the service and sacrifice of those veterans of the United States Armed Forces who served during the Vietnam War; and

WHEREAS, the Vietnam War was fought in the Republic of South Vietnam from 1961 to 1975 and the United States Armed Forces became involved in Vietnam to provide direct military support for the Republic of South Vietnam to defend itself against the growing communist threat from North Vietnam; and

WHEREAS, members of the United States Armed Forces began serving in an advisory role to the Republic of South Vietnam in 1961; in 1965 United States Armed Forces ground combat units arrived in Vietnam and by 1969 a peak deployment of approximately 543,000 troops was reached; and

WHEREAS, according to the United States Department of Veterans Affairs, 8,744,000 military personnel served on active duty during the Vietnam War and 2,594,000 personnel served within the borders of South Vietnam between January 1, 1965 and March 28, 1973; and

WHEREAS, on January 27, 1973, the Treaty of Paris was signed, which required the release of all United States prisoners of war held in North Vietnam and the withdrawal of all United States Armed Forces from South Vietnam; and

WHEREAS, on March 30, 1973, the United States Armed Forces completed the withdrawal of combat units and combat support units from South Vietnam; and

WHEREAS, more than 58,000 members of the United States Armed Forces lost their lives in Vietnam and more than 300,000 members of the United States Armed Forces were wounded; and

WHEREAS, in 1982, the Vietnam Veterans Memorial was dedicated in the District of Columbia to commemorate those members of the United States Armed Forces who died or were declared missing in action in Vietnam; and

WHEREAS, Vietnam War Remembrance Day is an appropriate way to honor those members of the United States Armed Forces who served in South Vietnam and throughout Southeast Asia during the Vietnam War; and

WHEREAS, we must honor the millions of men and women who served with valor during the Vietnam War, those who were wounded, with wounds both seen and unseen, and those who gave the ultimate sacrifice to their State and Nation; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-sixth Legislature of the State of Maine now assembled in the Second Regular Session, on behalf of the people we represent, take this opportunity to join in the observance of Vietnam War Remembrance Day in order to honor the

contributions of veterans who served in the United States Armed Forces in Vietnam; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Department of Defense, Veterans and Emergency Management.

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

**READ** and **ADOPTED**, in concurrence.

---

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. 1332

**JOINT RESOLUTION RECOGNIZING MARCH AS BRAIN  
INJURY AWARENESS MONTH**

WHEREAS, 2,400,000 Americans sustain a traumatic brain injury each year; and

WHEREAS, a traumatic brain injury is a contributing factor in a third of all injury-related deaths in the United States; and

WHEREAS, traumatic brain injuries are largely the result of motor vehicle crashes, falls, assaults or sports-related or occupation-related accidents; and

WHEREAS, traumatic brain injury is the signature injury of the wars in Iraq and Afghanistan, presenting new challenges for members of the military and their families; and

WHEREAS, an injury that happens in an instant can bring a lifetime of physical, cognitive and behavioral challenges; and

WHEREAS, early, equal and adequate access to care will greatly increase the overall quality of life for those people with traumatic brain injury and will enable them to return to home, school, work and the community; and

WHEREAS, family members, friends and members of the community can play a central role in enhancing the lives of our citizens with traumatic brain injury; and

WHEREAS, the Brain Injury Association of America offers education and support to families and to individuals with traumatic brain injury to achieve community integration and to help individuals with traumatic brain injury live as independently as possible; and

WHEREAS, March has been designated as Brain Injury Awareness Month to promote public awareness of the prevention, causes, consequences, treatment and extent of traumatic brain injuries; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-sixth Legislature now assembled in the Second Regular Session, on behalf of the people we represent, take this opportunity to recognize March 2014 as Brain Injury Awareness Month in Maine.

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

**READ** and **ADOPTED**, in concurrence.

---

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. 1333

#### JOINT RESOLUTION RECOGNIZING MARCH AS MULTIPLE MYELOMA AWARENESS MONTH

WHEREAS, multiple myeloma, or myeloma, the 2nd most common blood cancer worldwide, is a cancer of plasma cells in the bone marrow and can occur at multiple sites; and

WHEREAS, myeloma currently affects more than 100,000 people in the United States, with an estimated 20,000 new cases diagnosed each year and with 10,000 people losing their battle with the disease each year; and

WHEREAS, once a disease of the elderly, myeloma is now being found in increasing numbers in people under 65 years of age; and

WHEREAS, myeloma is a rare disease and therefore delayed diagnoses and treatment are common, but an increased awareness of myeloma in the medical community and by the general public will lead to earlier diagnoses, allowing people to live longer; and

WHEREAS, myeloma is diagnosed with blood tests, bone marrow examinations, urine protein electrophoreses and x-rays of bones and is generally thought to be incurable but highly treatable; and

WHEREAS, continued investment and innovation are critical to achieve early diagnoses and implement the most effective and safest treatments for myeloma patients; and

WHEREAS, although there have been important advances in the last decade in finding a cure for myeloma, expanding awareness of the disease is vital to that goal; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-sixth Legislature now assembled in the Second Regular Session, on behalf of the people we represent, take this opportunity to recognize March 2014 as Multiple Myeloma

Awareness Month and encourage support for myeloma education and the funding of research programs to find a cure; and be it further

RESOLVED: That a suitable copy of this resolution, duly authenticated by the Secretary of State, be transmitted to the International Myeloma Foundation.

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

**READ** and **ADOPTED**, in concurrence.

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

### REPORTS OF COMMITTEES

#### House

#### Ought to Pass As Amended

The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Improve Degree and Career Attainment for Former Foster Children"

H.P. 1206 L.D. 1683

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-753)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-753)**.

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

**READ ONCE**.

Committee Amendment "A" (H-753) **READ** and **ADOPTED**, in concurrence.

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

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

### REPORTS OF COMMITTEES

#### Senate

#### Change of Committee

Senator PATRICK for the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Provide Former Employees of the Maine Military Authority the Ability To Sue for Severance Pay"

S.P. 740 L.D. 1837

Reported that the same be **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS**.

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

**REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS**.

Sent down for concurrence.

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

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Senator **KATZ** of Kennebec was granted unanimous consent to address the Senate off the Record.

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Senator **LANGLEY** of Hancock was granted unanimous consent to address the Senate off the Record.

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Senator **TUTTLE** of York was granted unanimous consent to address the Senate off the Record.

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Senator **HASKELL** of Cumberland was granted unanimous consent to address the Senate off the Record.

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On motion by Senator **JACKSON** of Aroostook, **ADJOURNED**, until Monday, March 31, 2014, at 10:00 in the morning, in memory of and lasting tribute to the Honorable Herbert Trafton Silsby II of Ellsworth.