

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

In Senate Chamber
Thursday
April 16, 2015

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

Prayer by Mark Wilson, First Congregational Church United
Church of Christ in Waterville.

MR. WILSON: Let us be in the spirit of prayer together please.
God of the seasons, we name You with many names or with
none. We celebrate spring in many ways. Passover or Easter or
the lunar New Year or maybe just the first crocus. We are
grateful for this season, for its spirit of possibility, its call to
transformation, and its promise of new life. May we find our place
in Your hope for this state and our world. Amen.

National Anthem performed by the Cony Madrigals.

Pledge of Allegiance led by Senator John L. Patrick of Oxford
County.

Reading of the Journal of Tuesday, April 14, 2015.

Doctor of the day, James Hildebrand, MD of Orono.

Off Record Remarks

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

Out of order and under suspension of the Rules, on motion by
Senator **MASON** of Androscoggin, the following Joint Order:
S.P. 488

Ordered, the House concurring, that when the Senate and House
adjourn, they do so until Tuesday, April 21, 2015 at 10:00 in the
morning.

READ and PASSED.

Ordered sent down forthwith for concurrence.

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

Off Record Remarks

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Amend the Child Protective Services Laws"
H.P. 842 L.D. 1224

Committee on **HEALTH AND HUMAN SERVICES** suggested and
ordered printed.

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

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

COMMUNICATIONS

The Following Communication: S.C. 213

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

April 10, 2015

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 bills out
"Ought Not to Pass":

L.D. 207 An Act To Amend the Maine Commercial
Fertilizer Law and the Maine Agricultural Liming
Materials Act

L.D. 656 An Act To Enhance Forest Ranger Safety

L.D. 708 An Act To Limit the Use of Pesticides on School Grounds

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

This is notification of the Committee's action.

Sincerely,

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

The Following Communication: S.C. 215

**STATE OF MAINE
ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE
COMMITTEE ON VETERANS AND LEGAL AFFAIRS**

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

April 14, 2015

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

The Following Communication: S.C. 214

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

Dear President Thibodeau and Speaker Eves:

April 10, 2015

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

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Veterans and Legal Affairs has voted unanimously to report the following bills out "Ought Not to Pass":

Dear President Thibodeau and Speaker Eves:

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

L.D. 283 An Act To Require Proof of Insurance for Motor Vehicle Inspection
L.D. 348 An Act To Provide for 2-year Motor Vehicle Inspection Stickers
L.D. 381 An Act To Change the Motor Vehicle Inspection Requirements To Extend the Time between Inspections
L.D. 615 An Act Regarding Transparency in the Transportation of Hazardous Materials
L.D. 634 An Act To Allow Operation of Modified Utility Vehicles on a Public Way
L.D. 809 An Act Regarding Motor Vehicle Inspection Program Requirements

L.D. 677 An Act To Amend the Election Laws Concerning Candidates and Nominees
L.D. 720 An Act To Establish an Open Primary System in the State
L.D. 744 An Act To Permit Unenrolled Voters To Cast Ballots in Primary Elections
L.D. 770 An Act To Permit Maine Residents To Register To Vote Online
L.D. 777 An Act To Establish a Seasonal Agency Liquor License

This is notification of the Committee's action.

Sincerely,

S/Sen. Scott W. Cyrway S/Rep. Louis J. Luchini
Senate Chair House Chair

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

This is notification of the Committee's action.

Sincerely,

S/Sen. Ronald F. Collins S/Rep. Andrew J. McLean
Senate Chair House Chair

The Following Communication: H.C. 119

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

April 14, 2015

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

Dear Secretary Priest:

The House voted today to insist on its previous action whereby it accepted the Majority Ought to Pass Report of the Committee on Health and Human Services on Bill "An Act To Reduce Youth Cancer Risk" (S.P. 57) (L.D. 123) and Passage to be Engrossed.

Sincerely,

S/Robert B. Hunt
Clerk of the House

READ and ORDERED PLACED ON FILE.

Senate at Ease.

Senate called to order by the President.

SENATE PAPERS

Bill "An Act To Authorize a General Fund Bond Issue To Improve Maine's Housing Stock and Reduce Heating Costs and Oil Consumption"

S.P. 487 L.D. 1341

Presented by Senator HILL of York.
Cosponsored by Representative DION of Portland and Senators: VALENTINO of York, WOODSOME of York.

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

Sent down for concurrence.

Bill "An Act To Enact the Preservation of Religious Freedom Act"
S.P. 485 L.D. 1340

Presented by Senator BURNS of Washington.
Cosponsored by Representative CRAFTS of Lisbon and Senators: CUSHING of Penobscot, DAVIS of Piscataquis, MASON of Androscoggin, President THIBODEAU of Waldo, Representatives: BEAR of the Houlton Band of Maliseet Indians, HANINGTON of Lincoln, LONG of Sherman, PICKETT of Dixfield.

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

Sent down for concurrence.

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

ORDERS

Joint Resolutions

Joint Resolutions in Memoriam:

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

Robert Hampden Patten, of Topsham. Mr. Patten was born in Philadelphia, Pennsylvania, and the family moved to Hampden, the home of generations of his family, after his renowned physician father passed away. He attended Hampden Academy and matriculated at the University of Maine, but his college education was interrupted by World War II. He joined the Navy, attended midshipman school and was assigned to Key West, where officers lived with prominent families. By the end of his service, he was a lieutenant commanding a submarine chaser. He graduated from the University of Maine in 1947 and attended the University of Denver to complete a master's degree in speech and radio. He returned to the Bangor area and joined WABI as the State's first television anchorman. He served as Bangor's first industrial development director and as Chair and fund-raiser for the University of Maine's Hauck Auditorium fund. After a number of years as a sales representative for Sewall Mapping Company of Old Town, he joined a national tax appraisal firm, Cole Layer Trumble Company. He later founded his own company, Patten Appraisal Associates. In 1961, his family relocated to Cape Elizabeth and then, in 2005, to Topsham. He was devoted to giving back, most prominently through his involvement with the University of Maine and Rotary Club. He and his wife, Stella, were recipients of the university's highest award for fund-raising and alumni leadership efforts, the first time the award was given to a husband and wife. His many decades with Rotary Club included service as district governor for the Northeast United States/Maritime Provinces, during which he travelled worldwide. Among his proudest achievements was the collaboration with Maine Island Trail Association to develop Jewell Island. Mr. Patten will be long remembered and sadly missed by his wife Stella, whom he married in 1953, his daughters Dr. Deborah Patten and Lisa Patten and his grandsons Nicholas Mesrobian and Benjamin Mesrobian;

SLS 295

Sponsored by Senator BAKER of Sagadahoc.
Cosponsored by Representatives: HOBART of Bowdoinham, PIERCE of Dresden, TEPLER of Topsham.

READ.

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

Senator **BAKER**: Thank you, Mr. President. Ladies and gentlemen of the Senate, I rise today to honor the life of a man whose passing leaves a deep void in this community and in our state and, indeed, in our country. Robert, better known as Bob, Patten was a tireless man. From WWII until the end of his life, he devoted himself to serving the community. He gained fame in Maine as our state's first television anchor and used his experience and connections from that to work for the betterment of the Bangor community and the University of Maine. While he gave much to the Bangor area, I, for one, am very grateful that he and Stella migrated down state to Cape Elizabeth and eventually to Topsham. Continuing his work with the University and with the Rotary Club, Bob had an incredible impact on our region. Men like Bob are few and far between and it is my hope that his life and achievements are a motivation and inspiration to others. As we mourn Bob's passing, we must also take the time to be grateful for all he did for our state and our country. Today we look to the past but also let us look to the future as Bob's legacy lives on in communities throughout Maine. It is an honor to recognize his contributions today and to have his widow, Stella, here in the Chamber. Stella was undoubtedly a huge influence and support for Bob in all he was able to accomplish in life. Thank you, Stella, for sharing Bob's life and gifts, for helping us to understand the real Bob, and for ensuring that his legacy will not be forgotten.

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

Senator **COLLINS**: Thank you, Mr. President. Bob Patten was just District Governor of the Rotary district when I was President of my hometown club, in the Town of Wells. Bob Patten had a great sense of humor. When you saw Bob you saw Stella. They were together all the time. The thing I remember about Bob, particularly, was that he had a great sense of humor. He was one of those individuals that when he walked in a room you knew he had a presence and he was always quick to lighten things up. Just a joy to be around. I was talking with Stella earlier this morning and he will be sadly missed by a lot of people. Great guy. I'll just say that communities, civic groups, it seems as though this generation is leaving us and it's a shame because there are not as many to take their places. These civic groups, like Rotary for example, add a lot to our communities and Bob was an important part of being a Rotarian. It was service above self. That's our motto. Bob will be greatly missed. Thank you.

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

Senator **CUSHING**: Thank you, Mr. President. Ladies and gentlemen of the Senate, I, too, rise to pay my respects to Bob Patten, a wonderful individual who I had the pleasure of knowing. I don't want to detract anything from what has already been said. It gives you, in essence, who the man is and the type of people he inspired and it certainly is a loss, but hopefully he will continue to be an inspiration that my colleagues have spoken to here and I wish to express my condolences to the family and his wife, Stella.

ADOPTED.

Sent down for concurrence.

THE PRESIDENT: The Chair is pleased to recognize in the rear of the Chamber Stella Patten, wife of Bob; his daughter, Lisa Patten; his daughter, Dr. Deborah Patten; his grandson, Benjamin Mesrobian; as well as John and Flora Atkins and family and friends. Would they please rise and accept the condolences of the Maine Senate.

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

Roland F. Jones, of Jefferson, a veteran of the United States Army. Mr. Jones was born and attended schools in Jefferson and joined the United States Army in 1942. He was a member of the Red Ball Express convoy during World War II and served in northern France, the Rhineland and central Europe. He received the Good Conduct Medal, the Euro-African-Middle Eastern Campaign Medal, the World War II Victory Medal and the United States Army Motor Vehicle Driver Safety Award. He worked for many years in forestry and excavation. He was a member of the American Legion and the Veterans of Foreign Wars and was dedicated to the Disabled American Veterans organization. Mr. Jones will be long remembered and sadly missed by his wife of 68 years, Geraldine; his sons and their wives, Ronald and Carol, Wayne and Carol and Dana and Paula; his daughters and their husbands, Donna and David, Sandra and Carl, Brenda and David and Cathy and Rob; his extended family; and his friends;

SLS 302

Sponsored by Senator BURNS of Washington.
Cosponsored by Senator: JOHNSON of Lincoln, Representative: SANDERSON of Chelsea.

READ.

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

Senator **BURNS**: Thank you, Mr. President. Ladies and gentlemen of the Senate, it's a great honor for me today to have in this Chamber many of my extended family, especially my mother-in-law, Geraldine Jones, who I was instructed years and years ago to call Gerri or Mom, and I'll do that today. I'll take this opportunity to say a few words about a very special man. Some might even call him a hero. Not the type of hero that you hear about in the news or a person that's a celebrity, but a man who many, many folks depended upon. There are few men in my life that have made a big difference to me and greatly influence me through the years. My Dad, of course, who has passed on. My pastor for over 50 years. Another one is my father-in-law, Roland Jones, who we are here to memorialize today. I started out working in the woods, along with his sons, for my father-in-law back when I was a teenager. That's when I started to learn many of the lessons that he taught me over the years. I married his daughter 46 years ago and never looked back. Roland, as you already heard, served in the WWII and he was part of the infamous Red Ball Express that, hopefully, you've heard about that was responsible for carrying ammunition and gasoline across Europe in the days immediately after the invasion of Normandy. There was an article written about him in 2006, that I hope you take an opportunity to take a look at, about some of his exploits

and what went on in his service over there. We just mentioned the passing of Mr. Patten, that brings in mind General George Patton, who my father-in-law actually met while he was over in Europe. I recall that he said that he really didn't like him that much. Pushed his men too hard. That was my father-in-law's perception of him.

Roland came home and he married my mother-in-law, Gerri, and they were married for 68 years. They had nine children and one of them passed away in infancy. Roland and Gerri raised those eight children and every one of them turned out to be good citizens and good people. Roland started his own business, both in construction and what some would now call forestry, I called it a logger. That's what he was; a professional logger. That's where I got my start from him. He also had a farm where they raised large and small animals for income and to feed their family. He was an important part of his community and always will be remembered as such. People depended on Roland. They respected him. They called upon him for not only advice but to help them with their own properties. He had a reputation of being fair, honest, hardworking, and dependable. What great things to have to your memory. He was the type of person that helped to build this country, especially after WWII, to make it what it is today. He was a good husband and a good father. The many talents that he had he passed on to his kids. Whether they know it or not, that's where your talents came from, and also your Mom. He provided for his family back when things were tough, not like we know today. We think when we have a downturn in the economy that things are rough around here. Can you imagine trying to feed a family of ten in this country back when things weren't as affluent as they are today? It was difficult, but it's what good men and women did.

My wife, Donna, who I'm sorry to say couldn't be with us today because, as many of you know, we have a special son and that requires one of us to be home with him. My wife, Donna, likes to tell me about how special it was when she and one of the other kids, or whoever's turn it was, had the opportunity to ride in the pulp truck to Augusta with their Dad and spend the afternoon with him. On the way back they'd stop for ice cream and Dad would talk to all the locals and they would have an opportunity to spend time with him.

The last few months of my father-in-law's life he had to be at the VA Center in Augusta because of an injury and dementia problems that he had. When I'd visit Roland up at the VA Center, along with all of his peers there in that particular ward that he was in, all veterans from all walks of life, I was so impressed about the company that I was in. These were the men, again, that helped build this country. They fought for us in the wars. They came back and started businesses. They raised families. They helped their communities. They all were truly heroes and Roland was one of these. I thought about, as they were in that environment up at the VA Center, how much this impacted me that the great people that were there taking care of them, and are today taking care of those former soldiers, just don't realize the presence that they are among; the people that they are helping to serve and what they have accomplished in this country and in their lives; through no fault of their own, because all families pretty much have those memories and not everybody gets to share them. Roland was one of those that was an awesome individual and it really was a privilege to be in his midst and their midst.

As I said, Roland was a leader in his community and he made untold contributions to the community, like so many of his peers, but the wonderful thing about Roland is that he left an

indelible mark on the community and you can see that around the back of the room here with the people that have come in honor of his memory. I know what a hero he was because I watched him and I learned from him for over 50 years. Like many others, I depended on him and I saw him as a hero. It was my privilege and honor today to honor him in the Maine Senate and, Mr. President, I would ask that when we adjourn we adjourn in Roland Jones' memory. Thank you very much, ladies and gentlemen.

ADOPTED.

Sent down for concurrence.

THE PRESIDENT: The Chair is pleased to recognize in the rear of the Chamber Geraldine Jones, sons, daughters, and grandchildren as well as representatives and friend of Roland Jones. Would they please rise and accept the condolences of the Maine Senate.

REPORTS OF COMMITTEES

House

Ought to Pass

The Committee on **HEALTH AND HUMAN SERVICES** on Resolve, Regarding Legislative Review of Portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 29: Allowances for Support Services for Adults with Intellectual Disabilities or Autistic Disorder, a Major Substantive Rule of the Department of Health and Human Services (EMERGENCY)
H.P. 410 L.D. 597

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

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Clarify Filing Methods for Quarterly Payroll Reports"
H.P. 478 L.D. 702

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

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Make Minor Nonsubstantive Changes to the Laws Affecting the Office of the State Auditor"

H.P. 334 L.D. 495

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

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Ought to Pass As Amended

The Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act To Promote Industrial Hemp"

H.P. 7 L.D. 4

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-41).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-41).**

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

READ ONCE.

Committee Amendment "A" (H-41) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Protect Students' Rights and Privacy Regarding Their School Records"

H.P. 53 L.D. 59

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-55).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-55).**

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

READ ONCE.

Committee Amendment "A" (H-55) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act Regarding Measures To Ensure Students Can Demonstrate Proficiency in Financial Literacy"

H.P. 284 L.D. 417

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-50).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-50).**

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

READ ONCE.

Committee Amendment "A" (H-50) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Change the Notification Deadline for the Nonrenewal of a Teacher's Contract"

H.P. 300 L.D. 461

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-51).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-51).**

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

READ ONCE.

Committee Amendment "A" (H-51) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Address Recommendations from the Report by the Office of Program Evaluation and Government Accountability Regarding the Public Utilities Commission"

H.P. 169 L.D. 237

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-53)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-53)**.

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

READ ONCE.

Committee Amendment "A" (H-53) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Clarify That the Telephone Number 9-1-1 Is the Primary Number Advertised or Promoted for Emergency Response Services"

H.P. 233 L.D. 339

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

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

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

READ ONCE.

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

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **ENVIRONMENT AND NATURAL RESOURCES** on Resolve, Regarding Legislative Review of Portions of Chapter 500: Stormwater Management, a Major Substantive Rule of the Department of Environmental Protection (EMERGENCY)

H.P. 105 L.D. 147

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-45)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-45)**.

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

READ ONCE.

Committee Amendment "A" (H-45) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **ENVIRONMENT AND NATURAL RESOURCES** on Bill "An Act To Amend the Site Location of Development Laws"

H.P. 261 L.D. 395

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

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

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

READ ONCE.

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

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **ENVIRONMENT AND NATURAL RESOURCES** on Bill "An Act To Achieve Regional Uniformity in Sulfur Standards for Heating Oil"

H.P. 416 L.D. 603

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-47)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-47)**.

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

READ ONCE.

Committee Amendment "A" (H-47) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Off Record Remarks

The Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Improve Access to Capital"

H.P. 453 L.D. 672

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-58)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-58)**.

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

READ ONCE.

Committee Amendment "A" (H-58) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **TRANSPORTATION** on Bill "An Act To Correct an Error in the Law That Allows a Break in Control of Access on William L. Clarke Drive in the City of Westbrook" (EMERGENCY)

H.P. 483 L.D. 707

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-57)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-57)**.

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

READ ONCE.

Committee Amendment "A" (H-57) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Provide Anger Management Courses or Additional Imprisonment for Domestic Violence Offenders"

H.P. 108 L.D. 150

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-54)**.

Signed:

Senators:

ROSEN of Hancock
BURNS of Washington
GERZOFKY of Cumberland

Representatives:

FOWLE of Vassalboro
CHENETTE of Saco
DAVITT of Hampden
GERRISH of Lebanon
LAJOIE of Lewiston
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:

Representative:

LONG of Sherman

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-54)**.

Reports **READ**.

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

READ ONCE.

Committee Amendment "A" (H-54) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Create a Permanent Wabanaki Law Enforcement Seat on the Board of Trustees of the Maine Criminal Justice Academy"

H.P. 171 L.D. 239

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

Signed:

Senator:
GERZOFISKY of Cumberland

Representatives:
FOWLE of Vassalboro
CHENETTE of Saco
DAVITT of Hampden
GERRISH of Lebanon
LAJOIE of Lewiston
LONG of Sherman
THERIAULT of China
TIMMONS of Cumberland

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

Signed:

Senators:
ROSEN of Hancock
BURNS of Washington

Representatives:
NADEAU of Winslow
WARREN of Hallowell

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

Reports **READ**.

On motion by Senator **GERZOFISKY** of Cumberland, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, in **NON-CONCURRENCE**

Sent down for concurrence.

Divided Report

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Amend the Administration of the Transportation System in the Department of Education"
H.P. 208 L.D. 314

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

Signed:

Senators:
LANGLEY of Hancock
EDGEComb of Aroostook
MILLETT of Cumberland

Representatives:
KORNFIELD of Bangor
FARNSWORTH of Portland
HUBBELL of Bar Harbor
MAKER of Calais
McCLELLAN of Raymond

PIERCE of Falmouth
STEARNS of Guilford
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 "A" (H-56)**.

Signed:

Representatives:
DAUGHTRY of Brunswick
POULIOT of Augusta

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

Reports **READ**.

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

Divided Report

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Resolve, To Implement Recommendations from the Maine Science, Technology, Engineering and Mathematics Education and Workforce Plan

H.P. 391 L.D. 567

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
STEARNS of Guilford
TIPPING-SPITZ of Orono

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

Signed:

Senator:
MILLETT of Cumberland

Representatives:
DAUGHTRY of Brunswick
PIERCE of Falmouth
POULIOT of Augusta

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

Reports **READ**.

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

Divided Report

The Majority of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Allow Consumers of Cable Television To Purchase Channels Individually"

H.P. 264 L.D. 398

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

Signed:

Senators:

WOODSOME of York
MASON of Androscoggin

Representatives:

DION of Portland
BEAVERS of South Berwick
DUNPHY of Embden
HIGGINS of Dover-Foxcroft
O'CONNOR of Berwick
WADSWORTH of Hiram

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-64)**.

Signed:

Senator:

HILL of York

Representatives:

BABBIDGE of Kennebunk
DeCHANT of Bath
GROHMAN of Biddeford
RYKERSON of Kittery

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

Reports **READ**.

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

Divided Report

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Resolve, To Require the Department of Health and Human Services To Provide Supplemental Reimbursement to Adult Family Care Homes and Residential Care Facilities in Remote Island Locations

H.P. 57 L.D. 63

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-49)**.

Signed:

Senators:

HASKELL of Cumberland
McCORMICK of Kennebec

Representatives:

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

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

Signed:

Senator:

BRAKEY of Androscoggin

Representative:

HEAD of Bethel

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-49)**.

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 **MARINE RESOURCES** on Bill "An Act To Prohibit False Labeling of Marine Organisms"

H.P. 292 L.D. 425

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

Signed:

Senator:
BAKER of Sagadahoc

Representatives:
KUMIEGA of Deer Isle
ALLEY of Beals
BATTLE of South Portland
BLUME of York
DEVIN of Newcastle
HAWKE of Boothbay Harbor
McCREIGHT of Harpswell
PIERCE of Dresden
SAWICKI of Auburn
TUELL of East Machias

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

Signed:

Senators:
LANGLEY of Hancock
MIRAMANT of Knox

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

Reports **READ**.

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

Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Quantitatively Evaluate State Contracts"

H.P. 225 L.D. 331

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

Signed:

Senators:
WHITTEMORE of Somerset
LIBBY of Androscoggin
WILLETTE of Aroostook

Representatives:
MARTIN of Sinclair
BABBIDGE of Kennebunk
BEEBE-CENTER of Rockland
BRYANT of Windham
DOORE of Augusta
GREENWOOD of Wales
PICKETT of Dixfield
TUELL of East Machias
TURNER of Burlington

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-69)**.

Signed:

Representative:
EVANGELOS of Friendship

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

Reports **READ**.

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

Divided Report

The Majority of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Amend the Authorized Hours during Which Liquor May Be Sold and Purchased"

H.P. 465 L.D. 684

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-60)**.

Signed:

Senators:
COLLINS of York
PATRICK of Oxford

Representatives:
LUCHINI of Ellsworth
GOLDEN of Lewiston
KINNEY of Limington
LONGSTAFF of Waterville
MONAGHAN of Cape Elizabeth
SAUCIER of Presque Isle
SCHNECK of Bangor
TURNER of Burlington

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

Signed:

Senator:
CYRWAY of Kennebec

Representatives:
DILLINGHAM of Oxford
HANINGTON of Lincoln

(Representative BEAR of the Houlton Band of Maliseet Indians - of the House - supports the Minority **Ought Not To Pass** Report.)

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-60)**.

Reports **READ**.

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

Senate

Ought to Pass As Amended

Senator **WHITTEMORE** for the Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Amend the Allowable Security Freeze Fees Charged by a Consumer Reporting Agency"

S.P. 150 L.D. 382

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-38)**.

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

READ ONCE.

Committee Amendment "A" (S-38) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

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. 919

**JOINT RESOLUTION
COMMEMORATING THE HOLOCAUST AND HUMAN RIGHTS
CENTER
OF MAINE'S LEGISLATIVE AWARENESS DAY
AND YOM HASHOAH, THE DAY OF REMEMBRANCE**

WHEREAS, from 1933 to 1945, 6,000,000 Jews were murdered in the Holocaust as part of a state-sponsored, systematic persecution and annihilation program of genocide, and millions of other people suffered as victims of Nazism, such as the handicapped, political dissidents and many others for racial, ethnic or national reasons; and

WHEREAS, the people of the State of Maine should always remember the atrocities committed by the Nazis so that such

horrors are never repeated, and the history of the Holocaust offers an opportunity to reflect on the moral responsibilities of individuals, societies and governments; and

WHEREAS, the people of the State of Maine should always remember those who liberated the Nazi concentration camps, some of whom lost their lives and others of whom have experienced lifelong emotional suffering, as holding an honored place in our history; and

WHEREAS, the people of the State of Maine should continually rededicate themselves to the principle of equal justice for all people, remain eternally vigilant against all tyranny and recognize that bigotry provides a breeding ground for tyranny to flourish; and

WHEREAS, the national community, pursuant to an Act of Congress, will be commemorating the week of April 12, 2015 through April 19, 2015 as the Days of Remembrance of the Victims of the Holocaust, including the Day of Remembrance, known as Yom HaShoah, April 16, 2015; and

WHEREAS, it is appropriate for the people of the State of Maine to join in this international commemoration, and April 16, 2015 has been designated as the Holocaust and Human Rights Center of Maine's Legislative Awareness Day, marking 70 years since the end of World War II and the liberation of the Nazi concentration and death camps; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-seventh Legislature now assembled in the First Regular Session, on behalf of the people we represent, pause in solemn memory of the victims of the Holocaust and in honor of the survivors, rescuers and liberators; that We urge one and all to recommit themselves to the lessons of the Holocaust through the Holocaust and Human Rights Center of Maine's Legislative Awareness Day and the international week of commemoration; and that We express our common desire to continually strive to overcome prejudice and inhumanity through education, vigilance and resistance; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Holocaust and Human Rights Center of Maine and the United States Holocaust Memorial Council in Washington, D.C. on behalf of the people of the State of Maine.

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

READ.

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

Senator **KATZ:** Thank you, Mr. President. Men and women of the Senate, today is Yom Hashoah, Holocaust Memorial Day. It is a day dedicated to remembering the nearly six million Jews, including one million children, who died in what Adolph Hitler hoped would be the final solution. In less than a decade four times the population of our state were murdered simply because of their religion. It is fitting today, Mr. President, that in order to put this into the historical perspective, we're doing this on the

same day that Senator Burns said such glowing words about his father-in-law who was one of the people who liberated Europe at the end of the Second World War. I'd like to read you, Mr. President, the words of Pastor Martin Niemoller, a German born Protestant minister who wrote a very powerful and well-known poem. He was jailed for his outspoken view of the wrong committed by the Nazis. He wrote, "First they came for the Socialists and I did not speak out because I was not a Socialist. Then they came for the trade unionists and I did not speak out because I was not a trade unionist. Then they came for the Jews and I did not speak out because I was not a Jew. Then they came for me and there was no one left to speak for me."

It's important, Mr. President, that we tell that story and that each generation pass down the story because there are fewer and fewer people still living who can tell the story firsthand. We are honored today, Mr. President, to have two of those people in our presence. First of all, Evelyn Panish is here. Evelyn was born in Germany in 1930 and lived in Berlin until fleeing with her family to China. In 1940, Evelyn and her husband escaped Nazi persecution by immigrating to Shanghai via Russia, Siberia, and Manchuria. They immigrated to the United States in 1947. She now lives in Freeport with her husband, Mort. Also with us today, Mr. President, is Charles Rotmil, who was born in Alsace Lorraine in 1932. In 1938, he moved with his family to Vienna. Two years later, they escaped to Belgium and then to France, in their attempts to flee the war against the Jews. By 1943, his mother and sister had died in a train crash and his father had been gassed in Auschwitz. Father Bruno Reynders, a Benedictine monk, took Charles and his brother under his wing, along with 400 other children. They lived in hiding, under false names, until the liberation in 1945. In 1946, he arrived in the United States, spending many years as a schoolteacher and now is a filmmaker, photographer, write, and artist living here in Maine.

Mr. President, thank you for your attention to this and we are honored to be in their presence. Thank you.

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

Senator **ALFOND:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I also stand here today to honor those who perished, those who survived, and those who liberated the Holocaust survivors. My family lost people, friends and family, in the Holocaust. This Joint Resolution is important to me and to all faiths because we must remember our history. We all have lessons to learn about each other; to celebrate our differences and diversities and to, especially, share tolerance. Thankfully there are organizations like the Holocaust Human Rights Center here in Augusta, at the University of Maine at Augusta, that use the lessons of the Holocaust and other genocides to combat prejudice and discrimination in Maine and beyond. They encourage individuals and communities to reflect and act upon their ethical and moral responsibilities in our modern world. I think it's just incredibly important that we do this. It's important that we remember our history and thank you, Mr. President, for the honor to speak.

ADOPTED, in concurrence.

THE PRESIDENT: The Chair is pleased to recognize in the rear of the Chamber two Holocaust survivors; Evelyn Panish and Charles Rotmil. They are joined today by Mort Panish and Katherine Wilson. Would they rise and accept the greetings of the Maine Senate.

Senator BAKER for the Committee on **MARINE RESOURCES** on Bill "An Act To Extend the Protection of Municipal Shellfish Conservation Programs" (EMERGENCY)

S.P. 164 L.D. 435

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-40).**

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

READ ONCE.

Committee Amendment "A" (S-40) **READ** and **ADOPTED.**

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

Sent down for concurrence.

Senator BAKER for the Committee on **MARINE RESOURCES** on Bill "An Act To Make Technical Changes to Maine's Marine Resources Laws"

S.P. 260 L.D. 730

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-41).**

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

READ ONCE.

Committee Amendment "A" (S-41) **READ** and **ADOPTED.**

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator COLLINS for the Committee on **TRANSPORTATION** on Bill "An Act To Amend the Requirement for a Certificate of Title for Junk and Scrap Automobiles and Vehicles" (EMERGENCY)

S.P. 188 L.D. 520

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-37).**

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

READ ONCE.

Committee Amendment "A" (S-37) **READ** and **ADOPTED.**

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

Nine members of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Encourage Responsible Consumer Fireworks Use"

S.P. 117 L.D. 302

Reported in Report "A" that the same **Ought to Pass as Amended by Committee Amendment "A" (S-39).**

Signed:

Senators:

ROSEN of Hancock
BURNS of Washington

Representatives:

FOWLE of Vassalboro
CHENETTE of Saco
DAVITT of Hampden
GERRISH of Lebanon
NADEAU of Winslow
THERIAULT of China
WARREN of Hallowell

Two members of the same Committee on the same subject reported in Report "B" that the same **Ought to Pass.**

Signed:

Senator:

GERZOFKY of Cumberland

Representative:

Lajoie of Lewiston

Two members of the same Committee on the same subject reported in Report "C" that the same **Ought Not to Pass.**

Signed:

Representatives:

LONG of Sherman
TIMMONS of Cumberland

Reports **READ.**

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

Committee of Conference

The Committee of Conference on the disagreeing action of the two branches of the Legislature, on Bill "An Act To Enhance Equity and Efficiency for Off-track Betting Facilities"

H.P. 572 L.D. 838

Had the same under consideration, and asked leave to report:

That the Bill be **REFERRED** to the Committee on **VETERANS and LEGAL AFFAIRS.**

That the Senate **READ** and **ACCEPT** the Report.

That the House **READ** and **ACCEPT** the Report, in concurrence.

On the Part of the Senate:

Senator CYRWAY of Kennebec
Senator MASON of Androscoggin

On the Part of the House:

Representative LUCHINI of Ellsworth
Representative McCABE of Skowhegan
Representative PICCHIOTTI of Fairfield

Report **READ.**

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

Sent down for concurrence.

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

SECOND READERS

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

House

Bill "An Act To Continue To Permit Persons 70 Years of Age and Older To Hunt with a Crossbow" (EMERGENCY)

H.P. 266 L.D. 400

Bill "An Act Regarding Notice to the Public Pertaining to a Resident Person Deported from Canada to the United States for Committing a Sex Offense against a Child"

H.P. 871 L.D. 1275

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

House As Amended

Bill "An Act To Require Removal of Mooring Equipment"

H.P. 21 L.D. 22

(C "A" H-34)

Bill "An Act To Provide Options to Schools for Making Up School Days" (EMERGENCY)

H.P. 87 L.D. 129
(C "A" H-37)

Bill "An Act To Amend the Laws Related to Public Funding of Charter Schools" (EMERGENCY)

H.P. 89 L.D. 131
(C "A" H-38)

Resolve, Regarding Legislative Review of Portions of Chapter 4: Maine Motor Carrier Safety Regulation, a Major Substantive Rule of the Department of Public Safety, Bureau of State Police (EMERGENCY)

H.P. 101 L.D. 143
(C "A" H-42)

Bill "An Act To Require Proper Notification of Life Insurance Cancellation" (EMERGENCY)

H.P. 152 L.D. 220
(C "A" H-39)

Bill "An Act To Reduce Commercial Shellfish License Fees for Persons under 18 Years of Age"

H.P. 154 L.D. 222
(C "A" H-33)

Bill "An Act To Amend the Law Concerning Overwidth Farm Tractors on Public Ways"

H.P. 202 L.D. 284
(C "A" H-31)

Bill "An Act To Combine Outstanding Student Loan Debt with a Home Mortgage"

H.P. 230 L.D. 336
(C "A" H-30)

Bill "An Act Regarding Telephonic Political Communications and Push Polling"

H.P. 278 L.D. 412
(C "A" H-32)

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

Senate

Bill "An Act To Continue the Visual and Digital Media Loan Program and the Visual and Digital Media Loan Fund"

S.P. 145 L.D. 377

READ A SECOND TIME and PASSED TO BE ENGROSSED.

Sent down for concurrence.

Senate As Amended

Bill "An Act To Prohibit the Use of a Mobile Telephone When Operating a Motor Vehicle Except in Hands-free Mode"

S.P. 60 L.D. 185
(C "A" S-13)

Resolve, To Initiate the Procedures To Request the United States Congress's Joint Committee on the Library To Replace a Statue in the National Statuary Hall Collection

S.P. 99 L.D. 261
(C "A" S-34)

Bill "An Act To Prevent Organized Retail Crime"

S.P. 125 L.D. 310
(C "A" S-30)

Bill "An Act To Create the Sex Offender Management and Risk Assessment Advisory Commission"

S.P. 147 L.D. 379
(C "A" S-31)

Bill "An Act Regarding Community Paramedicine Pilot Projects"

S.P. 222 L.D. 629
(C "A" S-32)

Bill "An Act To Authorize the Transfer of State-owned Real Estate to the City of Belfast"

S.P. 231 L.D. 638
(C "A" S-33)

READ A SECOND TIME and PASSED TO BE ENGROSSED AS AMENDED.

Sent down for concurrence.

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

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

House Papers

Bill "An Act To Prohibit Unauthorized Custody Transfers of Children"

H.P. 911 L.D. 1342

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

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

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

Bill "An Act To Protect Older Adults from Financial Exploitation" (EMERGENCY)

H.P. 917 L.D. 1348

Bill "An Act To Establish the Office of the Inspector General in the Department of Health and Human Services"

H.P. 918 L.D. 1349

Resolve, To Increase the Reimbursement Rate for Direct-care Workers Serving Adults with Long-term Care Needs

H.P. 920 L.D. 1350

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

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

Bill "An Act To Protect Maine Consumers in the Individual Health Insurance Market and Support Maine's Economy"

H.P. 913 L.D. 1344

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

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

Bill "An Act To Provide Funding for Incubators for Business Start-ups"

H.P. 914 L.D. 1345

Bill "An Act To Ensure that Membership of Public Employees in Unions is Voluntary"

H.P. 921 L.D. 1351

Come from the House, **REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed.

On motion by Senator **VOLK** of Cumberland, **REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed, in concurrence.

Bill "An Act To Establish a Comprehensive Gaming Policy" H.P. 915 L.D. 1346

Comes from the House, **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS** and ordered printed.

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

ORDERS OF THE DAY

Unfinished Business

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

The Chair laid before the Senate the following Tabled and Later Assigned (4/7/15) matter:

SENATE REPORTS - from the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Improve Public Sector Collective Bargaining Laws"

S.P. 199 L.D. 530

Majority - **Ought to Pass** (7 members)

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

Tabled - April 7, 2015, by Senator **VOLK** of Cumberland

Pending - motion by same Senator to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report

(In Senate, April 7, 2015, Reports **READ**.)

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

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

Senator **PATRICK:** Thank you very much, Mr. President. Ladies and gentlemen of the Senate, colleagues and friends, I stand before you today to ask you to vote against this Minority Ought Not to Pass Report. This bill amends the Municipal Public Employee's Labor Relations Law by requiring that all collective bargaining negotiation meetings include a member of the body with final authority to approve the collective bargaining agreement. This bill is a commonsense addition to clarify and support the State's purpose of the Municipal Public Employee's Labor Relations Law. All this bill does, ladies and gentlemen, is it codifies what is already common practice within the negotiations and if you're going to have a negotiation what's the sense of a negotiation if you don't have someone there that can have the final say. The testimony was that already in 90% of all

negotiations this happens. What I believe this would do is correct the 10% of the times when it doesn't happen and it's actually commonsense. I would ask for the membership to vote in opposition to the Ought Not to Pass Report and move on to the Ought to Pass Report. Thank you.

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

Senator **VOLK:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I'm just going to be very brief here. As the good Senator from Oxford pointed out, this is already done most of the time. We heard from Maine Municipal Association, Maine School Management, that this is not something that they feel needs to be in statute, nor should it be in statute. In fact, federal law actually controls the process and says that no party should dictate who is in there for collective bargaining. I ask that you follow my light.

THE PRESIDENT: The pending question before the Senate is the motion by the Senator from Cumberland, Senator Volk to Accept the Minority 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 (#30)

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

NAYS: Senators: ALFOND, BREEN, DIAMOND, DILL, DUTREMBLE, GERZOFISKY, GRATWICK, HASKELL, HILL, JOHNSON, LIBBY, MILLETT, MIRAMANT, PATRICK, VALENTINO

EXCUSED: Senator: DAVIS

19 Senators having voted in the affirmative and 15 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **VOLK** of Cumberland to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report, **PREVAILED**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (4/9/15) matter:

Bill "An Act To Affirm the Obligation To Support One's Children" S.P. 471 L.D. 1306

Tabled - April 9, 2015, by Senator **BURNS** of Washington

Pending - **REFERENCE**

(Committee on **JUDICIARY** suggested and ordered printed.)

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

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (4/9/15) matter:

Bill "An Act To Establish the Patient Compensation System Act" H.P. 889 L.D. 1311

Tabled - April 9, 2015, by Senator **WHITTEMORE** of Somerset

Pending - **REFERENCE**

(Committee on **INSURANCE AND FINANCIAL SERVICES** suggested and ordered printed.)

(In House, April 9, 2015, **REFERRED** to the Committee on **JUDICIARY**.)

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

The Chair laid before the Senate the following Tabled and Later Assigned (4/14/15) matter:

HOUSE REPORTS - from the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Expand Access to Absentee Ballots" H.P. 279 L.D. 413

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-59)** (7 members)

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

Tabled - April 14, 2015, by Senator **CYRWAY** of Kennebec

Pending - motion by same Senator to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report, in concurrence

(In House, April 9, 2015, the Minority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.)

(In Senate, April 14, 2015, Reports **READ**.)

On motion by Senator **CYRWAY** of Kennebec, the Minority **OUGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (4/14/15) matter:

SENATE REPORTS - from the Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Limit Allowable Health Care Charges in Certain Specified Situations"

S.P. 89 L.D. 251

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-35)** (7 members)

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

Tabled - April 14, 2015, by Senator **WHITTEMORE** of Somerset

Pending - motion by same Senator to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report

(In Senate, April 14, 2015, Reports **READ**.)

On motion by Senator **WHITTEMORE** of Somerset, the Minority **OUGHT NOT TO PASS** Report **ACCEPTED**.

Sent down for concurrence.

Off Record Remarks

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

On motion by Senator **MASON** of Androscoggin, **ADJOURNED**, pursuant to the Joint Order, to Tuesday, April 21, 2015, at 10:00 in the morning, in memory of and lasting tribute to Robert Hampden Patten of Topsham and Roland F. Jones of Jefferson.