

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

In Senate Chamber
Thursday
April 30, 2015

Doctor of the day, Amy Madden, MD of Rome.

Off Record Remarks

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

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

The President took a seat on the Floor.

Prayer by Pastor Justin Frank, Penney Memorial United Baptist Church in Augusta.

The Senate called to order by President Pro Tempore **BRIAN D. LANGLEY** of Hancock County.

Off Record Remarks

PASTOR FRANK: Good morning. Let us pray. Almighty God, thank You for this day that You have made. Thank You for the gift of one more day of life; another day with colleagues, friends, and loved ones; another day to do good and meaningful work in the service of others. Thank You, Father, for this legislative Body and the good and necessary work that is done here as they conduct the business of the people of the state of Maine. We are thankful for their work and, at the start of this new day, I ask Your blessing upon them and upon their work. Lord, I pray that You would grant them strength to act with justice. Would You give them wisdom as they consider how to balance competing interests, understanding of the moral dimensions of complex problems. Would You grant them courage, that they might not only know the right thing to do but that they might do what is right. Lord, I pray You would grant them compassionate hearts, that they would love mercy, that the pursuit of justice would not be lacking true care and concern for the human needs of real people, for the human dignity of the weak and the poor and the stranger. May they know mercy and may they be merciful. Finally, I pray that You would grant them humility as they walk before You; humility to listen to and understand others, to see the merits of other perspectives, to admit when they have been wrong; that they might work together for the common good. Almighty God, You pull these things together in eternal perfection. You balance justice and mercy and You demonstrate incredible humility. Now may You empower and guide these men and women in their work this day for the sake of the peace and prosperity and the flourishing of the great state of Maine. I ask in Jesus' name. Amen.

Out of order and under suspension of the Rules, on motion by Senator **MASON** of Androscoggin, the following Joint Order:
S.P. 510

Ordered, the House concurring, that when the Senate and House adjourn, they do so until Tuesday, May 5, 2015 at 10:00 in the morning.

READ and PASSED.

Ordered sent down forthwith for concurrence.

PAPERS FROM THE HOUSE

Non-Concurrent Matter

HOUSE REPORTS - from the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Exempt Certain Capital Expenditures from the Maine Certificate of Need Act of 2002"
H.P. 39 L.D. 45

Majority - **Ought Not to Pass** (7 members)

Minority - **Ought to Pass** (6 members)

In House, April 16, 2015, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

In Senate, April 28, 2015, on motion by Senator **BRAKEY** of Androscoggin, the Minority **OUGHT TO PASS** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**, in **NON-CONCURRENCE**.

Comes from the House, that Body **INSISTED**.

National Anthem will be performed by Rebecca Pushard of Manchester.

Pledge of Allegiance led by Senator Michael J. Willette of Aroostook County.

Reading of the Journal of Wednesday, April 29, 2015.

On motion by Senator **BRAKEY** of Androscoggin, the Senate **ADHERED**.

Non-Concurrent Matter

SENATE REPORTS - from the Committee on **STATE AND LOCAL GOVERNMENT** on RESOLUTION, Proposing an Amendment to the Constitution of Maine To Lower the Age Requirement To Run for Legislative Office
S.P. 28 L.D. 80

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-54)** (11 members)

Minority - **Ought Not to Pass** (2 members)

In Senate, April 28, 2015, on motion by Senator **WHITEMORE** of Somerset, the Minority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

Comes from the House, the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the RESOLUTION **PASSED TO BE ENGROSSED AS AMENDED**, in **NON-CONCURRENCE**.

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

Non-Concurrent Matter

SENATE REPORTS - from the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Encourage Responsible Consumer Fireworks Use"
S.P. 117 L.D. 302

Report "A" - **Ought to Pass as Amended by Committee Amendment "A" (S-39)** (9 members)

Report "B" - **Ought to Pass** (2 members)

Report "C" - **Ought Not to Pass** (2 members)

In Senate, April 28, 2015, on motion by Senator **ROSEN** of Hancock, Report "C" **OUGHT NOT TO PASS**, **READ** and **ACCEPTED**.

Comes from the House, Report "A" **OUGHT TO PASS AS AMENDED**, **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-39)**, in **NON-CONCURRENCE**.

On motion by Senator **ROSEN** of Hancock, the Senate **ADHERED**.

Sent down for concurrence.

Non-Concurrent Matter

Resolve, Directing the Finance Authority of Maine To Convene a Stakeholder Group To Develop Solutions To Reduce the Negative Effect of Student Loan Debt on Home Ownership
H.P. 230 L.D. 336
(C "A" H-30)

In House, April 23, 2015, **FINALLY PASSED**.

In Senate, April 28, 2015, **FAILED FINAL PASSAGE**, in **NON-CONCURRENCE**.

Comes from the House, that Body **INSISTED**.

On motion by Senator **CUSHING** of Penobscot, the Senate **INSISTED**.

Non-Concurrent Matter

HOUSE REPORTS - from the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Provide Additional Oversight over the Management of the Department of Health and Human Services"
H.P. 245 L.D. 358

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

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

In House, April 23, 2015, the Majority **OUGHT TO PASS** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.

In Senate, April 28, 2015, on motion by Senator **BRAKEY** of Androscoggin, the Minority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**, in **NON-CONCURRENCE**.

Comes from the House, that Body **INSISTED**.

On motion by Senator **BRAKEY** of Androscoggin, the Senate **INSISTED**.

Non-Concurrent Matter

An Act Regarding Prerecorded Telephonic Political Communications
H.P. 278 L.D. 412
(C "A" H-32)

In House, April 23, 2015, **PASSED TO BE ENACTED**.

In Senate, April 28, 2015, **FAILED ENACTMENT**, in **NON-CONCURRENCE**.

Comes from the House, that Body **INSISTED**.

Senator **CYRWAY** of Kennebec moved the Senate **INSIST**.

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 PRO TEMPORE: The Chair recognizes the Senator from Oxford, Senator Patrick.

Senator **PATRICK:** Thank you, Mr. President. Ladies and gentlemen of the Senate, colleagues and friends, this is actually a great transparency bill. The bill amends the law governing what is required to be disclosed on or in political communications to support the election or defeat of a candidate. Specifically, telephone calls that name a clearly identified candidate during the 21 days preceding a primary and the 35 days preceding the general election. It requires that all pre-recorded automated telephone calls and scripted live telecommunications, including those made for the purpose of researching the views of voters, that name a clearly identified candidate during the 21 days before a primary election or 35 days before the general election clearly state at the start of the call the name of the person or organization that made or financed the expenditure for the communication. The bill requires that, for scripted live telecommunications, if the respondent requests additional information on the persons or organizations that made or financed the expenditure for the communications the caller must describe where such information, including information relating to the source or sources of funding for the person or organizations, is available for inspection.

What does this bill actually encompass? How many times have we all lamented on the nasty visceral advertisements on the TV? If you listen to those advertisements, they do disclose who they are, but they are always at the end of the statement and they are all garbled and you can't tell who's actually doing the attack ads. Ladies and gentlemen of the Senate, I think the public deserves an opportunity to hear who's funding and who's supporting these attack ads, clearly and concisely, because I think a lot of times people are always saying, "We hate these ads. We absolutely hate these negative, viral, visceral ads," that they don't actually know who is the author of the ad. If this helps in any way to help some citizen make up their mind clearly and know and understand that through the transparency and clearing stating who the name of the person was, I think this is a good public thing. I think it's great that the public has the opportunity to have more transparency, to get more understanding on the issues, because I'll tell you one thing right now, almost every constituent I talked to said they hate those ads. They don't know who these groups are. They don't understand what's said at the end. Mr. President, I'd ask everyone to vote against the Insist motion and follow my light.

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

Senator **BRAKEY:** Thank you, Mr. President. I don't have any prepared remarks on this. I just wanted to say I think we all support transparency in these issues and currently, as the good Senator from Oxford County has pointed out, there are already requirements in place that this be disclosed at the end of the call. My only objection to this is that in some cases this covers calls that are sometimes done for polling purposes and when you are polling someone and you announce at the beginning of the call who exactly, what organization, it's coming from that can bias the

poll and lead to less accurate information. Now, a person has every right not to answer that or give any information or what have you. Already, currently in law, there is a requirement that that be disclosed. Whether it comes at the beginning of the call or the end of the call, personally I think it makes no difference, but when we're talking specifically about biasing the results of a poll than I think we're having some unintended consequences there. Absolutely, at least I can speak for myself, I can't speak for anyone else, but I think, absolutely, I certainly want to make sure we have transparency on these. The Senator from Oxford County said that these might be garbled at the end of the call; they could be garbled at the front of the call. I don't know how that makes a difference there. That's my two cents.

THE PRESIDENT PRO TEMPORE: 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 thankful that the good Senator from Androscoggin brought that up about polling. What it is about push polling, so many people are disgusted with push polling that does try to influence people's opinions and stuff. This bill amends the push polling laws to require that a caller disclose at the start of the call the person or organization sponsoring the authorization authorizing the call and the organization making the call if different from the sponsor and it's not going to be garbled because within the law it says it has to be "clearly state at the start," not garbled. Clearly state. Current law requires only that the disclosers to made at some point during the call. This is going to say at the front of the call. Ladies and gentlemen of the Senate, the one thing I'll say about the Veterans and Legal Affairs Committee, we really work on these issues. We give it a lot of thought. We understand what the public wants. This was a unanimous report out of committee. Unanimous report of our committee. It's a bipartisan supported bill to help the transparency of the public during the elections. I would ask you to follow my light. Thank you.

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

Senator **CYRWAY:** Thank you, Mr. President. I was kind of on the fence on this one, but it was explained to me that this kind of shadowed the federal law and I went along with it, the same as Senator Patrick did. I can see the other side as well, that sometimes if you say it beforehand that it can actually, people probably hang up before they go to do the polling, so that can kind of construe things and also at the end they put it. I think that I was going to leave it up to the Senate here to vote on which way they really want this taken care of, but it was really, I think it could go either way. I'm fine with it either way only because, I think, that if you do it before sometimes it could construe the way a person feels, knowing who it is at the beginning and at the end I don't think that they are trying to construe what the poll is, but I think that it could be thought of that way. I guess that's kind of a mixed feeling on it. Thank you, Mr. President.

THE PRESIDENT PRO TEMPORE: The Chair recognizes the Senator from Cumberland, Senator Alford.

Senator **ALFOND:** Thank you, Mr. President. I don't know. I'm listening to this debate and it comes down to a couple of simple

things to me. One, transparency. I think this Body deserves to put out, I think, very thoughtful reforms around elections and this one seems to be a very good one. Can we be transparent? Can we be transparent on who's paying for different polls before elections? It's pretty simple. I guess it's a funny kind of discussion when we're worried about the pollsters. I think pollsters are going to figure out how to get accurate polls. This is what they do. I'm not really that concerned about their business model. The business model that I'm concerned about is our constituent's. How many of us, every day during election season, get either an e-mail or a phone call from a constituent that's disgusted by something that has come on the phone? When I tip the scales here, I'm going to tip the scales with my constituents, not really the pollsters. I think the pollsters, I think they're going to figure it out. I'm going to tip the scales on transparency. I think that Maine people deserve to know who's paying for ads all the time. Thank you, Mr. President.

THE PRESIDENT PRO TEMPORE: The Chair recognizes the Senator from York, Senator Dutremble.

Senator **DUTREMBLE:** Thank you, Mr. President. Ladies and gentlemen of the Senate, let's be honest. If we change this to the beginning of the phone call, we've all been there, we can hang up on them that much quicker because nobody wants to listen to them anyways because when do they call you? At suppertime, when you're trying to eat. You're trying to enjoy time with your family. You're trying to put your kids to bed. They bother every single one of us and all our constituents. That's all we hear, "I hate those phone calls." Let's put it at the beginning so we can hang up right away. Thank you.

Off Record Remarks

THE PRESIDENT PRO TEMPORE: The pending question before the Senate is the motion by the Senator from Kennebec, Senator Cyrway to Insist. 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 (#44)

YEAS: Senators: BAKER, BRAKEY, BURNS, COLLINS, CUSHING, CYRWAY, DAVIS, EDGEComb, HAMPER, KATZ, MASON, MCCORMICK, ROSEN, SAVIELLO, THIBODEAU, VOLK, WHITTEMORE, WILLETTE, WOODSOME, THE PRESIDENT PRO TEMPORE – BRIAN D. LANGLEY

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

20 Senators having voted in the affirmative and 15 Senators having voted in the negative, the motion by Senator **CYRWAY** of Kennebec to **INSIST PREVAILED**.

Joint Resolution

The following Joint Resolution:

H.P. 933

**JOINT RESOLUTION
MEMORIALIZING THE PRESIDENT OF THE UNITED STATES
AND THE UNITED STATES CONGRESS TO REQUIRE
EXPANSION OF FISH HATCHERY OPERATIONS**

WE, your Memorialists, the Members of the One Hundred and Twenty-seventh Legislature of the State of Maine now assembled in the First Regular Session, most respectfully present and petition the President of the United States and the United States Congress as follows:

WHEREAS, the Atlantic salmon, *Salmo salar*, is a salmon found in the north Atlantic Ocean and in rivers that flow into the north Atlantic Ocean, and the fish has historically been an important economic asset to the State of Maine; and

WHEREAS, the major rivers of the State once ran thick with salmon traveling upstream to spawn; and

WHEREAS, salmon populations have been reduced to nearly undetectable numbers in most rivers in Maine; and

WHEREAS, the Federal Government has designated the Atlantic salmon as an endangered species; and

WHEREAS, the Federal Government spends millions of dollars annually to restore the species with no significant success; and

WHEREAS, there are specific hatchery operations that can improve upon the current results; and

WHEREAS, a significant number of salmon originating in Maine are being harvested in a commercial fishery off the west coast of Greenland; and

WHEREAS, this fishery is a major obstacle to the restoration of salmon in Maine rivers; now, therefore, be it

RESOLVED: That We, your Memorialists, on behalf of the people we represent, take this opportunity to respectfully request that the President and the United States Congress direct the United States Fish and Wildlife Service and the National Marine Fisheries Service to expand hatchery operations to rivers in Maine by partnering with the State and with the many non-government organizations that are focused on restoring Atlantic salmon to their historic natal rivers; and be it further;

RESOLVED: That We, your Memorialists, urge that additional resources be made available to the United States State Department that would assist its efforts through the North Atlantic Salmon Conservation Organization convention to help with the curtailment or suspension of the wild Atlantic salmon fishery off the west coast of Greenland; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable Barack H. Obama, President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives and to each Member of the Maine Congressional Delegation.

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

READ.

On motion by Senator **BURNS** of Washington, **TABLED** until Later in Today's Session, pending **ADOPTION**, in concurrence.

COMMUNICATIONS

The Following Communication: S.C. 259

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

April 27, 2015

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

Dear Secretary Priest:

Pursuant to my authority under Title 1, MRSA, Chapter 13, Section 411, I am pleased to appoint William Shorey and Chief Richard LaHaye to the Right to Know Advisory Committee. With this appointment William Shorey will be replacing Percy L. Brown, Jr. and Chief LaHaye will replace Chief Perry B. Antone, Sr.

If you have any questions regarding these appointments please do not hesitate to contact my office.

Sincerely,

S/Michael D. Thibodeau
President of the Senate

READ and **ORDERED PLACED ON FILE.**

The Following Communication: S.C. 249

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

April 29, 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 bill out "Ought Not to Pass":

L.D. 1089 An Act To Amend the Laws Governing Agriculture by Expanding the Powers of the Commissioner of Agriculture, Conservation and Forestry

This is notification of the Committee's action.

Sincerely,

S/Sen. Peter E. Edgecomb
Senate Chair

S/Rep. Craig V. Hickman
House Chair

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

The Following Communication: S.C. 250

**STATE OF MAINE
ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE
COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY**

April 28, 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 Criminal Justice and Public Safety has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 460 An Act To Restore Liability Insurance Requirements for Amusement Rides and Other Public Exhibitions (EMERGENCY)

L.D. 534 An Act To Increase Crisis Intervention Training in the State

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

This is notification of the Committee's action.

Sincerely,

S/Sen. Kimberley C. Rosen S/Rep. Lori A. Fowle
Senate Chair House Chair

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

Dear President Thibodeau and Speaker Eves:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Environment and Natural Resources has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 1194 An Act To Allow Municipalities To Contract with and Dispose of Waste, including Residue, in State-owned Solid Waste Disposal Facilities, as Allowed under a Facility License, To Ensure Compliance with the Solid Waste Management Hierarchy

This is notification of the Committee's action.

Sincerely,

S/Sen. Thomas B. Saviello S/Rep. Joan W. Welsh
Senate Chair House Chair

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

The Following Communication: S.C. 251

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

April 29, 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 Energy, Utilities and Technology has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 1257 Resolve, To Make Home Heat Pumps Affordable (EMERGENCY)

This is notification of the Committee's action.

Sincerely,

S/Sen. David Woodsome S/Rep. Mark N. Dion
Senate Chair House Chair

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

The Following Communication: S.C. 253

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

April 24, 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 Health and Human Services has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 75 Resolve, To Strengthen Health Care Services for Maine Residents Affected by Neurodegenerative Diseases

L.D. 539 An Act To Increase Utilization of the Dorothea Dix Psychiatric Center

L.D. 604 An Act To Encourage Communication Regarding Persons with Mental Illness

The Following Communication: S.C. 252

**STATE OF MAINE
ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE
COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES**

April 29, 2015

This is notification of the Committee's action.

Sincerely,

S/Sen. Eric L. Brakey
Senate Chair

S/Rep. Andrew M. Gattine
House Chair

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

The Following Communication: S.C. 254

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

April 29, 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 Health and Human Services has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 1050 An Act To Reimburse Nursing Homes for the Loss of Coinsurance and Deductibles for Skilled Nursing Beds under Rules Adopted by the Department of Health and Human Services

This is notification of the Committee's action.

Sincerely,

S/Sen. Eric L. Brakey
Senate Chair

S/Rep. Andrew M. Gattine
House Chair

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

The Following Communication: S.C. 255

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

April 29, 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 Labor, Commerce, Research and Economic Development has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 1051 An Act To Prohibit Fuel Temperature Compensation When Fuel is Dispensed to Outdoor Tanks

This is notification of the Committee's action.

Sincerely,

S/Sen. Amy F. Volk
Senate Chair

S/Rep. Erin D. Herbig
House Chair

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

The Following Communication: S.C. 256

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

April 28, 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 State and Local Government has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 106 RESOLUTION, Proposing an Amendment to the Constitution of Maine To Increase the Length of Terms of Senators to 4 Years

L.D. 1274 An Act To Allow the Governor To Review Routine Technical Rules

This is notification of the Committee's action.

Sincerely,

S/Sen. Rodney L. Whittemore
Senate Chair

S/Rep. Roland Danny Martin
House Chair

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

The Following Communication: S.C. 257

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

April 29, 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 Transportation has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 789 An Act To Require That Projects Undertaken by the Maine Turnpike Authority Have an Anticipated Useful Life of at Least 15 Years

This is notification of the Committee's action.

Sincerely,

S/Sen. Ronald F. Collins
Senate Chair

S/Rep. Andrew J. McLean
House Chair

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

The Following Communication: S.C. 258

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

April 28, 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 Veterans and Legal Affairs has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 184 An Act To Reimburse Philip Wolley for Litigation Expenses Incurred in Connection with His Termination and Reinstatement as a State Employee
- L.D. 1127 An Act Regarding the Authority of the Secretary of State and the Attorney General To Conduct Investigations of Vote Recounts
- L.D. 1138 An Act Regarding Municipal Reporting of Statewide Elections

This is notification of the Committee's action.

Sincerely,

S/Sen. Scott W. Cyrway
Senate Chair

S/Rep. Louis J. Luchini
House Chair

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

The Following Communication: H.C. 129

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

April 29, 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 Labor, Commerce, Research and Economic Development on Bill "An Act To Improve Public Sector Collective Bargaining Laws" (S.P. 199) (L.D. 530) 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 President Pro Tempore
BRIAN D. LANGLEY of Hancock County.

SENATE PAPERS

Bill "An Act To Assist Low-income Electricity Consumers"
S.P. 511 L.D. 1382

Presented by Senator JOHNSON of Lincoln.
Cosponsored by Senators: HILL of York, MILLETT of
Cumberland, Representatives: EVANGELOS of Friendship,
McCREIGHT of Harpswell.

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

Sent down for concurrence.

Bill "An Act To Attract Young People to Maine by Expanding the
Job Creation Through Educational Opportunity Program"
S.P. 512 L.D. 1383

Presented by Senator ALFOND of Cumberland.
Cosponsored by Representative TIPPING-SPITZ of Orono and
Senators: LIBBY of Androscoggin, MILLETT of Cumberland,
SAVIELLO of Franklin, Representatives: BATES of Westbrook,
DAUGHTRY of Brunswick, JORGENSEN of Portland.

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

Sent down for concurrence.

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

REPORTS OF COMMITTEES

House

Ought to Pass

The Committee on **AGRICULTURE, CONSERVATION AND
FORESTRY** on Bill "An Act To Improve Forest Ranger Safety"
H.P. 498 L.D. 745

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**.

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

Ought to Pass As Amended

The Committee on **AGRICULTURE, CONSERVATION AND
FORESTRY** on Bill "An Act To Increase Conservation District
Funding"

H.P. 573 L.D. 839

Reported that the same **Ought to Pass as Amended by
Committee Amendment "A" (H-88)**.

Comes from the House with the Report **READ** and **ACCEPTED**
and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY
COMMITTEE AMENDMENT "A" (H-88)**.

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

READ ONCE.

Committee Amendment "A" (H-88) **READ** and **ADOPTED**, in
concurrence.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE
DAY.**

The Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY**
on Bill "An Act To Implement Certain Recommendations of the
Criminal Law Advisory Commission Relative to the Maine
Criminal Code"

H.P. 351 L.D. 512

Reported that the same **Ought to Pass as Amended by
Committee Amendment "A" (H-86)**.

Comes from the House with the Report **READ** and **ACCEPTED**
and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY
COMMITTEE AMENDMENT "A" (H-86)**.

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

READ ONCE.

Committee Amendment "A" (H-86) **READ** and **ADOPTED**, in
concurrence.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE
DAY.**

The Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Permit Rate-adjustment Mechanisms for Water Utilities"

H.P. 599 L.D. 880

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-103)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-103)**.

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

READ ONCE.

Committee Amendment "A" (H-103) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Designate a Youth Bear Hunting Day"

H.P. 265 L.D. 399

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-99)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-99)**.

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

READ ONCE.

Committee Amendment "A" (H-99) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **JUDICIARY** on Bill "An Act To Increase Mileage Reimbursement and Compensation for Jurors"

H.P. 51 L.D. 57

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-90)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-90)**.

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

READ ONCE.

Committee Amendment "A" (H-90) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **JUDICIARY** on Bill "An Act To Create Efficiencies in Court Process"

H.P. 139 L.D. 181

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-91)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-91)**.

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

READ ONCE.

Committee Amendment "A" (H-91) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **JUDICIARY** on Bill "An Act To Provide for Direct Appeals under the Maine Juvenile Code to the Supreme Judicial Court"

H.P. 283 L.D. 416

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-92)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-92)**.

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

READ ONCE.

Committee Amendment "A" (H-92) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Increase the Effectiveness of the Legislature"

H.P. 462 L.D. 681

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-93)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-93)**.

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

READ ONCE.

Committee Amendment "A" (H-93) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **TAXATION** on Bill "An Act To Restore the Super Credit for Substantially Increased Research and Development"

H.P. 337 L.D. 498

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-96)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-96)**.

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

READ ONCE.

Committee Amendment "A" (H-96) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **TAXATION** on Bill "An Act To Amend the Laws Governing the Location of Motor Vehicle Excise Tax Collection for Motor Vehicles Owned by Public Utilities"

H.P. 353 L.D. 514

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-94)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-94)**.

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

READ ONCE.

Committee Amendment "A" (H-94) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Amend the Law Governing the Gathering of Signatures for Direct Initiatives and People's Veto Referenda"
H.P. 134 L.D. 176

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-98)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-98)**.

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

READ ONCE.

Committee Amendment "A" (H-98) **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 Control Fireworks in Monhegan Island Plantation"

H.P. 218 L.D. 324

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

Signed:

Senators:

ROSEN of Hancock
GERZOFKY of Cumberland

Representatives:

FOWLE of Vassalboro
DAVITT of Hampden
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:

Senator:

BURNS of Washington

Representatives:

CHENETTE of Saco
GERRISH of Lebanon
LONG of Sherman

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

Reports **READ**.

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

Divided Report

The Majority of the Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Allow Hunting on Sunday with the Landowner's Written Consent"

H.P. 318 L.D. 479

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

Signed:

Senators:

- DAVIS of Piscataquis
- CYRWAY of Kennebec
- DUTREMBLE of York

Representatives:

- SHAW of Standish
- ALLEY of Beals
- COREY of Windham
- HILLIARD of Belgrade
- LYFORD of Eddington
- MARTIN of Sinclair
- REED of Carmel
- SHORT of Pittsfield

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

Signed:

Representatives:

- CRAFTS of Lisbon
- WOOD of Greene

(Representative DANA of the Passamaquoddy Tribe - of the House - supports the Minority **Ought To Pass** Report.)

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

Reports **READ**.

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

Divided Report

The Majority of the Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Protect the Privacy of Consumers Who Use Credit Cards for Online Purchases of Products"
H.P. 102 L.D. 144

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-101)**.

Signed:

Senators:

- WHITTEMORE of Somerset
- BAKER of Sagadahoc
- GRATWICK of Penobscot

Representatives:

- BECK of Waterville
- BROOKS of Lewiston
- COOPER of Yarmouth
- MELARAGNO of Auburn
- MORRISON of South Portland
- PICCHIOTTI of Fairfield
- TUCKER of Brunswick
- WALLACE of Dexter

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

Signed:

Representatives:

- FOLEY of Wells
- PRESCOTT of Waterboro

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-101)**.

Reports **READ**.

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

READ ONCE.

Committee Amendment "A" (H-101) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Allow Equipment Rental Companies To Sell Equipment Insurance"

H.P. 223 L.D. 329

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-80).**

Signed:

Senators:

WHITTEMORE of Somerset
BAKER of Sagadahoc
GRATWICK of Penobscot

Representatives:

FOLEY of Wells
MORRISON of South Portland
PICCHIOTTI of Fairfield
PRESCOTT of Waterboro
WALLACE of Dexter

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

Signed:

Representatives:

BECK of Waterville
BROOKS of Lewiston
COOPER of Yarmouth
MELARAGNO of Auburn
TUCKER of Brunswick

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-80).**

Reports **READ.**

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

READ ONCE.

Committee Amendment "A" (H-80) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Assist Persons with Breast Cancer" H.P. 246 L.D. 359

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

Signed:

Senator:

BAKER of Sagadahoc

Representatives:

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

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

Signed:

Senators:

WHITTEMORE of Somerset
GRATWICK of Penobscot

Representatives:

FOLEY of Wells
PICCHIOTTI of Fairfield
WALLACE of Dexter

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

Reports **READ.**

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

SECOND READERS

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

House

Bill "An Act To Allow Licensed Foresters To Use Mechanics Liens"

H.P. 324 L.D. 485

Bill "An Act To Establish a Private Support Organization for the Maine Commission for Community Service"

H.P. 636 L.D. 916

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

House As Amended

Bill "An Act Regarding Retrieving Wounded Bear"

H.P. 214 L.D. 320
(C "A" H-76)

Bill "An Act Concerning Commercial Vehicles at Canadian Weight Limits Traveling to Certain Points in the State" (EMERGENCY)
H.P. 378 L.D. 554
(C "A" H-85)

Bill "An Act To Authorize the Commissioner of Inland Fisheries and Wildlife To Postpone or Cancel an Open Hunting Season"
H.P. 394 L.D. 570
(H "A" H-89)

Bill "An Act To Ensure Appropriate Health Insurance Coverage for Prescription Eye Drops"
H.P. 396 L.D. 572
(C "A" H-81)

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

Senate As Amended

Bill "An Act To Amend the Laws Regarding the Sale of Liquor"
S.P. 192 L.D. 523
(C "A" S-61)

Bill "An Act To Provide for the 2015 and 2016 Allocations of the State Ceiling on Private Activity Bonds" (EMERGENCY)
S.P. 408 L.D. 1139
(C "A" S-59)

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

Sent down for concurrence.

Bill "An Act To Strengthen Maine's Election Laws by Requiring Photographic Identification for the Purpose of Voting"
S.P. 72 L.D. 197
(C "A" S-27)

READ A SECOND TIME.

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

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

Senator **DIAMOND:** Thank you, Mr. President. Men and women of the Senate, I rise on this question, I did not get involved in the debate yesterday, but I rise on this because very recently, this morning and I've not seen it myself, I heard that the rumor was that there was a fiscal note assigned to this bill and if there is I would pose a question through the Chair, Mr. President, to anybody who cared to answer. Is there, in fact, a fiscal note to this? What is it and, therefore, would there be a mandate associated with it? Thank you, Mr. President.

On motion by Senator **MASON** of Androscoggin, **TABLED** until Later in Today's Session, pending **PASSAGE TO BE ENGROSSED AS AMENDED**. (Roll Call Ordered)

ENACTORS

The Committee on **Engrossed Bills** reported as truly and strictly engrossed the following:

Emergency Measure

An Act To Create an Elver Exporter's License
H.P. 710 L.D. 1027
(C "A" H-100)

This being an Emergency Measure and having received the affirmative vote of 35 Members of the Senate, with no Senators having voted in the negative, and 35 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and, having been signed by the President Pro Tempore, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

All matters thus acted upon were ordered sent down forthwith for 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 (4/29/15) matter:

JOINT ORDER - Directing the Joint Standing Committee on Judiciary To Report Out a Bill Regarding the Late Reinstatement of Corporations, Limited Partnerships and Limited Liability Companies After Administrative Dissolution
H.P. 931

Tabled - April 29, 2015, by Senator **BURNS** of Washington

Pending - **PASSAGE**, in concurrence

(In House, April 28, 2015, **READ** and **PASSED**.)

(In Senate, April 29, 2015, **READ**.)

PASSED, in concurrence.

THE PRESIDENT PRO TEMPORE – BRIAN D. LANGLEY

The Chair laid before the Senate the following Tabled and Later Assigned (4/29/15) matter:

An Act To Protect the Environment from Fireworks Debris
H.P. 298 L.D. 459

Tabled - April 29, 2015, by Senator **MASON** of Androscoggin

Pending - **ENACTMENT**, in concurrence

(In Senate, April 23, 2015, **PASSED TO BE ENGROSSED**, in concurrence.)

(In House, April 28, 2015, **PASSED TO BE ENACTED**.)

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

Ordered sent down forthwith.

The Chair laid before the Senate the following Tabled and Later Assigned (4/29/15) matter:

An Act To Protect Maine Lakes
H.P. 392 L.D. 568
(C "A" H-66)

Tabled - April 29, 2015, by Senator **MASON** of Androscoggin

Pending - **ENACTMENT**, in concurrence

(In Senate, April 23, 2015, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-66)**, in concurrence.)

(In House, April 28, 2015, **PASSED TO BE ENACTED**.)

On motion by Senator **SAVIELLO** of Franklin, 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 (#45)

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

NAYS: Senators: None

35 Senators having voted in the affirmative and no Senator having voted in the negative, was **PASSED TO BE ENACTED** and, having been signed by the President Pro Tempore, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Improve Workplace Safety by Simplifying and Improving Employers' Substance Abuse Policy Requirements" H.P. 937 L.D. 1384

Comes 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.

Pursuant to Statute Revisor of Statutes

The **Revisor of Statutes**, pursuant to the Maine Revised Statutes, Title 1, Section 94 asked leave to report that the accompanying Bill "An Act To Correct Errors and Inconsistencies in the Laws of Maine" (EMERGENCY) H.P. 936 L.D. 1381

Be **REFERRED** to the Committee on **JUDICIARY** and ordered printed pursuant to Joint Rule 218.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **JUDICIARY** and ordered printed pursuant to Joint Rule 218.

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

On motion by Senator **BURNS** of Washington, **REFERRED** to the Committee on **JUDICIARY** and ordered printed pursuant to Joint Rule 218, in concurrence.

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

Senate at Ease.

Senate called to order by President Pro Tempore
BRIAN D. LANGLEY of Hancock County.

ORDERS OF THE DAY

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

Bill "An Act To Strengthen Maine's Election Laws by Requiring Photographic Identification for the Purpose of Voting"
S.P. 72 L.D. 197
(C "A" S-27)

Tabled – April 30, 2015, by Senator **MASON** of Androscoggin

Pending - **PASSAGE TO BE ENGROSSED AS AMENDED** (Roll Call Ordered)

(In Senate, April 30, 2015, **READ A SECOND TIME**.)

THE PRESIDENT PRO TEMPORE: 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 just want to add one point that I forgot to add the other day. I'll be brief. We heard time and time again that there are things that require a photo I.D. I don't disagree with that. There are a bunch of things. One thing I will say is some I agree with and some I don't. What my I.D. would be would be my driver's license unless they required us to have one from the State. There are many times that we have had discussions in this building about the misuse of our driver's license, taking photos of our driver's license and all kinds of things, for ways that were not intended. One of the problems I had was that I actually banked at Maine National Bank in Rumford for seven years. Had my loan. Didn't have to give my I.D. to borrow thousands of dollars. Went to the counter year after year and never was asked for an I.D. Then one time I went in and Assistant Manager says, "I want to see an I.D." I said, "I've been here for seven years. What do you want an I.D. for?" She said, "I can ask for it. I'm the Assistant Manager." I said, "Well, okay. You won. I'm going to show you my I.D. and I'm going to go to the counter and I'm stopping my accounts and I'm going to pull my home mortgage and I'm going to go across the street." That's exactly what I did because a lot of times, ladies and gentlemen, an I.D. for the wrong reason is an I.D. for the wrong reason. I just wanted to bring that forward. Thank you.

THE PRESIDENT PRO TEMPORE: The Chair recognizes the Senator from Androscoggin, Senator Libby.

Senator **LIBBY:** Thank you, Mr. President. Men and women of the Senate, the Senator from Cumberland, Senator Diamond, posed a question through the Chair and nobody's answered, so I thought I'd offer a couple of answers from the fiscal note. This initiative will cost the taxpayers of Maine \$433,000 the next biennium, so almost one half a million dollars. The other question was whether this is a mandate. This is, in fact, a mandate on the municipalities. Thank you.

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

Senator **MIRAMANT:** Thank you, Mr. President. Men and women of the Senate, there was a couple of statements yesterday. No one ever claimed that there's never been voter fraud in the state, just that it was so small and infrequent as to be statistically unimportant and this bill would not do anything for that. As well as the case that was brought up about a recent incident, that incidence was looked at on its merits. I did receive calls from my constituents. The matter was looked into. It was resolved. The problem was solved. Solution is in to fix it permanently. This is a wonderful way of solving problems that exist, not to do knee jerk reactions to create more problems down the road. Thank you.

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

Senator **GRATWICK:** Thank you, Mr. President. I just rise again to speak on this. Having done the research yesterday, the risk is 1 in 15 million people. It seems to me spending \$400,000 plus on that kind of a risk is, indeed, prolificacy. I do not think that we can afford that kind of expenditure in the state of Maine. We have a State budget that is sorely strained. We have taxpayers that are having to pay more than they wish to pay. For us to spend over \$400,000 on something that does not seem to be a problem here seems to be a waste of money and I would think that we would not vote in favor of this and I'll ask everybody to follow my red light. Thank you, Mr. President.

THE PRESIDENT PRO TEMPORE: The Chair recognizes the Senator from Lincoln, Senator Johnson.

Senator **JOHNSON:** Thank you, Mr. President. Ladies and gentlemen, word got out of the action here yesterday on this bill. I received an e-mail from a constituent. He said, "I saw on the news the Maine Senate thinks a photo I.D. is needed to vote. Is that correct? That will disenfranchise my 88 year old parents. My father is blind. Gave up his driver's license years ago. My mother opted out of the photo when she was allowed to. Any need for a photo I.D. will require them to travel to Rockland or Augusta from Jefferson. My parents hate asking for help and they will have to in order to obtain photo I.D.s. My parents were disenfranchised 60 plus years ago when they became residents of Washington D.C. Since they returned to Maine, upon my father's retirement, they have never not voted. I say this is a bad idea." I urge you to vote against the pending motion.

THE PRESIDENT PRO TEMPORE: The pending question before the Senate is Passage to be Engrossed as Amended. 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 (#46)

YEAS: Senators: BAKER, BRAKEY, BURNS, COLLINS, CUSHING, CYRWAY, DAVIS, EDGECOMB, HAMPER, MASON, MCCORMICK, ROSEN, SAVIELLO, THIBODEAU, VOLK, WHITTEMORE, WILLETTE, WOODSOME

NAYS: Senators: ALFOND, BREEN, DIAMOND, DILL, DUTREMBLE, GERZOFSKY, GRATWICK, HASKELL, HILL, JOHNSON, KATZ, LIBBY, MILLETT, MIRAMANT, PATRICK, VALENTINO, THE PRESIDENT PRO TEMPORE – BRIAN D. LANGLEY

18 Senators having voted in the affirmative and 17 Senators having voted in the negative, **PASSED TO BE ENGROSSED AS AMENDED.**

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 5, 2015, at 10:00 in the morning.