

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

In Senate Chamber
Wednesday
June 10, 2015

Senate called to order by President Pro Tempore Garrett P. Mason of Androscoggin County.

Prayer by Pastor Michael H. Richards, Falmouth Congregational Church, United Church of Christ.

PASTOR RICHARDS: Good morning. Please join me in the spirit of prayer. Creator of power and mercy, teacher and source of all wisdom, we come to You during this 127th Session of the Maine Senate to ask Your blessing upon the deliberations that will take place here today. We ask that Your powerful spirit will protect the members gathered here and that You will watch over this great state of Maine, as well as our entire country. Give us the freedom of spirit, that we may live and work mindful of those we serve. May we enjoy good health of mind and body and so address the responsibilities set upon us. None of us knows what this day holds, but we trust You to see us through every decision we make. Help us to realize that it is by Your hand that we are free and well. Grant us wisdom to know the right thing to do in every decision. Give us the strength to follow through with what is right, regardless of the consequences. Creator God, hear our prayer lifted up to You with humble hearts. Amen.

Pledge of Allegiance led by Senator Linda M. Valentino of York County.

Reading of the Journal of Tuesday, June 9, 2015.

Doctor of the day, Richard Swett, MD of Dover-Foxcroft.

Off Record Remarks

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

COMMUNICATIONS

The Following Communication: S.C. 426

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

June 10, 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 Senate Rule 201.3, I am pleased to appoint the Senator from Androscoggin, Senator Mason to serve as President Pro Tempore. With this appointment Senator Mason will serve as President Pro Tempore for the start of the regularly scheduled session on June 10, 2015.

Please let me know if you have any questions regarding this appointment.

Sincerely,

S/Michael D. Thibodeau
President of the Senate

READ and ORDERED PLACED ON FILE.

Off Record Remarks

Senator **SAVIELLO** of Franklin requested and received leave of the Senate that members and staff be allowed to remove their jackets for the remainder of this Legislative Day.

PAPERS FROM THE HOUSE

Non-Concurrent Matter

HOUSE REPORTS - from the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Amend Provisions Regarding the Appointment of Members of the Maine Charter School Commission"

H.P. 360 L.D. 536

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-316)** (7 members)

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

In House, June 8, 2015, 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-316)**.

In Senate, June 9, 2015, on motion by Senator **LANGLEY** of Hancock, the Minority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**, in **NON-CONCURRENCE**.

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

On motion by Senator **LANGLEY** of Hancock, the Senate **INSISTED**.

Off Record Remarks

Non-Concurrent Matter

HOUSE REPORT - from the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Change Municipal Campaign Contribution Limits"

H.P. 430 L.D. 617

Report - **Ought to Pass as Amended by Committee Amendment "A" (H-167)**

In House, May 20, 2015, Report **READ** and **ACCEPTED** and Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-167)**.

In Senate, May 26, 2015, Report **READ**. Report **REJECTED**.)

In House, June 5, 2015, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-167) AS AMENDED BY HOUSE AMENDMENT "B" (H-310)** thereto, in **NON-CONCURRENCE**.

In Senate, June 8, 2015, **INSISTED**.

Comes from the House, that Body **INSISTED** and **ASKED FOR A COMMITTEE OF CONFERENCE**.

On motion by Senator **CYRWAY** of Kennebec, the Senate **ADHERED**.

Non-Concurrent Matter

HOUSE REPORTS - from the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Ensure Proper Adoption of Rules by All Departments, Agencies and Boards"

H.P. 694 L.D. 999
(C "A" H-300)

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

Minority - **Ought to Pass as Amended by Committee Amendment "A" (H-300)** (6 members)

In House, June 5, 2015, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

In Senate, June 8, 2015, on motion by Senator **WHITEMORE** of Somerset, the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-300)**, in **NON-CONCURRENCE**.

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

On motion by Senator **WHITEMORE** of Somerset, the Senate **INSISTED**.

Non-Concurrent Matter

HOUSE REPORTS - from the Committee on **TAXATION** on Bill "An Act To Enhance the Property Tax Fairness Credit for Maine's Low-income Seniors and Other Low-income Residents"
H.P. 756 L.D. 1095

Report **"A" - Ought Not to Pass** (7 members)

Report **"B" - Ought to Pass as Amended by Committee Amendment "A" (H-232)** (5 members)

Report **"C" - Ought to Pass as Amended by Committee Amendment "B" (H-233)** (1 member)

In House, June 5, 2015, Report **"B" OUGHT TO PASS AS AMENDED READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-232)**.

In Senate, June 9, 2015, on motion by Senator **McCORMICK** of Kennebec, Report **"A" OUGHT NOT TO PASS READ** and **ACCEPTED**, in **NON-CONCURRENCE**.

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

On motion by Senator **MCCORMICK** of Kennebec, the Senate **INSISTED**.

Non-Concurrent Matter

HOUSE REPORTS - from the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Enact the Toxic Chemicals in the Workplace Act"

H.P. 799 L.D. 1165

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-328)** (7 members)

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

In House, June 8, 2015, 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-328)**.

In Senate, June 9, 2015, on motion by Senator **VOLK** of Cumberland, the Minority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**, in **NON-CONCURRENCE**.

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

On motion by Senator **VOLK** of Cumberland, the Senate **INSISTED**.

Non-Concurrent Matter

HOUSE REPORTS - from the Committee on **TAXATION** on RESOLUTION, Proposing an Amendment to the Constitution of Maine To Eliminate the Income Tax

H.P. 928 L.D. 1367

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

Minority - **Ought to Pass as Amended by Committee Amendment "A" (H-324)** (6 members)

In House, June 8, 2015, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

In Senate, June 9, 2015, on motion by Senator **MCCORMICK** of Kennebec, the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the RESOLUTION **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-324)**, in **NON-CONCURRENCE**.

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

On motion by Senator **MCCORMICK** of Kennebec, the Senate **INSISTED**.

Off Record Remarks

COMMUNICATIONS

The Following Communication: H.C. 197

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

June 8, 2015

The 127th Legislature of the State of Maine
State House
Augusta, Maine

Dear Honorable Members of the 127th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 136, "An Act To Clarify That the Medical Records of Applicants for Disability Variances Submitted to Municipal Boards of Appeal Are Not Public Records."

As promised, I am vetoing all bills sponsored by Democrats because they have stifled the voice of Maine citizens by preventing them from voting on the elimination of the income tax.

These legislators were elected to serve the people of Maine, but they choose to operate behind closed doors to advance their own partisan agendas. Rather than work with me to at least give the Maine people a chance to vote on lowering or eliminating the income tax, they closed the door. They defend the status quo and they cut the people out of the process.

I will not sit by and watch a handful of Democrats disenfranchise the people they were elected to represent. I want to ensure that each piece of legislation gets the widest possible representation in Augusta.

Therefore, any bills sponsored by Democrats must have at least a two-thirds vote and a roll call to get by me.

For this reason, I return LD 136 unsigned and vetoed.

Sincerely,

S/Paul R. LePage
Governor

READ and **ORDERED PLACED ON FILE**.

The accompanying Bill:

An Act To Clarify That the Medical Records of Applicants for Disability Variances Submitted to Municipal Boards of Appeal Are Not Public Records

H.P. 94 L.D. 136

Comes from the House, 146 members having voted in the affirmative and none in the negative, the veto of the Governor was Overridden and it was the vote of the House that the Bill become law notwithstanding the objections of the Governor.

The President Pro Tempore laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor? In accordance with Article IV, Part Third, Section 2, of the Constitution, the vote will be taken by the Yeas and Nays. A vote of yes will be in favor of the Bill. A vote of no will be in favor of sustaining the veto of the Governor."

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#173)

YEAS: Senators: ALFOND, BAKER, BRAKEY, BREEN, BURNS, COLLINS, CUSHING, CYRWAY, DAVIS, DIAMOND, DILL, DUTREMBLE, EDGECOMB, GERZOFOSKY, GRATWICK, HAMPER, HASKELL, HILL, JOHNSON, KATZ, LANGLEY, LIBBY, MCCORMICK, MILLETT, MIRAMANT, PATRICK, ROSEN, SAVIELLO, THIBODEAU, VALENTINO, VOLK, WHITTEMORE, WILLETTE, WOODSOME, THE PRESIDENT PRO TEMPORE - GARRETT P. MASON

NAYS: Senators: None

35 Senators having voted in the affirmative and no Senator having voted in the negative, and 35 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

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

Off Record Remarks

Senator **MILLETT** of Cumberland was granted unanimous consent to address the Senate on the Record.

Senator **MILLETT**: Thank you, Mr. President. Ladies and gentlemen of the Senate, I'm pleased to stand up to recognize and celebrate the life of David Sterling. David Sterling was born August 15, 1940, the only son of Lewis and Margaret Ingalls Sterling. He spent his early childhood on Peaks Island, a place for which he always cared deeply. He attended Kents Hill School and Cony High School in Augusta, winning numerous awards for his athletic achievements. On July 7, 1958 he married Donna Anne Wentworth, the love of his life, in Kennebunk. After serving in the U.S. Army, Sterling earned a B.S. degree at the University of Maine, where he was a member of the football team. He went on to be recruited as a member of the Central Intelligence Agency. Subsequently, he accepted a position as a surety bond specialist in the insurance industry. A member of the AGC of America, Sterling contributed to the growth of many Maine owned businesses, helping to build infrastructure throughout the state. He had first-hand knowledge of Maine's many roads, bridges, and places. He was strongly committed to volunteerism. Mr. Sterling was a 32nd degree Mason. He also served as a member of the Lions Club, the Jaycees, Rotary International, the Auburn Board of Appeals, the U.S. Ski Patrol, the Cape Elizabeth Land Trust, the Cape Elizabeth Conservation Commission, and the U.S. Coast Guard Auxiliary. Mr. Sterling also coached baseball and football and loved watching any sports event. He enjoyed many years of skiing with his family and played golf for many years with his wife. At age 50, Mr. Sterling fulfilled a longtime dream by purchasing a boat and cruising the waters of Casco Bay with his family aboard the Just Grand. In his personal and professional life Mr. Sterling was known for his warm smile, his firm

handshake, and his memorable narration of jokes and stories. He inspired a family tradition of reading Maine humor and other literature out loud, to the great appreciation and laughter of the audience. David and his wife were blessed with four children and they were so proud of their accomplishments in the arts, business, academics, and athletics. He found new joy and delight in his four grandsons. We are joined today by his family: his wife, Donna Sterling; daughter, Marla Sterling LeBlanc; and his son, David Sterling. We know he will be sorely missed. Thank you, Mr. President.

THE PRESIDENT PRO TEMPORE: The Chair is pleased to recognize in the rear of the Chamber the family of the deceased: Donna Sterling, Marla Sterling LeBlanc, David Sterling. They are the guests of the Senator from Cumberland, Senator Millett. Would they please rise and accept the condolences of the Senate.

ORDERS OF THE DAY

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

JOINT ORDER - Expression of Legislative Sentiment
Recognizing Isac Nordstrom of Falmouth
SLS 270

Tabled - April 14, 2015, by Senator **BREEN** of Cumberland

Pending - motion by same Senator to **PASS**

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

The Joint Order was **READ**.

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

Senator **BREEN**: Thank you, Mr. President. Men and women of the Senate, it give me great pleasure to rise today and recognize Isac Nordstrom of Falmouth. Isac is the winner of the 2015 Maine High School Hockey Association's Travis Roy Award. For folks in this Chamber who are not familiar with this award, let me explain. Travis Roy was a stand-out high school hockey player at North Yarmouth Academy in the early 1990s. During his first period of play on Boston University's fabled hockey team an opponent checked Roy into the board, severing his spinal cord and leaving him paralyzed from the neck down. Since that time Travis Roy has started a foundation to promote research and develop treatments for spinal cord injuries. Roy now lives independently in the Boston area and has a successful career as motivational speaker, inspiring young people all over the globe. Since 1998 the Maine High School Hockey Association has reviewed each group of Class A Senior hockey players to determine who best embodies the values exhibited by Travis Roy: hard work on and off the ice, the ability to overcome obstacles, and service to our communities. This year they had an obvious choice for the prestigious Travis Roy Award in Isac Nordstrom. Being born blind in his left eye, Isac came into the world with a fundamental

challenge. The doctors told his parents that he would never have the hand-eye coordination necessary to play a complex sport like ice hockey. As Isac said in receiving the award, "Travis Roy's career was cut way too short. Mine wasn't even supposed to happen. I was not expected to be a hockey player." Isac and his family had their own plans. Through belief in himself, hard work, discipline, and determination, Isac grew into one of Maine's most talented boys hockey players, finishing his Falmouth career with 113 points and two State Championships. That's not all. When not playing for his own team, Isac has shared his love of the game with younger kids who are just learning to play hockey and over the last year he's also volunteered over 150 hours at the St. Elizabeth Essential Pantry in Portland, which serves non-food items to 200 to 300 people every week. Isac has been known to work at St. Elizabeth's even over school vacations. He has visited with children at Falmouth Elementary School to initiate pantry donation drives and he has mentored several Falmouth Middle School students who are new to volunteering. Last week, for the first time, Falmouth High School recognized ten seniors for their commitment to our community and Isac was one of them, earning one of the first ever Compass Service Awards. For all of these reasons, Mr. President, I am proud to represent Isac Nordstrom and his family in the Maine Senate. I hope that you will join me in wishing Isac the very best in his post-grad year of hockey at Maine's own Kents Hill School next year. I think after that we will see more great things from this young man. Thank you, Mr. President.

On motion by Senator **BREEN** of Cumberland, **PASSED**.

Sent down for concurrence.

THE PRESIDENT PRO TEMPORE: The Chair is very pleased to recognize in the rear of the Chamber, once again, Isac Nordstrom and his family, recipient of the Travis Roy Award. Would he please rise and accept the congratulations of the Maine Senate.

The Following Communication: H.C. 198

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

June 8, 2015

The 127th Legislature of the State of Maine
State House
Augusta, Maine

Dear Honorable Members of the 127th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 206, "An Act To Clarify Restrictions on Disclosure of E-9-1-1 System Information."

As promised, I am vetoing all bills sponsored by Democrats because they have stifled the voice of Maine citizens by preventing them from voting on the elimination of the income tax.

These legislators were elected to serve the people of Maine, but they choose to operate behind closed doors to advance their own partisan agendas. Rather than work with me to at least give the Maine people a chance to vote on lowering or eliminating the income tax, they closed the door. They defend the status quo and they cut the people out of the process.

I will not sit by and watch a handful of Democrats disenfranchise the people they were elected to represent. I want to ensure that each piece of legislation gets the widest possible representation in Augusta.

Therefore, any bills sponsored by Democrats must have at least a two-thirds vote and a roll call to get by me.

For this reason, I return LD 206 unsigned and vetoed.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The accompanying Bill:

An Act To Clarify Restrictions on Disclosure of E-9-1-1 System Information

H.P. 149 L.D. 206

Comes from the House, 135 members having voted in the affirmative and 12 in the negative, the veto of the Governor was Overridden and it was the vote of the House that the Bill become law notwithstanding the objections of the Governor.

The President Pro Tempore laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor? In accordance with Article IV, Part Third, Section 2, of the Constitution, the vote will be taken by the Yeas and Nays. A vote of yes will be in favor of the Bill. A vote of no will be in favor of sustaining the veto of the Governor."

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#174)

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

NAYS: Senators: None

35 Senators having voted in the affirmative and no Senator having voted in the negative, and 35 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

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

The Following Communication: H.C. 199

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

June 8, 2015

The 127th Legislature of the State of Maine
State House
Augusta, Maine

Dear Honorable Members of the 127th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 263, "An Act To Provide a Minor with a Defense to Prosecution in a Situation That Involves Risk of Alcohol Overdose."

While I understand the intent of this bill and believe it to be benign, the true effect will be a contribution to the growing pattern of babying our children to such a degree that they are prevented from becoming responsible adults who understand the principle of accountability.

As children mature, their mission is to learn life lessons that enable them to function as contributing members to our society. One of life's most valuable lessons is that our choices have consequences. Legislation of this sort, while well-intentioned, does not help young people learn this lesson because it actually rescues them from the natural repercussions of their own decisions. I cannot support legislation that pampers children who engage in illegal behavior by removing the unpleasant consequences of their conduct.

Our Legislature has made underage drinking a crime. The commission of a crime should have consequences that deter the criminal conduct. By removing those consequences, we send the message that disobeying the law is acceptable, and even worse, that accountability is something to be avoided.

For this reason, I return LD 263 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The accompanying Bill:

An Act To Provide a Minor with a Defense to Prosecution in a Situation That Involves Risk of Alcohol Overdose
H.P. 181 L.D. 263

Comes from the House, 124 members having voted in the affirmative and 23 in the negative, the veto of the Governor was Overridden and it was the vote of the House that the Bill become law notwithstanding the objections of the Governor.

The President Pro Tempore laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor? In accordance with Article IV, Part Third, Section 2, of the Constitution, the vote will be taken by the Yeas and Nays. A vote of yes will be in favor of the Bill. A vote of no will be in favor of sustaining the veto of the Governor."

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#175)

YEAS: Senators: ALFOND, BAKER, BRAKEY, BREEN, COLLINS, DIAMOND, DILL, DUTREMBLE, GERZOFKY, GRATWICK, HASKELL, HILL, JOHNSON, KATZ, LANGLEY, LIBBY, MILLETT, MIRAMANT, PATRICK, ROSEN, SAVIELLO, VALENTINO, VOLK, WILLETTE, WOODSOME, THE PRESIDENT PRO TEMPORE - GARRETT P. MASON

NAYS: Senators: BURNS, CUSHING, CYRWAY, DAVIS, EDGECOMB, HAMPER, MCCORMICK, THIBODEAU, WHITTEMORE

26 Senators having voted in the affirmative and 9 Senators having voted in the negative, and 26 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

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

The Following Communication: H.C. 200

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

June 8, 2015

The 127th Legislature of the State of Maine
State House
Augusta, Maine

ROLL CALL (#176)

Dear Honorable Members of the 127th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 488, "An Act To Expand the Scope of Practice for Denturists."

As promised, I am vetoing all bills sponsored by Democrats because they have stifled the voice of Maine citizens by preventing them from voting on the elimination of the income tax.

These legislators were elected to serve the people of Maine, but they choose to operate behind closed doors to advance their own partisan agendas. Rather than work with me to at least give the Maine people a chance to vote on lowering or eliminating the income tax, they closed the door. They defend the status quo and they cut the people out of the process.

I will not sit by and watch a handful of Democrats disenfranchise the people they were elected to represent. I want to ensure that each piece of legislation gets the widest possible representation in Augusta.

Therefore, any bills sponsored by Democrats must have at least a two-thirds vote and a roll call to get by me.

For this reason, I return LD 488 unsigned and vetoed.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The accompanying Bill:

An Act To Expand the Scope of Practice for Denturists
H.P. 327 L.D. 488

Comes from the House, 146 members having voted in the affirmative and none in the negative, the veto of the Governor was Overridden and it was the vote of the House that the Bill become law notwithstanding the objections of the Governor.

The President Pro Tempore laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor? In accordance with Article IV, Part Third, Section 2, of the Constitution, the vote will be taken by the Yeas and Nays. A vote of yes will be in favor of the Bill. A vote of no will be in favor of sustaining the veto of the Governor."

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

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

NAYS: Senators: None

35 Senators having voted in the affirmative and no Senator having voted in the negative, and 35 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

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

The Following Communication: H.C. 201

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

June 8, 2015

The 127th Legislature of the State of Maine
State House
Augusta, Maine

Dear Honorable Members of the 127th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 700, "An Act Regarding the Industry Partnership Assistance Collaborative's Grant Program."

As promised, I am vetoing all bills sponsored by Democrats because they have stifled the voice of Maine citizens by preventing them from voting on the elimination of the income tax.

These legislators were elected to serve the people of Maine, but they choose to operate behind closed doors to advance their own partisan agendas. Rather than work with me to at least give the Maine people a chance to vote on lowering or eliminating the income tax, they closed the door. They defend the status quo and they cut the people out of the process.

I will not sit by and watch a handful of Democrats disenfranchise the people they were elected to represent. I want to ensure that each piece of legislation gets the widest possible representation in Augusta.

Therefore, any bills sponsored by Democrats must have at least a two-thirds vote and a roll call to get by me.

For this reason, I return LD 700 unsigned and vetoed.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The accompanying Bill:

An Act Regarding the Industry Partnership Assistance
Collaborative's Grant Program
H.P. 476 L.D. 700

Comes from the House, 146 members having voted in the affirmative and 1 in the negative, the veto of the Governor was Overridden and it was the vote of the House that the Bill become law notwithstanding the objections of the Governor.

The President Pro Tempore laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor? In accordance with Article IV, Part Third, Section 2, of the Constitution, the vote will be taken by the Yeas and Nays. A vote of yes will be in favor of the Bill. A vote of no will be in favor of sustaining the veto of the Governor."

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#177)

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

NAYS: Senators: None

35 Senators having voted in the affirmative and no Senator having voted in the negative, and 35 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERIDDEN** and the Bill become law notwithstanding the objections of the Governor.

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

The Following Communication: H.C. 202

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

June 8, 2015

The 127th Legislature of the State of Maine
State House
Augusta, Maine

Dear Honorable Members of the 127th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 776, "An Act To Update the Validation of Miscellaneous Defects and Defective Acknowledgments in the Conveyance of Real Estate."

As promised, I am vetoing all bills sponsored by Democrats because they have stifled the voice of Maine citizens by preventing them from voting on the elimination of the income tax.

These legislators were elected to serve the people of Maine, but they choose to operate behind closed doors to advance their own partisan agendas. Rather than work with me to at least give the Maine people a chance to vote on lowering or eliminating the income tax, they closed the door. They defend the status quo and they cut the people out of the process.

I will not sit by and watch a handful of Democrats disenfranchise the people they were elected to represent. I want to ensure that each piece of legislation gets the widest possible representation in Augusta.

Therefore, any bills sponsored by Democrats must have at least a two-thirds vote and a roll call to get by me.

For this reason, I return LD 776 unsigned and vetoed.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The accompanying Bill:

An Act To Update the Validation of Miscellaneous Defects and Defective Acknowledgments in the Conveyance of Real Estate
H.P. 529 L.D. 776

Comes from the House, 147 members having voted in the affirmative and none in the negative, the veto of the Governor was Overridden and it was the vote of the House that the Bill become law notwithstanding the objections of the Governor.

The President Pro Tempore laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor? In accordance with Article IV, Part Third, Section 2, of the Constitution, the vote will be taken by the Yeas and Nays. A vote of yes will be in favor of the Bill. A vote of no will be in favor of sustaining the veto of the Governor."

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#178)

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

NAYS: Senators: None

35 Senators having voted in the affirmative and no Senator having voted in the negative, and 35 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

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

The Following Communication: H.C. 204

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

June 8, 2015

The 127th Legislature of the State of Maine
State House
Augusta, Maine

Dear Honorable Members of the 127th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 892, "An Act To Amend Certain Laws Affecting the Judicial Branch."

As promised, I am vetoing all bills sponsored by Democrats because they have stifled the voice of Maine citizens by preventing them from voting on the elimination of the income tax.

These legislators were elected to serve the people of Maine, but they choose to operate behind closed doors to advance their own partisan agendas. Rather than work with me to at least give the Maine people a chance to vote on lowering or eliminating the income tax, they closed the door. They defend the status quo and they cut the people out of the process.

I will not sit by and watch a handful of Democrats disenfranchise the people they were elected to represent. I want to ensure that each piece of legislation gets the widest possible representation in Augusta.

Therefore, any bills sponsored by Democrats must have at least a two-thirds vote and a roll call to get by me.

For this reason, I return LD 892 unsigned and vetoed.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The accompanying Bill:

An Act To Amend Certain Laws Affecting the Judicial Branch
H.P. 611 L.D. 892

Comes from the House, 135 members having voted in the affirmative and 12 in the negative, the veto of the Governor was Overridden and it was the vote of the House that the Bill become law notwithstanding the objections of the Governor.

The President Pro Tempore laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor? In accordance with Article IV, Part Third, Section 2, of the Constitution, the vote will be taken by the Yeas and Nays. A vote of yes will be in favor of the Bill. A vote of no will be in favor of sustaining the veto of the Governor."

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#179)

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

NAYS: Senators: None

35 Senators having voted in the affirmative and no Senator having voted in the negative, and 35 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

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

The Following Communication: H.C. 205

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

June 8, 2015

The 127th Legislature of the State of Maine
State House
Augusta, Maine

Dear Honorable Members of the 127th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 987, "An Act To Suspend the Right of an Out-of-state Toll Violator To Operate a Motor Vehicle on Maine Roads."

As promised, I am vetoing all bills sponsored by Democrats because they have stifled the voice of Maine citizens by preventing them from voting on the elimination of the income tax.

These legislators were elected to serve the people of Maine, but they choose to operate behind closed doors to advance their own partisan agendas. Rather than work with me to at least give the Maine people a chance to vote on lowering or eliminating the income tax, they closed the door. They defend the status quo and they cut the people out of the process.

I will not sit by and watch a handful of Democrats disenfranchise the people they were elected to represent. I want to ensure that each piece of legislation gets the widest possible representation in Augusta.

Therefore, any bills sponsored by Democrats must have at least a two-thirds vote and a roll call to get by me.

For this reason, I return LD 987 unsigned and vetoed.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The accompanying Bill:

An Act To Suspend the Right of an Out-of-state Toll Violator To Operate a Motor Vehicle on Maine Roads

H.P. 682 L.D. 987

Comes from the House, 146 members having voted in the affirmative and none in the negative, the veto of the Governor was Overridden and it was the vote of the House that the Bill become law notwithstanding the objections of the Governor.

The President Pro Tempore laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor? In accordance with Article IV, Part Third, Section 2, of the Constitution, the vote will be taken by the Yeas and Nays. A vote of yes will be in favor of the Bill. A vote of no will be in favor of sustaining the veto of the Governor."

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#180)

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

NAYS: Senators: None

35 Senators having voted in the affirmative and no Senator having voted in the negative, and 35 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

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

Senate at Ease.

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

REPORTS OF COMMITTEES

House

Divided Report

The Majority of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Clarify the Use of 'M.D.' To Represent Achievement of a Graduate Degree by an Individual Not Licensed To Practice Medicine in Maine"

H.P. 568 L.D. 834

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-350)**.

Signed:

Senators:

VOLK of Cumberland
PATRICK of Oxford

Representatives:

HERBIG of Belfast
AUSTIN of Gray
BATES of Westbrook
CAMPBELL of Newfield
FECTEAU of Biddeford
GILBERT of Jay
LOCKMAN of Amherst
MASTRACCIO of Sanford
STETKIS of Canaan

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

Signed:

Senator:

CUSHING of Penobscot

Representative:

WARD of Dedham

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-350)**.

Reports **READ**.

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

READ ONCE.

Committee Amendment "A" (H-350) **READ** and **ADOPTED**, in concurrence.

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

The Majority of the Committee on **TAXATION** on Bill "An Act To Provide Incentives To Foster Economic Growth and Build Infrastructure in the State by Encouraging Visual Media Production" (EMERGENCY)

H.P. 699 L.D. 1004

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

Signed:

Senators:

MCCORMICK of Kennebec
LIBBY of Androscoggin

Representatives:

GOODE of Bangor
CHACE of Durham
SEAVEY of Kennebunkport
SKOLFIELD of Weld
STANLEY of Medway
SUKEFORTH of Appleton
TEPLER of Topsham

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-326)**.

Signed:

Senator:

DAVIS of Piscataquis

Representatives:

BICKFORD of Auburn
MOONEN of Portland
RUSSELL of Portland

Comes from the House with the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-326)**.

Reports **READ**.

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

Divided Report

ROLL CALL (#181)

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

Reports **READ**.

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

YEAS: Senators: ALFOND, BAKER, BRAKEY, BREEN, DILL, GERZOFKY, GRATWICK, HASKELL, JOHNSON, LANGLEY, LIBBY, MCCORMICK, MIRAMANT, ROSEN, THIBODEAU, VOLK, WILLETTE, THE PRESIDENT PRO TEMPORE - GARRETT P. MASON

NAYS: Senators: BURNS, COLLINS, CUSHING, CYRWAY, DAVIS, DIAMOND, DUTREMBLE, EDGEComb, HAMPER, HILL, KATZ, MILLETT, PATRICK, SAVIELLO, VALENTINO, WHITTEMORE, WOODSOME

18 Senators having voted in the affirmative and 17 Senators having voted in the negative, the motion by Senator **MCCORMICK** of Kennebec to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE**, **PREVAILED**.

Sent down for concurrence.

ROLL CALL (#182)

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

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

21 Senators having voted in the affirmative and 14 Senators having voted in the negative, the motion by Senator **MCCORMICK** of Kennebec to **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report, in **NON-CONCURRENCE**, **PREVAILED**.

READ ONCE.

Committee Amendment "A" (H-325) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Divided Report

The Majority of the Committee on **TAXATION** on Bill "An Act To Increase Investment in Maine"

H.P. 784 L.D. 1146

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

Signed:

Senator:
LIBBY of Androscoggin

Representatives:
GOODE of Bangor
MOONEN of Portland
RUSSELL of Portland
STANLEY of Medway
SUKEFORTH of Appleton
TEPLER of Topsham

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-325)**.

Signed:

Senators:
McCORMICK of Kennebec
DAVIS of Piscataquis

Representatives:
BICKFORD of Auburn
CHACE of Durham
SEAVEY of Kennebunkport
SKOLFIELD of Weld

Senate

Divided Report

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Make College More Affordable for Maine Residents"

S.P. 220 L.D. 627

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-221)**.

Signed:

Senator:

MILLETT of Cumberland

Representatives:

KORNFIELD of Bangor
DAUGHTRY of Brunswick
FARNSWORTH of Portland
HUBBELL of Bar Harbor
PIERCE of Falmouth
TIPPING-SPITZ of Orono

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

Signed:

Senators:

LANGLEY of Hancock
EDGECOMB of Aroostook

Representatives:

MAKER of Calais
POULIOT of Augusta
STEARNS of Guilford

Reports **READ**.

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

On motion by Senator **MILLETT** 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 Millett.

Senator **MILLETT:** Thank you, Mr. President. Ladies and gentlemen of the Senate, the Education and Cultural Affairs Committee has been looking at the issue of college affordability for quite a while now, including receiving a report from the Commission on College Affordability and Completion. We heard from many citizens of Maine, parents and students alike, and this morning I would like to read to you some testimony that we received on this bill from a student. "I am currently finishing my final year at Central High School as a senior in the Class of 2015. Throughout my years at Central I have taken academic honors in AP classes and have secured myself the position as the Senior Valedictorian for 2015. I also take part in 95% of the clubs my school offers and lead 72% of them in some form or another. Now, as my senior year comes to a close, I am completing the college application process and am expected to know where I'm going to go to college by May 1st. However this question has been one of the hardest in my life. Being such a high achieving student in my school has gotten me recognition and acceptances to many different colleges throughout New England, but my decision doesn't come down to what college I would like to go to but what college can I afford. I, like many other students in the state of Maine, am a first generation college student in my family. I will be the first person in my family with a college degree and,

hopefully, a graduate degree by the year 2023. I, however, like many other Maine students, have an EFC of zero. My mother just makes over \$14,000 a year. Because of this reality, I attend the Trio Upward Bound Math and Science Program at the University of Maine, a program dedicated to aiding first generation low income students wishing to pursue a college education. Together, we have collaborated and crunched the numbers to see where I am most suited to go financially. The University of Maine cost, including room and board costs, is about \$24,000 per school year, excluding other fees. My financial aid package included only \$17,000 in grants and scholarships, leaving me with a \$7,000 plus gap every year I attend the University of Maine. If you remember, this also equates to about half of my mother's annual income. That is \$28,000 over a four year undergraduate program in which I will have to come up with out of my own pocket, either in loans through the University of Maine or outside sources. This debt doesn't even include the tuition loans I need to take out for veterinary school. The University of Maine is one of four colleges I am contemplating. In comparison, it remains to be the least expensive out-of-pocket but still seems to be a far reach for my attendance. If L.D. 627 were to pass, increasing the Maine State Grant, college in Maine would seem much more attainable, closing the gap that students have to pay out of their pockets in any way and is a step towards making college available to all, no matter what their financial status is. It would also mean that students like me, who want to pursue a graduate degree, do not graduate from their four year programs in more debt than necessary. Students should be allowed to attend a college based on what they are capable of. Finances shouldn't hold a student back from their greatest potential and I believe that L.D. 627 can be the solution."

We, as the Legislature in the state, are at a critical juncture that lies before us in terms of college affordability. The Commission to Study College Affordability and Completion found, "Many Maine college students experience a significant affordability gap in their ability to pay for the complete cost of college, even when a myriad of financial sources are tapped, such as family resources, part-time work, federal and state grants programs, and education loans." Much of this is the result of a sustained trend of underfunding of our public higher education institutions and grant programs. Annual Maine State grants have gradually declined due to funding limitations from a high of \$1,500 in fiscal year 2007 and fiscal year 2008 to \$1,250 in fiscal year 2009 through fiscal year 2012 to \$1,000 in fiscal year 2013. National experts have reported that Maine's economic viability greatly hinges on its ability to increase the proportion of our population with high quality college degrees, certificates, or other credentials. Two-thirds of all jobs created in this decade will require some form of post-secondary education according to a report issued by the Georgetown Center on Education and the Workforce. Too many in our state choose not to pursue higher education or fail to complete their programs due to an inability to afford the price tags or financial pressures once enrolled.

This bill includes the tiered approach that the commission developed to create a financial incentive for completion of programs. Even with the recommendation of increasing the starting Maine State Grant to \$2,500 it does not completely eliminate the affordability gap, but it does come close at \$1,000 over four years. To be clear, in order for this initiative to be implemented correctly and have its full effect the State of Maine must increase its funding of the Maine State Grant Program. It's not enough to just simply talk about the importance of higher

education and strengthening our workforce and our economy. It is not enough to make a token increase that doesn't have the same purchasing power from more than 20 years ago and that we all know will not come close to addressing the financial challenges facing our future graduates and workers. Making the public investment that eliminates the affordability gap is what will make the difference for Maine's students, Maine's workforce, and Maine's economic future. Thank you, Mr. President.

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

Senator **LANGLEY:** Thank you, Mr. President. I rise to ask you to support the Minority Ought Not to Pass Report. I would like to also alert the Body that today is FAME Day at the State House and the Finance Authority of Maine is on the second floor. As I go through my appeal to you today I would ask that you take the time to confirm my appeal with Bill Norbert, who is from FAME and is downstairs.

Mr. President, have you ever had a situation where you have really worked hard to help people and help someone but found out that your efforts were really going to do just the opposite? I couldn't agree with my Senate colleague from the Education Committee more about the need to help our students meet the gap, and that is the affordability gap between incomes and the cost of tuition. The fact is I'm a co-sponsor on the bill, as is most of the members of the Education Committee. I find it really important, when we're in our committees, to not only listen to the testimony of people who come in front of us but also to try to read between the lines. FAME was caught in a really tough spot. They couldn't come out, really, and say, "This isn't the way we would rather do this." Frankly, those of us in the Legislature that put in pieces of legislation are really trying to help the situation and we really are trying to help our students. What this piece of legislation has done, and the good Senator from Cumberland is correct, is says that if funds are available, and that was a key piece to put in there. What it didn't clearly say is if sufficient funds are available. The sufficient funds to do this are around \$37 million. If we put in \$10 million, as in the budget, it creates a shortfall but it also creates an expectation from students and families because this law says that eligible students with no expected family contribution may not be less than \$2,500 per students attending their first year, \$3,500 for students attending their second year, and \$4,500 for students attending their third year, and \$5,500 for students attending their fourth year. That's a great tiered model. It does pay for completion. It rewards students' endeavors to get through to the finish line. If this goes through, and any amount of money is added to this and this law goes into effect, the number of students that are eligible and that would be able to be helped by this grant will have to be reduced to fit these guidelines that are coming into law. This is very well intentioned legislation, but it has an unintended consequence because it doesn't have the \$37 million coming into it. Whatever amount in there does become available, and that's the fuzzy part, where it says if funds are available, it leaves it really up to interpretation. I received an e-mail from Mr. Norbert saying that, that they are really uncomfortable, Mr. President, and that if this goes through they are going to be in a tough spot. I would ask you, regretfully, to follow my light in this because, as much as we want to help them, I believe this piece of legislation would put them in a really uncomfortable spot and I would further implore

this Body, Mr. President, to take some time to go to the second floor and ask for yourself. Thank you very much.

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

Senator **MILLETT:** Thank you, Mr. President. I'll be very brief. I was unaware of the requirement of the word "sufficient." I think we're all very well aware in this Chamber that making a change like that would be an easy thing to do. I would encourage everybody to signal that we, as a legislative Body, believe that the college affordability and the strengthening of our workforce is a priority for us, send it to the Appropriations Table, and allow this to be part of the discussion about what we, as a state, want to be funding. I'm sure at that time we can certainly amend the bill to meet any sort of legislative requirements. Thank you, Mr. President.

THE PRESIDENT PRO TEMPORE: The pending question before the Senate is the motion by the Senator from Hancock, Senator Langley 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 (#183)

YEAS: Senators: BRAKEY, BURNS, COLLINS, CUSHING, CYRWAY, EDGECOMB, HAMPER, KATZ, LANGLEY, MCCORMICK, ROSEN, SAVIELLO, THIBODEAU, VOLK, WHITTEMORE, WILLETTE, WOODSOME, THE PRESIDENT PRO TEMPORE - GARRETT P. MASON

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

18 Senators having voted in the affirmative and 17 Senators having voted in the negative, the motion by Senator **LANGLEY** of Hancock to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report **PREVAILED**.

Sent down for concurrence.

Divided Report

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Resolve, Directing the Department of Health and Human Services To Adjust Reimbursement Rates for Dental Services under the MaineCare Program

S.P. 304 L.D. 860

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-235)**.

Signed:

Senators:

BRAKEY of Androscoggin
McCORMICK of Kennebec
HASKELL of Cumberland

Representatives:

GATTINE of Westbrook
BURSTEIN of Lincolnville
HAMANN of South Portland
HYMANSON of York
MALABY of Hancock
PETERSON of Rumford
STUCKEY of Portland

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "B" (S-236)**.

Signed:

Representatives:

HEAD of Bethel
SANDERSON of Chelsea
VACHON of Scarborough

Reports **READ**.

On motion by Senator **BRAKEY** of Androscoggin, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-235)** Report **ACCEPTED**.

READ ONCE.

Committee Amendment "A" (S-235) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-235)**.

Sent down for concurrence.

Divided Report

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Encourage Good Nutrition and Healthy Choices in the Supplemental Nutrition Assistance Program"

S.P. 420 L.D. 1193

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-230)**.

Signed:

Senator:

HASKELL of Cumberland

Representatives:

GATTINE of Westbrook
BURSTEIN of Lincolnville
HAMANN of South Portland
HYMANSON of York
PETERSON of Rumford
STUCKEY of Portland

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

Signed:

Senator:

BRAKEY of Androscoggin

Representatives:

HEAD of Bethel
MALABY of Hancock
SANDERSON of Chelsea
VACHON of Scarborough

Reports **READ**.

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

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

Divided Report

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act Regarding Patient-directed Care at the End of Life"

S.P. 452 L.D. 1270

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

Signed:

Senators:

BRAKEY of Androscoggin
McCORMICK of Kennebec

Representatives:

HEAD of Bethel
MALABY of Hancock
PETERSON of Rumford
SANDERSON of Chelsea
VACHON of Scarborough

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

Signed:

Senator:

HASKELL of Cumberland

Representatives:

GATTINE of Westbrook
BURSTEIN of Lincolnville
HAMANN of South Portland
HYMANSON of York
STUCKEY of Portland

Reports **READ**.

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

Divided Report

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Increase Accountability in Maine's Welfare Programs"

S.P. 505 L.D. 1375

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

Signed:

Senator:
HASKELL of Cumberland

Representatives:

GATTINE of Westbrook
BURSTEIN of Lincolnville
HAMANN of South Portland
HYMANSON of York
STUCKEY of Portland

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-237)**.

Signed:

Senator:
BRAKEY of Androscoggin

Representatives:

HEAD of Bethel
MALABY of Hancock
SANDERSON of Chelsea
VACHON of Scarborough

Reports **READ**.

Senator **BRAKEY** of Androscoggin moved the Senate **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report.

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

Divided Report

The Majority of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Attract Entrepreneurs to the State"

S.P. 481 L.D. 1332

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

Signed:

Senators:
VOLK of Cumberland
CUSHING of Penobscot

Representatives:

AUSTIN of Gray
CAMPBELL of Newfield
LOCKMAN of Amherst
STETKIS of Canaan
WARD of Dedham

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-228)**.

Signed:

Senator:
PATRICK of Oxford

Representatives:

HERBIG of Belfast
BATES of Westbrook
FECTEAU of Biddeford
GILBERT of Jay
MASTRACCIO of Sanford

Reports **READ**.

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

Divided Report

The Majority of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Expand Access to Workforce Development at Brunswick Landing"

S.P. 532 L.D. 1423

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

Signed:

Representatives:

HERBIG of Belfast
BATES of Westbrook
CAMPBELL of Newfield
FECTEAU of Biddeford
GILBERT of Jay
LOCKMAN of Amherst
MASTRACCIO of Sanford
STETKIS of Canaan

An Act To Extend the Funding Period for Landfill Closure Costs
H.P. 404 L.D. 580
(C "A" H-115; S "B" S-182)

An Act To Help Municipalities Dispose of Certain Abandoned
Property
H.P. 610 L.D. 891
(H "A" H-304 to C "A" H-296)

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-225)**.

An Act To Improve School Administrative Efficiency and Expand Capacity for Professional Growth for Educators with Regional Collaborative Programs and Services
H.P. 805 L.D. 1173
(C "A" H-293)

Signed:

Senators:

VOLK of Cumberland
CUSHING of Penobscot
PATRICK of Oxford

An Act To Implement the Recommendations of the Government Oversight Committee To Ensure Legislative Review of Reports Submitted by Quasi-independent State Agencies
H.P. 945 L.D. 1395
(C "A" H-298)

Representatives:

AUSTIN of Gray
WARD of Dedham

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

Reports **READ**.

Ordered sent down forthwith.

Senator **VOLK** of Cumberland moved the Senate **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report.

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.

An Act To Collect and Report Data on the Implementation of Proficiency-based Diplomas and Standards-based Student Learning
H.P. 574 L.D. 840
(C "A" H-292)

Senator **PATRICK** of Oxford requested and received leave of the Senate to withdraw his request for a Roll Call.

On motion by Senator **VOLK** of Cumberland, the Minority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**.

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

READ ONCE.

Committee Amendment "A" (S-225) **READ** and **ADOPTED**.

An Act To Allow Secondary Schools To Grant Certificates of Academic Proficiency
H.P. 587 L.D. 853
(C "A" H-294)

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

Sent down for concurrence.

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

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

Resolve

ENACTORS

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

Resolve, Directing the Department of Health and Human Services To Increase Public Awareness about and Access to Federal Resources Related to Vaccine Injuries
H.P. 739 L.D. 1076
(C "A" H-305)

Acts

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

Ordered sent down forthwith.

ORDERS OF THE DAY

The Chair laid before the Senate the following Tabled and Later Assigned (5/19/15) matter:

SENATE REPORTS - from the Committee on **INSURANCE AND FINANCIAL SERVICES** on Resolve, To Study the Design and Implementation of Options for a Universal Health Care Plan in the State That Is in Compliance with the Federal Patient Protection and Affordable Care Act

S.P. 152 L.D. 384

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-89)** (11 members)

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

Tabled - May 19, 2015, by Senator **MASON** of Androscoggin

Pending - **ADOPTION OF COMMITTEE AMENDMENT "A" (S-89)**

(In Senate, May 19, 2015, Reports **READ**. On motion by Senator **WHITTEMORE** of Somerset, the Majority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED. READ ONCE**. Committee Amendment "A" (S-89) **READ**.)

Committee Amendment "A" (S-89) **ADOPTED**.

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

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (5/19/15) matter:

SENATE REPORTS - from the Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Protect Maine Consumers from Medical Identity Theft" (EMERGENCY)
S.P. 447 L.D. 1242

Majority - **Ought Not to Pass** (8 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (S-88)** (5 members)

Tabled - May 19, 2015, by Senator **CUSHING** of Penobscot

Pending - **ACCEPTANCE OF EITHER REPORT**

(In Senate, May 19, 2015, Reports **READ**.)

Senator **WHITTEMORE** of Somerset moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

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

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

Senator **GRATWICK:** Thank you very much again, Mr. President. Ladies and gentlemen of the Senate, I rise to speak on L.D. 1242, An Act to Protect Maine Consumers from Medical Identity Theft. Just a brief overview of what this will and will not do. Basically, this bill is going to put Maine at the forefront of trying to protect Maine citizens, particularly young and particularly old but actually everybody else in between, protect us all from probably what is one of the major scourges occurring, identify theft. This is a non-partisan bill. It doesn't matter if you are a Republican, Democrat, unregistered, or whatnot. This is a benefit to us all and I think it has virtue. As I suspect, you realize the origin of this comes from the Anthem security breach, which is in later January of this year, where Anthem records of 521,000 Mainers was breached. This is their secure medical information. Somebody, either inside or outside Anthem, made available social security numbers, date of births, and medical information that is privy and that should be protected. Medical information is particularly vulnerable and I've given you a handout from the Medical Identity Fraud Alliance that tells how medical theft is different than other theft. Regardless of how you vote on this bill, I would strongly urge you to read through that because it is rather sobering. It's important for each of us in our individual lives. The long and short of it is that over 2 million people in the United States are victims of medical identity theft and once they begin to change your blood type, the tests that have been ordered, the narcotics you've been given, etcetera, it can be very expensive and very damaging and it can hurt people's health. Not a good idea at all. Unfortunately, in the larger context, security breaches are here to stay. Computers are magnificent. A computer is also horrible. Our individuality is really compromised in this way. It's going to get worse. I think that people are aware that Congress, after they recessed this summer, have identified their major task as being working on cyber security for the United States so we can be better and that, more so, even attempts to forming government reform is from the national Congress. I think that this problem needs to be solved at the national level, without question. We need to find out what are appropriate encryption standards and levels of security. We have a whole system that should be opt-in or opt-out with your information. That's very important. I think it should be dealt with on the state level and I'll come back to that. That's what this bill does. Most assuredly, for each of us as individuals, it should be dealt with on an individual level. All I can say is to read through this information because if you have people who are not using their credit right now they should most assuredly have a security freeze. Everybody should have security freezes, particularly young kids. You know we passed, over the Executive veto, L.D. 382, which allows this to be free at this particular time except for kids. We've made real advances, I think, in this session on this issue.

This particular bill, L.D. 1242, focuses on medicine. Obviously, this is the area that I know the best and this is, I think,

the area where this is the most troubling part of the identity theft. It instructs the Bureau of Insurance here in Augusta, here in Maine, a very good bureau, I have to say, to come up with a plan based on that from the National Association of Insurance Commissioners. They are working on this. It instructs them to come up with a plan, a bill that we can see next session, to report out on this. I think this bill will put at the forefront. It will make sure that we're doing this, we're protecting our citizens as well as possible here in Maine. All I can say is that this is going to be one of the major issues of our next session. As I think most of you are aware, this session we've seen a lot of bills. The new issue has been on broadband. Thirty bills there. I suspect there will be an equivalent 30 bills on this issue, cyber security, because it affects us all. I would urge people to vote against the Majority Ought Not to Pass because I think this bill, now a Resolve, will put us in the forefront. Thank you, Mr. President and ladies and gentlemen.

THE PRESIDENT PRO TEMPORE: The pending question before the Senate is the motion by the Senator from Somerset, Senator Whittemore to Accept the Majority Ought Not to Pass Report. A Roll Call has been ordered. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#184)

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

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

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

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (6/2/15) matter:

SENATE REPORT - from the Committee on **ENVIRONMENT AND NATURAL RESOURCES**, pursuant to Joint Rule 204, on Bill "An Act To Amend Environmental Permitting Standards" S.P. 449 L.D. 1244

Report - **Ought to Pass as Amended by Committee Amendment "A" (S-156)**

Tabled - June 2, 2015, by Senator **MASON** of Androscoggin

Pending - **ACCEPTANCE OF REPORT**

(In Senate, June 2, 2015, Report **READ**.)

Report **ACCEPTED**.

READ ONCE.

Committee Amendment "A" (S-156) **READ**.

On motion by Senator **BREEN** of Cumberland, Senate Amendment "A" (S-227) to Committee Amendment "A" (S-156) **READ** and **ADOPTED**.

Committee Amendment "A" (S-156) as Amended by Senate Amendment "A" (S-227) thereto, **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-156) AS AMENDED BY SENATE AMENDMENT "A" (S-227)** thereto,

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (6/4/15) matter:

HOUSE REPORT - from the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Improve Educational Assessments of Maine Students" (EMERGENCY) H.P. 872 L.D. 1276

Report - **Ought to Pass as Amended by Committee Amendment "A" (H-280)**

Tabled - June 4, 2015, by Senator **LANGLEY** of Hancock

Pending - **ACCEPTANCE OF REPORT**, in concurrence

(In House, June 3, 2015, Report **READ** and **ACCEPTED** and Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-280)**.)

(In Senate, June 4, 2015, Report **READ**.)

Report **ACCEPTED**, in concurrence.

READ ONCE.

Committee Amendment "A" (H-280) **READ** and **ADOPTED**, in concurrence.

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

On motion by Senator **LANGLEY** of Hancock, Senate Amendment "A" (S-219) **READ**.

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

Senator **LANGLEY**: Thank you, Mr. President. Men and women of the Senate, L.D. 1276, a unanimous bill out of the Education and Cultural Affairs Committee, which severs the State of Maine's relationship with the Smarter Balanced test. We've had a tremendous amount of discussion and debate over standardized tests and in our committee we heard lots of testimony. In response to that, L.D. 1276 passed unanimously. However, in Section 1 of the bill there was one line at the end of Section 1 that inadvertently made it impossible for students to be able to send their SAT scores to the colleges of their choice. This amendment just removes that section. It does not change the intent of the bill. It still severs our relationship with the Smarter Balanced consortium, but we don't want to hamper our student's ability to get their test score to the colleges of their choice. Thank you, Mr. President.

On motion by Senator **LANGLEY** of Hancock, Senate Amendment "A" (S-219) **ADOPTED**.

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-280) AND SENATE AMENDMENT "A" (S-219), in NON-CONCURRENCE.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (5/28/15) matter:

HOUSE REPORTS - from the Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Require Lienholders To Remove Liens Once Satisfied"

H.P. 231 L.D. 337

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-136)** (7 members)

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

Tabled - May 28, 2015, by Senator **WHITTEMORE** of Somerset

Pending - **ACCEPTANCE OF EITHER REPORT**

(In House, May 27, 2015, the Minority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.)

(In Senate, May 28, 2015, Reports **READ**.)

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

READ ONCE.

Committee Amendment "A" (H-136) **READ**.

On motion by Senator **WHITTEMORE** of Somerset, Senate Amendment "A" (S-242) to Committee Amendment "A" (H-136) **READ** and **ADOPTED**.

Committee Amendment "A" (H-136) as Amended by Senate Amendment "A" (S-242) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-136) AS AMENDED BY SENATE AMENDMENT "A" (S-242)** thereto, in **NON-CONCURRENCE**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (6/9/15) matter:

SENATE REPORT - from the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Clarify Wine Auction Licenses"

S.P. 345 L.D. 983

Report - **Ought to Pass as Amended by Committee Amendment "A" (S-226)**

Tabled - June 9, 2015, by Senator **PATRICK** of Oxford

Pending - **ACCEPTANCE OF REPORT**

(In Senate, June 9, 2015, Report **READ**.)

Report **ACCEPTED**.

READ ONCE.

Committee Amendment "A" (S-226) **READ**.

On motion by Senator **PATRICK** of Oxford, Senate Amendment "A" (S-238) to Committee Amendment "A" (S-226) **READ** and **ADOPTED**.

Committee Amendment "A" (S-226) as Amended by Senate Amendment "A" (S-238) thereto, **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-226) AS AMENDED BY SENATE AMENDMENT "A" (S-238)** thereto.

Sent down for concurrence.

Senate at Ease.

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

Off Record Remarks

RECESSED until the sound of the bell.

After Recess

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

READ ONCE.

Committee Amendment "A" (H-368) **READ** and **ADOPTED**, in concurrence.

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

All matters thus acted upon, with the exception of those matters being held, were ordered sent down forthwith for concurrence.

The Committee on **HEALTH AND HUMAN SERVICES** on Resolve, To Increase the Reimbursement Rate for Direct-care Workers Serving Adults with Long-term Care Needs
H.P. 920 L.D. 1350

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

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-371)**.

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Change Laws Amended by Public Law 2013, Chapter 369, Also Known as the Omnibus Energy Act"
H.P. 649 L.D. 946

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-371)**.

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

READ ONCE.

Committee Amendment "A" (H-371) **READ** and **ADOPTED**, in concurrence.

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-369)**.

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

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-369)**.

The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Require the Documentation of the Use of Seclusion and Restraint at Mental Health Institutions in the State"
H.P. 929 L.D. 1368

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

READ ONCE.

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-372)**.

Committee Amendment "A" (H-369) **READ** and **ADOPTED**, in concurrence.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-372)**.

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

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

READ ONCE.

The Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Create Jobs and Promote Investment in Maine's Economy through Increased Access to Solar Energy"
H.P. 863 L.D. 1263

Committee Amendment "A" (H-372) **READ** and **ADOPTED**, in concurrence.

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-368)**.

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

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-368)**.

The Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Provide Enhanced Enforcement of the Laws Governing Alcoholic Beverages"
H.P. 906 L.D. 1331

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

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-373).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-373).**

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

READ ONCE.

Committee Amendment "A" (H-373) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Increase Access to Postsecondary Education for Maine National Guard Members"

H.P. 912 L.D. 1343

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-364).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-364).**

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

READ ONCE.

Committee Amendment "A" (H-364) **READ** and **ADOPTED**, in concurrence.

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

Off Record Remarks

RECESSED until 3:00 in the afternoon.

After Recess

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

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

COMMUNICATIONS

The Following Communication: S.C. 427

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

June 9, 2015

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Honorable Lance E. Walker of South Paris, for appointment as a Superior Court Justice.

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

YEAS	Senators	3	Burns of Washington, Johnson of Lincoln, Volk of Cumberland
	Representatives	10	Hobbins of Saco, Evangelos of Friendship, Ginzler of Bridgton, Guerin of Glenburn, Herrick of Paris, McCreight of Harpswell, Monaghan of Cape Elizabeth, Moonen of Portland, Sherman of Hodgdon, Warren of Hallowell

NAYS 0

ABSENT 0

Rep. Mitchell of Penobscot Nation was absent.

Thirteen members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Honorable Lance E. Walker of South Paris, for appointment as a Superior Court Justice be confirmed.

Signed,

S/David C. Burns
Senate Chair

S/Barry J. Hobbins
House Chair

READ and **ORDERED PLACED ON FILE.**

The President Pro Tempore laid before the Senate the following: "Shall the recommendation of the Committee on **JUDICIARY** be overridden?"

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#185)

YEAS: Senators: None

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

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of the Honorable **Lance E. Walker** of South Paris for appointment as a Superior Court Justice was **CONFIRMED**.

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

The Following Communication: S.C. 428

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

June 9, 2015

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Honorable Bruce C. Mallonee of Ellsworth, for appointment as a Superior Court Justice.

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

YEAS	Senators	3	Burns of Washington, Johnson of Lincoln, Volk of Cumberland
	Representatives	10	Hobbins of Saco, Evangelos of Friendship, Ginzler of Bridgton, Guerin of Glenburn, Herrick of Paris, McCreight of HarpSwell, Monaghan of Cape Elizabeth, Moonen of Portland, Sherman of Hodgdon, Warren of Hallowell

NAYS 0

ABSENT 0

Rep. Mitchell of Penobscot Nation was absent.

Thirteen members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Honorable Bruce C. Mallonee of Ellsworth, for appointment as a Superior Court Justice be confirmed.

Signed,

S/David C. Burns
Senate Chair

S/Barry J. Hobbins
House Chair

READ and ORDERED PLACED ON FILE.

The President Pro Tempore laid before the Senate the following: "Shall the recommendation of the Committee on **JUDICIARY** be overridden?"

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#186)

YEAS: Senators: None

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

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of the Honorable **Bruce C. Mallonee** of Ellsworth for appointment as a Superior Court Justice was **CONFIRMED**.

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

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

REPORTS OF COMMITTEES

Senate

Ought to Pass As Amended

Senator BURNS for the Committee on **JUDICIARY** on Bill "An Act To Provide for Special Restrictions on Dissemination and Use of Criminal History Record Information for Class E Crimes Committed by an Adult under 21 Years of Age"
S.P. 79 L.D. 210

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-240)**.

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

READ ONCE.

Committee Amendment "A" (S-240) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Senator McCORMICK for the Committee on **TAXATION** on Bill "An Act To Amend the Tax Laws"
S.P. 526 L.D. 1411

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-241)**.

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

READ ONCE.

Committee Amendment "A" (S-241) **READ** and **ADOPTED**.

Under suspension of the Rules, **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.

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

PAPERS FROM THE HOUSE

Non-Concurrent Matter

SENATE REPORTS - from the Committee on **JUDICIARY** on Bill "An Act To Connect the Citizens of the State to the State's Natural Resources by Establishing Standards for Relief from Regulatory Burdens"

S.P. 124 L.D. 309
(C "A" S-124)

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

Minority - **Ought to Pass as Amended by Committee Amendment "A" (S-124)** (6 members)

In Senate, June 3, 2015, on motion by Senator **BURNS** of Washington, the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-124)**.

Comes from the House, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**, in **NON-CONCURRENCE**.

On motion by Senator **BURNS** of Washington, the Senate **INSISTED**.

Sent down for concurrence.

Non-Concurrent Matter

Resolve, To Impose a 2-year Delay on the Use of Standardized Tests To Evaluate Teachers (EMERGENCY)

H.P. 517 L.D. 764
(C "A" H-264)

In Senate, June 5, 2015, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-264)**, in concurrence.

In House, June 8, 2015, **FINALLY PASSED**.

In Senate, June 9, 2015, **FAILED FINAL PASSAGE**, in **NON-CONCURRENCE**.

Comes from the House, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-264) AS AMENDED BY HOUSE AMENDMENT "A" (H-354)** thereto, in **NON-CONCURRENCE**.

Senator **LANGLEY** of Hancock moved the Senate **RECEDE** and **CONCUR**.

On further motion by same Senator, 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 (#187)

YEAS: Senators: ALFOND, BAKER, BRAKEY, BREEN, CYRWAY, DIAMOND, DILL, DUTREMBLE, GERZOFISKY, GRATWICK, HASKELL, HILL, JOHNSON, LIBBY, MCCORMICK, MILLETT, MIRAMANT, PATRICK, SAVIELLO, VALENTINO

NAYS: Senators: BURNS, COLLINS, CUSHING, DAVIS, EDGECOMB, HAMPER, KATZ, LANGLEY, ROSEN, THIBODEAU, VOLK, WHITTEMORE, WILLETTE, WOODSOME, THE PRESIDENT PRO TEMPORE - GARRETT P. MASON

20 Senators having voted in the affirmative and 15 Senators having voted in the negative, the motion by Senator **LANGLEY** of Hancock to **RECEDE** and **CONCUR PREVAILED**.

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

ENACTORS

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

Emergency Resolve

Resolve, To Implement the Recommendations of the Commission To Continue the Study of Long-term Care Facilities
H.P. 70 L.D. 87
(S "A" S-173 to C "A" H-77)

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

Ordered sent down forthwith.

Acts

An Act To Improve Access to Treatments for Lyme Disease
H.P. 289 L.D. 422
(C "A" H-216)

An Act To Allow Access to Certain Death Records
S.P. 266 L.D. 736
(C "A" S-199)

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

Ordered sent down forthwith.

An Act To Ensure That Schoolchildren with Dyslexia Receive the Assistance Needed
H.P. 163 L.D. 231
(C "A" H-279)

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

An Act To Protect Taxpayers by Regulating Personal Services Contracts
H.P. 800 L.D. 1166
(C "A" H-170)

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

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

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

REPORTS OF COMMITTEES

House

Divided Report

The Majority of the Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Expand the Landowner Relations Program at the Department of Inland Fisheries and Wildlife"
H.P. 899 L.D. 1321

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-348)**.

Signed:

Senators:

DAVIS of Piscataquis
CYRWAY of Kennebec
DUTREMBLE of York

Representatives:

SHAW of Standish
ALLEY of Beals
COREY of Windham
CRAFTS of Lisbon
HILLIARD of Belgrade
MARTIN of Sinclair
REED of Carmel
WOOD of Greene

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

Signed:

Representatives:

LYFORD of Eddington
SHORT of Pittsfield

(Representative DANA of the Passamaquoddy Tribe - of the House - supports the Majority **Ought To Pass as Amended** 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-348)**.

Reports **READ**.

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

READ ONCE.

Committee Amendment "A" (H-348) **READ** and **ADOPTED**, in concurrence.

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

Divided Report

The Majority of the Committee on **JUDICIARY** on Bill "An Act To Protect the Rights of Property Owners"
H.P. 120 L.D. 162

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

Signed:

Senators:

BURNS of Washington
JOHNSON of Lincoln
VOLK of Cumberland

Representatives:

HOBBINS of Saco
EVANGELOS of Friendship
HERRICK of Paris
McCREIGHT of Harpswell
MONAGHAN of Cape Elizabeth
MOONEN of Portland
SHERMAN of Hodgdon
WARREN of Hallowell

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-48)**.

Signed:

Representatives:

GINZLER of Bridgton
GUERIN of Glenburn

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

Reports **READ**.

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

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

REPORTS OF COMMITTEES

Senate

Ought to Pass As Amended

Senator **LANGLEY** for the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Increase the Number of Science, Technology, Engineering and Mathematics Professionals in Maine"

S.P. 493 L.D. 1360

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-243)**.

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

READ ONCE.

Committee Amendment "A" (S-243) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Senator BURNS for the Committee on **JUDICIARY** on Bill "An Act To Affirm the Obligation To Support One's Children"

S.P. 471 L.D. 1306

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-245)**.

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

READ ONCE.

Committee Amendment "A" (S-245) **READ** and **ADOPTED**.

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

Sent down for concurrence.

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

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act To Protect the Future of Harness Racing" (EMERGENCY)

H.P. 705 L.D. 1022

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-377)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-377)**.

Report **READ**.

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

The Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Prevent Abusive Debt Collection Practices" H.P. 753 L.D. 1092

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-378)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-378)**.

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

READ ONCE.

Committee Amendment "A" (H-378) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act Regarding the Administration of Vaccines by Pharmacists" H.P. 836 L.D. 1218

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-379)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-379)**.

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

READ ONCE.

Committee Amendment "A" (H-379) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **TAXATION** on Bill "An Act To Support Municipal Volunteers" H.P. 339 L.D. 500

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-376)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-376)**.

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

READ ONCE.

Committee Amendment "A" (H-376) **READ** and **ADOPTED**, in concurrence.

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

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

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

ENACTORS

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

Act

An Act To Clarify Statewide Assessment Program Options
H.P. 471 L.D. 695
(C "A" H-295)

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:

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **JUDICIARY** on Bill "An Act To Require Mortgage Servicers To Act in Good Faith in Dealings with Homeowners"

H.P. 639 L.D. 920

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-383)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-383)**.

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

READ ONCE.

Committee Amendment "A" (H-383) **READ** and **ADOPTED**, in concurrence.

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

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

PAPERS FROM THE HOUSE

Non-Concurrent Matter

SENATE REPORTS - from the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Make College More Affordable for Maine Residents"

S.P. 220 L.D. 627

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-221)** (7 members)

Minority - **Ought Not to Pass** (5 members)

In Senate, June 10, 2015, on motion by Senator **LANGLEY** of Hancock, 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 Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-221)**, in **NON-CONCURRENCE**.

On motion by Senator **LANGLEY** of Hancock, the Senate **INSISTED**.

Sent down for concurrence.

Senate at Ease.

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

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

ENACTORS

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

Emergency Measure

An Act To Improve the Process for Obtaining an Adjustment in State Valuation Due to Sudden and Severe Reduction in Municipal Valuation

H.P. 374 L.D. 550
(C "A" H-323)

This being an Emergency Measure and having received the affirmative vote of 30 Members of the Senate, with 2 Senators having voted in the negative, and 30 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.

Emergency Measure

An Act To Allow Certain Wine and Hard Cider Manufacturing Partnerships

H.P. 429 L.D. 616
(S "A" S-195 to C "A" H-265)

This being an Emergency Measure and having received the affirmative vote of 33 Members of the Senate, with no Senators having voted in the negative, and 33 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.

Acts

An Act Regarding Payment under the Business Equipment Tax Reimbursement Program

H.P. 197 L.D. 279
(C "A" H-322)

An Act To Allow Children's Residential Care Facilities To Ensure the Safety of Their Residents

H.P. 309 L.D. 470
(C "A" H-329)

An Act To Align Maine's School Marketing Law with Current Federal Food Standards

H.P. 680 L.D. 985
(S "A" S-207 to C "A" H-157)

An Act To Further Define Duties for Persons Who Hold Powers of Attorney or Act as Agents for Residents of Long-term Care Facilities

H.P. 718 L.D. 1049
(C "A" H-319)

An Act Concerning Swim Area Permits

H.P. 843 L.D. 1225
(C "A" H-307)

An Act To Amend the Laws Relating to Corporations and Limited Partnerships

H.P. 971 L.D. 1425

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

Ordered sent down forthwith.

An Act To Promote Small Diversified Farms and Small Food Producers

H.P. 644 L.D. 925
(C "A" H-335)

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

An Act To Support Housing for Homeless Veterans

H.P. 731 L.D. 1062
(C "A" H-312)

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

An Act To Establish a Magnet School for Marine Science, Technology, Transportation and Engineering

H.P. 873 L.D. 1277
(C "A" H-314)

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

An Act To Encourage the Redevelopment of Upper Floors of Buildings in Downtowns and on Main Streets

H.P. 930 L.D. 1372
(C "A" H-311)

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

An Act To Fund a Training Partnership between Riverview Psychiatric Center and the University of Maine at Augusta

H.P. 959 L.D. 1412
(C "A" H-332)

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

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

COMMUNICATIONS

The Following Communication: S.C. 429

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

June 9, 2015

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Honorable Wayne R. Douglas of Biddeford, for appointment as a Superior Court Justice.

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

YEAS	Senators	2	Burns of Washington, Johnson of Lincoln
	Representatives	10	Hobbins of Saco, Evangelos of Friendship, Ginzler of Bridgton, Guerin of Glenburn, Herrick of Paris, McCreight of Harpswell, Monaghan of Cape Elizabeth, Moonen of Portland, Sherman of Hodgdon, Warren of Hallowell

NAYS 0

ABSENT 1 Sen. Volk of Cumberland

Rep. Mitchell of Penobscot Nation was absent.

Twelve members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Honorable Wayne R. Douglas of Biddeford, for appointment as a Superior Court Justice be confirmed.

Signed,

S/David C. Burns
Senate Chair

S/Barry J. Hobbins
House Chair

READ and ORDERED PLACED ON FILE.

The President Pro Tempore laid before the Senate the following: "Shall the recommendation of the Committee on **JUDICIARY** be overridden?"

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#188)

YEAS: Senators: None

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

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of the Honorable **Wayne R. Douglas** of Biddeford for appointment as a Superior Court Justice was **CONFIRMED**.

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

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

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

ENACTORS

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

Acts

An Act To Expand Public Opportunities for Wildlife Management Education

H.P. 633 L.D. 913
(C "A" H-339)

An Act To Implement the Recommendations of the Right To Know Advisory Committee Concerning Response Deadlines and Appeals

H.P. 748 L.D. 1087
(C "A" H-360)

PASSED TO BE ENACTED and, having been signed by the President Pro Tempore, were 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:

ENACTORS

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

Emergency Measure

An Act To Amend the Fees for Snowmobile Registrations and To Create the Snowmobile Trail Fund Donation Sticker

H.P. 492 L.D. 716
(C "A" H-338)

This being an Emergency Measure and having received the affirmative vote of 33 Members of the Senate, with no Senators having voted in the negative, and 33 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.

Emergency Measure

An Act To Promote Professional Training and Security in Maine Courts

H.P. 819 L.D. 1186
(C "A" H-358)

This being an Emergency Measure and having received the affirmative vote of 33 Members of the Senate, with no Senators having voted in the negative, and 33 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.

Emergency Measure

An Act To Revise the Charter of the Kennebunk Sewer District
H.P. 841 L.D. 1223
(C "A" H-341)

This being an Emergency Measure and having received the affirmative vote of 33 Members of the Senate, with no Senators having voted in the negative, and 33 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.

Acts

An Act To Amend the Laws Governing the Unlawful Cutting of Trees

H.P. 451 L.D. 670
(C "A" H-355)

An Act Regarding the Taxation of Kombucha

S.P. 293 L.D. 819
(C "A" S-213)

An Act To Eliminate the Dual Licensing of Physician Assistants

H.P. 564 L.D. 830
(C "A" H-362)

An Act To Expedite Final Hearings in Certain Foreclosure Cases

H.P. 580 L.D. 846
(C "A" H-356)

An Act Regarding the Licensure of Funeral Service Providers

H.P. 655 L.D. 952
(C "A" H-351)

An Act To Implement the Recommendations of the Right To Know Advisory Committee To Create a Remedy for Unduly Burdensome and Oppressive Requests

H.P. 747 L.D. 1086
(C "A" H-357)

An Act To Implement Recommendations of the Right To Know Advisory Committee

H.P. 749 L.D. 1088

An Act To Provide for the Establishment of Benefit Corporations

H.P. 792 L.D. 1154
(C "A" H-363)

An Act Regarding the Filing of Death and Marriage Records

S.P. 442 L.D. 1237
(C "A" S-205)

An Act To Enhance Efficiency in the Collection of Child Support Obligations

H.P. 905 L.D. 1330
(C "A" H-361)

An Act Regarding the Maine Registry of Certified Nursing Assistants and Direct Care Workers

H.P. 972 L.D. 1426
(C "A" H-342)

An Act To Establish the Public Higher Education Systems Coordinating Committee

S.P. 543 L.D. 1441

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

Ordered sent down forthwith.

An Act Regarding the Taxation of Out-of-state Pensions

H.P. 780 L.D. 1142
(C "A" H-340)

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

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

ORDERS OF THE DAY

The Chair laid before the Senate the following Tabled and Later Assigned (5/20/15) matter:

An Act To Provide Consumers of Health Care with Information Regarding Health Care Costs

S.P. 229 L.D. 636
(C "A" S-74)

Tabled - May 20, 2015, by Senator **MASON** of Androscoggin

Pending - **ENACTMENT**, in concurrence

(In Senate, May 12, 2015, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-74).**)

(In House, May 19, 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 (6/1/15) matter:

HOUSE REPORT - from the Committee on **TRANSPORTATION** on Resolve, To Establish a Commission To Study Transportation Funding Reform

H.P. 482 L.D. 706

Report - **Ought to Pass as Amended by Committee Amendment "A" (H-223)**

Tabled - June 1, 2015, by Senator **DIAMOND** of Cumberland

Pending - motion by same Senator to **RECONSIDER** whereby the Senate **FAILED** to **ACCEPT** the **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-223)** Report.

(In House, May 29, 2015, Report **READ** and **ACCEPTED** and Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-223).**)

(In Senate, June 1, 2015, Report **READ**. Report **REJECTED.**)

Senator **COLLINS** of York requested a Roll Call.

Senate at Ease.

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

Senator **COLLINS** of York requested and received leave of the Senate to withdraw his request for a Roll Call.

On motion by Senator **DIAMOND** of Cumberland the Senate **RECONSIDERED** whereby it **FAILED** to **ACCEPT** the **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-223)** Report.

THE PRESIDENT PRO TEMPORE: The pending motion before the Senate is **ACCEPTANCE** of the **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-223)** Report, in concurrence.

On motion by Senator **COLLINS** of York, 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. Ladies and gentlemen of the Senate, just a quick reminder. This was a unanimous committee report out of the committee on Transportation. This bill, as you know and as I'm sure you've read, is a study, basically a study, and it has the support of a lot of different groups, including DOT, construction companies like Cianbro and many others like them, the State Chamber, the Tourism, all these people because, basically, all it is is a study to find out other ways of funding our infrastructure for transportation. That's what it is and thank you very much, Mr. President.

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

Senator **COLLINS:** Thank you, Mr. President. Ladies and gentlemen of the Senate, during the committee proceedings dealing with this very bill I had requested the Commissioner of Maine DOT to come back to the committee with alternatives for raising new revenue streams for the highway budget. He has not come back to the committee as of yet and it will probably be next session. I would like to hear from the commissioner on this, on his ideas as far as generating new revenue streams. He, the commissioner that is, attends a lot of different conferences across the United States. The state of Maine is not unique in their need of new revenue for maintaining our infrastructure, Maine's highways and bridges, so on and so forth. There are innovative ideas being generated across the United States with other states with the same issues. I'd be looking forward to his presentation, perhaps next session, and we will go forward at that time. A lot of times these studies are kind of redundant. We've had studies dealing with this same issue in the past and most of the time it comes back with one resolve, and that's raising the gas tax. I am not a strong advocator of raising the gas tax primarily for the reason that Maine is a rural state and people travel long distances from home to work every day. Just increasing the burden on Maine citizens with an increase in the gas tax seems, to me, should be the last thing we think about. Thank you.

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

Senator **DIAMOND:** Thank you, Mr. President. Ladies and gentlemen of the Senate, the reason you just heard, the concern about the gas tax, is the primary reason we want to do this study because right now that's the only option that seems to be coming before us and this study is going to put together a ten year plan, a recommendation at least, and it will hopefully come up with some other alternatives because of the reason you just heard expressed by the good Senator from York about the problems with gas tax. Again, that is a primary reason why we need to consider this. I would also say, in response to the Department of Transportation Commissioner, he supports this because I think some of the things we can do, or can be done in this study, would be very enhancing to what things he already knows and can add to the whole formula. That, I think, would be a reason why we would want this study. Thank you.

THE PRESIDENT PRO TEMPORE: The pending question before the Senate is Acceptance of the Ought To Pass As Amended by Committee Amendment "A" (H-223) Report, in concurrence. A Roll Call has been ordered. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#189)

YEAS: Senators: ALFOND, BREEN, DIAMOND, DILL, DUTREMBLE, GERZOFKY, GRATWICK, HASKELL, HILL, JOHNSON, KATZ, LIBBY, MCCORMICK, MILLETT, MIRAMANT, PATRICK, ROSEN, VALENTINO, VOLK

NAYS: Senators: BAKER, BRAKEY, BURNS, COLLINS, CUSHING, CYRWAY, DAVIS, EDGECOMB, HAMPER, LANGLEY, SAVIELLO, THIBODEAU, WHITTEMORE, WILLETTE, WOODSOME, THE PRESIDENT PRO TEMPORE - GARRETT P. MASON

19 Senators having voted in the affirmative and 16 Senators having voted in the negative, the **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-223)** Report **ACCEPTED**, in concurrence.

READ ONCE.

Committee Amendment "A" (H-223) **READ** and **ADOPTED**, in concurrence.

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

The Chair laid before the Senate the following Tabled and Later Assigned (6/4/15) matter:

HOUSE REPORTS - from the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Expand Access To Lifesaving Opioid Overdose Medication"
H.P. 98 L.D. 140

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-248)** (12 members)

Minority - **Ought Not to Pass** (1 member)

Tabled - June 4, 2015, by Senator **BRAKEY** of Androscoggin

Pending - motion by same Senator to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence

(In House, June 3, 2015, 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-248) AS AMENDED BY HOUSE AMENDMENT "A" (H-278)** thereto.)

(In Senate, June 4, 2015, Reports **READ**.)

On motion by Senator **CYRWAY** of Kennebec, 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 Kennebec, Senator Cyrway.

Senator **CYRWAY**: Thank you, Mr. President. Ladies and gentlemen of the Senate, I rise before you today to oppose L.D. 140. I can't imagine relying on using my friends who are abusing at the time or friends that think the person has an overdose when he may not or may have another issue. This is a situation that reaches drug abuse itself. I could see someone trying to get as high as possible and then brought back with that narcan. It's kind of like holding a knife and watching your friend do the choking game. When are we going to use it? I'm in fear of this situation setting kids up to fail. I can see when you use professionals to use this and I can see the success rate of when you do use it on an overdose victim. I see all those successes and I think it's great. We've got to use professionals, not just let it be wheeled out there to add to the problem. I beg you, I've seen situations. Believe me, I've gone to many and this is just going to add to the problem, not help the problem. Certainly I'm in fear. This is in good faith, this bill, and I appreciate the faith that has been put out there, but when you're giving this to friends that are abusing drugs as it is. You've seen movies or shows like *Jackass* and what they do. They'll push it right to the end, the limits. That's what they do. When you're talking about drug abuse and drug overdoses, you're talking about serious stuff. This is not games any more. This is a situation that can be very serious and I've seen it. I've even gone as far as going to a situation where a man was lying dead and he had pills. His wife was right there when he overdosed. I said, "Where did he get the pills?" "Well, I'm not going to be a rat." That's what she said. For that person to be responsible enough to give that dosage or whatever to that person when you think it's really going to be helpful as a family member even or a friend. I think that's pushing the envelope. I wish that you would reconsider and follow my light. Thank you, Mr. President.

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

Senator **BRAKEY**: Thank you, Mr. President. I rise to support the Ought to Pass motion. First, I just want to say I very much respect the thoughts of my colleague from Kennebec and his years of experience in law enforcement and what he brings to this. I guess I just want to raise the point, I think we can all think of ways in which many things can be abused. Certainly if there is a will there's a way someone can abuse something like this. I think the question we often need to ask ourselves is: when there is a legitimate purpose and when we have something like this that can save lives, when are we willing to restrict the rights of the many because of the abuse of the few, especially when we're talking about something here that can very much, if we pass this, will likely save lives? I do just want to share, very briefly. We did hear testimony from the Maine Sheriffs' Association. That testimony should be on everyone's desk. I just want to read, very briefly, from this. We heard from Chief Deputy Ryan Reardon from the Kennebec County Sheriff's Office who testified on behalf of the Maine Sheriffs' Association. He said, "I'm here today to express the full support of L.D. 140, An Act to Expand Access to Lifesaving Opioid Overdose Medication, by the Maine Sheriffs' Association. As a former drug investigator and detective, one of my main focuses was drug crimes in the greater Kennebec County area and beyond. The six years of my career in drug work involved the ever growing epidemic of opioid addiction. During my 20 years in law enforcement I've seen an ever

increasing use of opiates in the state of Maine. The availability of opiates in both legal and illicit forms continues to grow. This bill mirrors the efforts of the Maine Sheriffs' Association. Recently, in February, the Kennebec County Sheriff's Office became the first agency in the state to enact an active naloxone program. Other counties are currently in beginning stages of enacting similar programs. We trained our deputies and provided them with narcan kits, a very similar drug to naloxone, in order to provide the opportunity to save a life. The medication is simple and very low risk. There is no danger of overdose and the application is non-invasive. The medication is applied through the nasal cavities in the atomized mist. This bill would expand the chance that someone already on scene would have the chance to save a life. All too often by the time law enforcement arrives it is too late. The opioid problem is not getting better. Dozens of lives are lost every year to opioid use. Providing friends and family with medication in order to save someone expands the reach of this lifesaving medication. This bill is paramount in light of the drug epidemic that continues to plague the communities of the state of Maine." Again, that was Chief Deputy Ryan Reardon of the Kennebec County Sheriff's Office testifying on behalf of the Maine Sheriffs' Association. Thank you very much.

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

Senator **HASKELL**: Thank you very much, Mr. President. Ladies and gentlemen of the Senate, I want to talk a little bit about some of the things that we heard. I had a very narrow, I guess, understanding of what this drug was and what it did until I sat in the committee for quite some length of time during the public testimony. I just want to share a few things with you to try and help you understand how the committee came to the decision that it did. One of these pieces of testimony was from a woman named Olivia Atherton who lives in Solon. She's here and she spoke about a February 14 issue of the newspaper where the reporter indicated the number of overdoses attributed to heroin jumped from seven in 2011 to 28 in 2012. We expected we were going to hear kind of what the numbers were. What she is, "My son, Harland, 23 at the time, was one of those 28 deaths. He died August 10, 2012 and with him were two of his 'friends'." She says, "It's not our place to decide who can live and who cannot. Sometimes our judgments have us too often turning our backs on those with addiction problems. We forget that addiction and drug use has no class or race distinction, no age barrier, no prejudice." She says, "My son did have a drug problem and because of that he lived with me. At that time, in Bremen, he seemed to have a better control over them. He held a steady job at the local bookstore/café, was home usually before 10. He was taking on-line courses to prepare for college in the fall of that year. His field of interest was science and organic chemistry. He was spending the weekend renovating his father's home. His eventual plan was to go back to school and take care of father, who was very ill. I do believe he was trying hard to remain an asset rather than a burden to me, his father, and society." She went on to tell us that she was trying to put a personal face on these statistics, lest we forget about the human beings here. She said, "I don't know if naloxone had been available that my son would have lived, but, knowing his history, I would have insisted that we, he and I, carry it just in case. It's possible that his two friends could have saved his life rather than be witness to his death, which I know will haunt them until their deaths." That's kind of the personal side of this,

remembering that addiction is a disease. In 2013 there were 176 deaths due to drug overdoses in Maine. That claimed more lives than car accidents.

Naloxone has no street value and it produces no high whatsoever. As a matter of fact, it's quite exactly the opposite. We had the privilege of having in our committee Representative Hymanson, who is also Dr. Hymanson. Dr. Hymanson served for many years in New York in emergency room medicine. She said she saw more than her share of people who were addicted and more than her share of people who came in and understood very well, as a neurologist, exactly what the impact of this opioid antagonist was. She said, "I can tell you from that experience that there is no addict that ever wants naloxone to be administered to them because the result of this antagonist, this opioid antagonist, is a sudden withdrawal." There is no high with naloxone. People who have been administered naloxone are very sick. They are confused. It is an immediate and sudden withdrawal, nothing that anybody who is on drugs is interested in.

We went on to hear testimony from several experts, medical experts, folks with long, and I won't read them to you, histories of what they have been doing. They went on to talk to us about addicts and kind of the disease model of addiction that describes that overwhelming and compulsion that's experienced by the addict when their disease is active. These are very powerful mental forces that easily overwhelm normal checks and balances, such as morality, ethics, commonsense, logic. Therefore, to understand how the availability of naran affects an addict's thinking one must think about this with an addict's brain. I thought that was important testimony. I'll stop right there because I'm thinking about it with my brain. I'm adding logic. These are folks for whom that disease model of addiction negates them having that morality, ethics, commonsense, logic, someone without normal checks and balances. An addict uses narcotics to feel the effect of the drug and to avoid the unpleasantness of withdrawal. When they are beginning to go into withdrawal, they will seek out more drugs. Using too much and having to be "saved" with naran spoils the experience completely by erasing that high and precipitating an event that interrupts the using cycle because it truly has that kind of very powerful experience for them, that immediate withdrawal. Nothing they are interested in. He also went on and, as I said, there is a list here of the variety of places where he's practiced and he indicated to us through several paragraphs here that no research has found that naran availability promotes increased drug use and reasoned analysis does not support that conclusion. He goes on, again, to talk about the drug related individual and what that disease is about.

Addiction is a chronic disease. It's not a criminal issue. It's not a moral issue. Somebody told us dead addicts don't recover. I thought that was very powerful. This was a gentleman who stood here in front of us as a result of naloxone and a 30 second phone call that saved his life. He was here to talk about it. Where would this be important? I think it would have been important to that woman from Solon, had her son had a naloxone available to them. I think that would have made a difference. It's not a cure-all, but when somebody is dying that's real different than somebody who is heavily dosed, heavily drugged, and those folks know it. Where would this be valuable? It would be valuable in places where there are food pantries, where there are feeding stations, where there are places like Preble Street, similar organizations like that. To be able to have it available for the individuals who come in if they do go into that kind of a serious episode right there on the floor. To be able to have that and then

dial 9-1-1 because the naran does not save their lives, it's the medical professionals who respond who saves their lives. What this does is it gives them a four or five or six minute window in which to be able to keep that person's heart beating and keeps them breathing so that help can get there. The U.S. Center for Disease Control and Prevention's recommendations from 2012 include, and I quote, "The broad distribution to non-medical users of an opioid antidote, naloxone, in overdose prevention programs." It's important. It's tested. It's proven. It's recommended. I think we ought to think about that woman and about those two friends of that 28 year old man. Thank you.

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

Senator **CYRWAY:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I hear the explanations from the Senate Floor and I feel the pain when you're talking about overdose. It's a very serious situation. The families, everything. I hear that. When Senator Haskell talked about addiction to the brain and how that works, think of yourself in the situation, you're an addict. You've got your friends with you that you're doing drugs with. You're going to ask the question, "Hey, have you got your naran with you? I'm going to be using here and I don't know how bad I'm going to get, so you got that available now?" They're going to check, "Ya, ya, I've got it with me." Now they are going to go to the limit. You're pushing them over the edge. We're not helping them. We're making it available so that they're going to push themselves to the limits. I'm telling you, I've been in Thumbs-Up programs for 13 years, working with kids about drug abuse. I've been an assistant jail administrator. I was a program coordinator for the jail for mental health, for substance abuse counseling. I've been there. I've seen what these people think. I deal with it. I've had them eat their own feces, all kinds of things that they do. These people are serious. This is not a joke when you start freewheeling medication to try to say this is going to help them. You've got to have somebody that's responsible to make that judgment call. Don't just give it to people. That's going to be just saying, "Ya." It's just like I said, it's like giving them the knife and saying, "Okay, cut with the knife when I'm choking to the point where I'm passing out, okay?" That's what you're doing. Please don't do that. Thank you.

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

Senator **BRAKEY:** Thank you, Mr. President. I apologize for rising a second time. I just recalled something I wanted to mention very briefly, which I forgot to mention the first time I was up. For the information of the Body in case anyone is interested, this was a 12-1 report, bi-partisan report, 12 Republicans and Democrats on the Health and Human Services Committee. Thank you very much.

THE PRESIDENT PRO TEMPORE: The pending question before the Senate is the motion by the Senator from Androscoggin, Senator Brakey to Accept the Majority Ought to Pass as Amended Report, in concurrence. A Roll Call has been ordered. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#190)

YEAS: Senators: ALFOND, BRAKEY, BREEN, DIAMOND, DILL, EDGEComb, GERZOFsky, HASKELL, HILL, JOHNSON, KATZ, LIBBY, MILLETT, MIRAMANT, PATRICK, ROSEN, SAVIELLO, VALENTINO, THE PRESIDENT PRO TEMPORE - GARRETT P. MASON

NAYS: Senators: BAKER, BURNS, COLLINS, CUSHING, CYRWAY, DAVIS, DUTREMBLE, GRATWICK, HAMPER, LANGLEY, MCCORMICK, THIBODEAU, VOLK, WHITTEMORE, WILLETTE, WOODSOME

19 Senators having voted in the affirmative and 16 Senators having voted in the negative, the motion by Senator **BRAKEY** of Androscoggin to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **PREVAILED**.

READ ONCE.

Committee Amendment "A" (H-248) **READ** and **ADOPTED**, in **NON-CONCURRENCE**.

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

Senate at Ease.

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

On motion by Senator **ALFOND** of Cumberland, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-248)**, in **NON-CONCURRENCE**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (H-248), in **NON-CONCURRENCE**.

House Amendment "A" (H-278) to Committee Amendment "A" (H-248) **READ** and **ADOPTED**, in concurrence.

Committee Amendment "A" (H-248) as Amended by House Amendment "A" (H-278) thereto, **ADOPTED**, in concurrence.

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-248) AS AMENDED BY HOUSE AMENDMENT "A" (H-278) thereto, in concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (6/9/15) matter:

SENATE REPORTS - from the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Invest in Maine Companies" S.P. 401 L.D. 1132

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

Minority - **Ought to Pass as Amended by Committee Amendment "A" (S-210)** (2 members)

Tabled - June 9, 2015, by Senator **CUSHING** of Penobscot

Pending - motion by Senator **VOLK** of Cumberland to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report (Roll Call Ordered)

(In Senate, June 9, 2015, Reports **READ**.)

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

Senator **GERZOFsky**: Thank you, Mr. President. Ladies and gentlemen of the Senate, I'd like to just say that I'm still opposed to the Ought Not to Pass motion and for the same reasons that I spoke of yesterday and that you don't need to hear today. Thank you very much for your time and consideration, Mr. President, and I think that it's a good time for us to do some good things for Maine. There are no borders here in Maine. We're all one state, so let's get this done. Thank you very much.

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

Senator **KATZ**: Thank you, Mr. President. Men and women of the Senate, I rise in opposition to the pending motion. I think some have characterized this as a Brunswick issue. It's my understanding that this fund, in fact, would be available to any development in any part of the state of Maine. I've also heard the question asked, "Why do we need this? Why can't we just depend on private banks and private equity to accomplish these if the right employer came along?" I believe that the answer is that we're talking about projects that could cost upwards of \$250 million that Maine banks just don't have the capacity to fund things like that. The next question I heard was, "Why this much money? Why such a huge thing? Is anybody even asking to put projects like this in the state of Maine?" It's my understanding that the answer is yes. There has been kind of a non-starter here because financing arrangements just weren't available. I'd like to emphasize, this does not involve a penny of State money. The bill has no fiscal note whatsoever. Lastly, as we think about what we can do to improve the economy of the state of Maine, I think we just received some disturbing news that Maine is 47th in the country this past year in growth of our domestic product. That's nothing to be proud of. I know we're all concerned about trying to change that number. Maybe this is one way we can do it. Thank you, Mr. President.

THE PRESIDENT PRO TEMPORE: The pending question before the Senate is the motion by the Senator from Cumberland, Senator Volk to Accept the Majority Ought Not to Pass Report. A Roll Call has been ordered. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#191)

YEAS: Senators: BRAKEY, HAMPER

NAYS: Senators: ALFOND, BAKER, BREEN, BURNS, COLLINS, CUSHING, CYRWAY, DAVIS, DIAMOND, DILL, DUTREMBLE, EDGEComb, GERZOFsky, GRATWICK, HASKELL, HILL, JOHNSON, KATZ, LANGLEY, LIBBY, MCCORMICK, MILLETT, MIRAMANT, PATRICK, ROSEN, SAVIELLO, THIBODEAU, VALENTINO, VOLK, WHITTEMORE, WILLETTE, WOODSOME, THE PRESIDENT PRO TEMPORE - GARRETT P. MASON

2 Senators having voted in the affirmative and 33 Senators having voted in the negative, the motion by Senator **VOLK** of Cumberland to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report **FAILED**.

The Minority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**.

READ ONCE.

Committee Amendment "A" (S-210) **READ** and **ADOPTED**.

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

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (6/9/15) matter:

SENATE REPORTS - from the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Secure the Maine Electrical Grid from Long-term Blackouts"
S.P. 496 L.D. 1363

Report "A" - **Ought Not to Pass** (7 members)

Report "B" - **Ought to Pass as Amended by Committee Amendment "A" (S-215)** (5 members)

Report "C" - **Ought to Pass as Amended by Committee Amendment "B" (S-216)** (1 member)

Tabled - June 9, 2015, by Senator **CUSHING** of Penobscot

Pending - motion by Senator **WOODSOME** of York to **ACCEPT** Report "A" **OUGHT NOT TO PASS** (Roll Call Ordered)

(In Senate, June 9, 2015, Reports **READ**.)

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, I don't know how to keep it brief, but I will try. Sometimes something new comes along that we haven't talked about a lot in our culture as it evolves and some people think about it sooner than others. As an airline pilot being up at 30,000 to 45,000 feet a lot of my life, we talked about this a lot. We talked about solar flares and the emissions that they put out and subjected us to at those altitudes without the atmosphere to diminish their effects. It had the effect of many folks who are required to retire at age 60 dying within a few years of that. It was the rare person who had much longevity past their retirement. When you magnify the effects of that when there is a large solar flare and it hits the transmission lines, the grid for the electricity system we have now, it generates power that feeds back into the system. It happens quite often in a small scale and it nips away at the efficiency of everything we have, including the large transformers that make up the grid. There's evidence that it takes quite a toll on all our equipment, that it reduces the life of our computers and anything that has motors, windings. They get a surge and it reduces their life. In our large transformers this has quite an effect. When I came here I'd already known about this, but then I realized that there was a report coming up from the last legislature, which you probably worked on because it was unanimous out of the Energy, Utilities and Technology Committee. I went to that report at CMP. No one denied the problem. They actually have been working on it and understood it, accepted it. They said they were preparing for it. At the federal level they are talking about it. The military already prepares their equipment to resist electromagnetic pulse, which a geomagnetic disturbance in the form of a solar flare is an electromagnetic pulse but it's on a larger scale. The military prepares their equipment for that because a low altitude nuclear explosion will have that same effect. We're not worried about that right now. Homeland Security takes care of that stuff. What I'm worried about is that at any moment is if one of those large solar flares, that have been regular but going in different directions from the earth, suddenly comes down on us it could take all those 15 large transformers that take anywhere from a year or two to replace and just kill them instantly.

What we presented to the committee was that there are actually a couple of solutions to it. In presenting a couple of the proven solutions, it was said that I was being too specific. I broadened the language to say they should pick the way that they protect our system. They said it was too broad. They then said they didn't like to be told how to fix this, they already had the federal Energy Regulatory Commission to tell them what they needed, but that commission also tells them that they can go beyond the rules that are established if they can make better protections. One telling thing, the power utility, the transmission utility, Central Maine, has in its contract a clause that protects itself. Just a little bit of it says that even if such damages are foreseeable and the damaged party has advised Central Maine of the possibility of such damages and regardless of whether any such damages are deemed a result from the failure or inadequacy of any exclusive or other remedy CMP is protected. I know they want to protect the system. I'm not saying they don't. When you have that it seems to me that it falls on the Legislature, when we identify a problem, when everybody accepts a problem, when there is a solution to the problem, to then fix the problem. I'm just

going to let that go at that. That's really the crux of it. We had a lot of support from folks from the Department of Energy, Department of Defense who have worked on this, PhDs. The thing is I'm not someone who lives in fear of major disasters. I know some people do. I saw that this is something that could happen at any moment to us and we could protect ourselves from. Then a company that provides these protection devices stepped up and said, "States are going to do this but as incentive we will cut our cost in half to protect your 15 transformers. We will cut our costs to \$2.3 million." That amounts to 50 ¢ per household for five years to just put basic protection. They are covered. We have a drill that cuts Maine off from the rest of the New England grid, even though we're part of that whole grid. They test it yearly. We can isolate, so protecting us does protect our state and it doesn't do anything for New England, but they can step up and do theirs. We can protect ours. We can spread the cost out for little to the households. We can make sure that Maine's lights are on, protecting business and our public. We've seen what happens when it's out for three weeks. Nobody wants to live through long periods of no electricity any more. It's not something you laugh off and light the woodstove. Thank you very much. I'd like to defeat this and move onto option "B", Report "B" and I appreciate your time.

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

Senator **WOODSOME:** Thank you, Mr. President. I rise today in support of the Ought Not to Pass Report. I certainly respect the honorable Andrea Boland and the good Senator here. There was some fantastic testimony, good discussions. The issue is that the federal government and ISO New England are aware of this. It is a potential problem but is it up to the Maine ratepayers to be the first out there for what could be or what is not? We don't know. Is it right to ask the Maine ratepayers to foot the bill for this so-called first defense that is a national problem rather than just a local? I urge you to vote Ought Not to Pass.

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

Senator **DILL:** Thank you, Mr. President. Ladies and gentlemen of the Senate, solar flares are spontaneous, happening very frequently. Often they are small, go unnoticed, and do very little damage. Luckily, the large ones that usually occur, for us at least, have missed us and not done a lot of damage. They have been very directional and haven't hit the Earth. When, and not if, one of the large solar flares hits us it'll be devastating. Therefore, we must protect Maine's electrical grid. Maine, alone, has 15 transformers worth \$10 million each. That's \$150 million to replace them. Not only is the cost prohibitive for us but the availability would be almost nonexistent. To try to get 15 new transformers here would be a monumental task. These transformers are the same ones that were invented years and years ago by Nikola Tesla. Some of you probably recognize Tesla's name. They are all hand-wound and huge. The only way to get them to Maine would be by rail, that is if our existing rail system could handle the load. There are solutions. You've heard them. I urge you to vote against this and please vote for Report "B". Thank you.

THE PRESIDENT PRO TEMPORE: The pending question before the Senate is the motion by the Senator from York, Senator Woodsome to Accept Report "A" Ought Not to Pass. 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 (#192)

YEAS: Senators: BAKER, BRAKEY, COLLINS, CUSHING, CYRWAY, DAVIS, EDGECOMB, HAMPER, KATZ, LANGLEY, MCCORMICK, ROSEN, SAVIELLO, THIBODEAU, VOLK, WILLETTE, WOODSOME, THE PRESIDENT PRO TEMPORE - GARRETT P. MASON

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

18 Senators having voted in the affirmative and 17 Senators having voted in the negative, the motion by Senator **WOODSOME** of York to **ACCEPT** Report "A" **OUGHT NOT TO PASS PREVAILED.**

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (6/9/15) matter:

An Act Providing a Good Samaritan Defense to Individuals Reporting a Drug Overdose

H.P. 486 L.D. 710
(C "A" H-237)

Tabled - June 9, 2015, by Senator **CUSHING** of Penobscot

Pending - **ENACTMENT**, in concurrence

(In Senate, June 4, 2015, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-237)**, in concurrence.)

(In House, June 8, 2015, **PASSED TO BE ENACTED.**)

On motion by Senator **CYRWAY** of Kennebec, 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 Kennebec, Senator Cyrway.

Senator **CYRWAY:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I rise before you today to oppose L.D. 710. Here we go again. An Act Providing a Good Samaritan Defense to Individuals. I appreciate the intent of this legislation

but I feel as though its ramifications are too great. I've dedicated much of my life to ensuring that Maine's youth are well informed about the dangers and consequences of drug use. This legislation gives the impression that illegal substances are okay to use because in some instances if you are caught abusing them no charges will be brought against you. I believe this sends the wrong message and lets people off the hook for their wrong doings. Additionally, as the Department of Public Safety testified, when called to an overdose scene law enforcement is focused on facilitating the necessary medical attention and not criminal charges. This Body should be encouraging folks to do the decent thing, their civic duty, and call for help if it is needed. Let's not give our youth a mixed message of being responsible in life. For these reasons, I urge you to vote Ought Not to Pass.

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

Senator **BRAKEY:** Thank you, Mr. President. I rise to support the Enactment of this bill. Again, I have to say how much I respect and appreciate my colleague from Kennebec County and all the years he has put into working to keep kids away from drugs. I think that's very necessary and commendable work. On this issue I think everyone in this Body would like to see that people keep away from drug abuse and keep these terrible substances out of their lives and don't make these poor decisions that can lead people down a very destructive road. That being said, when we're talking about a situation of drug overdose, when we could be talking about someone losing their life, I understand wanting people to face the full consequences of their actions. I just think that death is a very hard consequence and it's hard to learn the consequences of your actions if you aren't around to learn from it. I do think when we're looking at individuals I think everyone wants to do the right thing when they are in a situation like this, or when a young person may be facing expulsion from school or a potential jail sentence for making a youthful indiscretion and making a poor choice, and they have to choose between facing those consequences themselves or seeing their friend potentially die. I certainly hope that they would put their friend's life first, but why would we want to erect more barriers to stop someone from doing that and make someone think twice when someone's life is at stake? I think this is important legislation and I hope you do Enact it. Thank you very much.

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

Senator **BURNS:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I've listened to these arguments today about similar concepts, as I've listened to them in the past in other sessions. To me, I get very concerned when I think that we are acting on emotions rather than practicality because I hear that and I see that over and over again. Everybody has compassion. Everybody in this Senate has compassion for those who are addicted, those who make mistakes, those who abuse substances. We all have compassion. I would request that you listen to some practical information. You just heard from the good Senator on both this bill and a previous bill, the good Senator from Kennebec, of his practical experience. I have a lot of that practical experience, as do others in this Chamber. My experience, and that of others that I know, whether they are EMTs or former drug agents like myself or former police officers

or people who deal with these situations, is that we're sending the wrong message. The problem is getting out of hand, whether we're talking about overdoses or we're talking about excessive drinking on behalf of our teenagers. I think it's time we started sending the right message. I happen to read that right message, I believe, just recently in a message from the second floor. I agreed with it. It's our responsibility to teach responsibility and accountability. It's not our responsibility, as adults, to give a bunch of loopholes and opportunities to experiment and do what we choose at somebody else's risk. I think we need to set the example. I think it's our responsibility to teach responsibility to those who want to experiment rather than to say, "You go ahead, somebody will be there to make an excuse for you and bail you out." I would hope that we would take a look at this and see what kind of a message we are sending to our young people. I want to send the right message. Like many of you, I've raised five children, and I think I'm still doing that actually in some instances. I've tried to instill those ideals of responsibility. I think I've had some success and I would hope that we would encourage others to teach that same responsibility rather than giving them an easy out. This is the opportunity to do that. Thank you.

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

THE PRESIDENT PRO TEMPORE: The pending question before the Senate is Enactment, in concurrence. A Roll Call has been ordered. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#193)

YEAS: Senators: ALFOND, BRAKEY, BREEN, DIAMOND, DILL, GERZOFKY, HASKELL, HILL, JOHNSON, KATZ, LANGLEY, LIBBY, MILLETT, MIRAMANT, PATRICK, ROSEN, SAVIELLO, VALENTINO, THE PRESIDENT PRO TEMPORE - GARRETT P. MASON

NAYS: Senators: BAKER, BURNS, COLLINS, CUSHING, CYRWAY, DAVIS, DUTREMBLE, EDGECOMB, GRATWICK, HAMPER, MCCORMICK, VOLK, WHITTEMORE, WILLETTE, WOODSOME

EXCUSED: Senator: THIBODEAU

19 Senators having voted in the affirmative and 15 Senators having voted in the negative, with 1 Senator being excused, 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.

to the State's Natural Resources by Establishing Standards for Relief from Regulatory Burdens" (S.P. 124) (L.D. 309)

Sincerely,

S/Robert B. Hunt
Clerk of the House

READ and ORDERED PLACED ON FILE.

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

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

REPORTS OF COMMITTEES

Senate

Ought to Pass As Amended

Senator BURNS for the Committee on **JUDICIARY** on Bill "An Act To Prohibit the Use of Eminent Domain in Certain Public-private Partnerships and To Prohibit the Use of Eminent Domain by a Private Business Entity in a Public-private Partnership"
S.P. 415 L.D. 1168

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-249).**

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

READ ONCE.

Committee Amendment "A" (S-249) **READ** and **ADOPTED.**

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

Sent down for concurrence.

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

COMMUNICATIONS

The Following Communication: H.C. 212

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

June 10, 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 former action whereby it accepted the Majority Ought Not to Pass Report of the Committee on Judiciary on Bill "An Act To Connect the Citizens of the State

Off Record Remarks

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

On motion by Senator **CUSHING** of Penobscot, **ADJOURNED** to Thursday, June 11, 2015, at 10:00 in the morning.