

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

In Senate Chamber
Monday
June 22, 2015

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

Prayer by Senator Paul T. Davis, Sr. of Piscataquis County.

SENATOR DAVIS: Good morning. Let us pray. O Lord, as we enter the last days of time here in Augusta I ask that You dwell yourself in all the things that happen here and that the best for the people of Maine be what occurs, according to Your will. Have Your righteousness prevail, righteousness which exceeds all understanding. Let us remember that time is like the morning mist and it is soon passed and we are only here for a short time. Have us conduct ourselves so that long after today's issues are forgotten what we will remember is how well we treated each other. Guide us, Lord, in all the things that we say and do. In Jesus' name. Amen.

Pledge of Allegiance led by Senator Rebecca J. Millett of
Cumberland County.

Reading of the Journal of Friday, June 19, 2015.

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

Bill "An Act To Attract Entrepreneurs to the State"
S.P. 481 L.D. 1332
(S "A" S-250 to C "A" S-228)

In Senate, June 18, 2015, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-228) AS AMENDED BY SENATE AMENDMENT "A" (S-250)** thereto.

Comes from the House, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-228)**, in **NON-CONCURRENCE**.

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

Sent down for concurrence.

Non-Concurrent Matter

HOUSE REPORTS - from the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Remove from the Maine Medical Use of Marijuana Act the Requirement That a Patient's Medical Condition Be Debilitating"

H.P. 22 L.D. 23

Majority - **Ought to Pass** (12 members)

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

In House, May 28, 2015, the Majority **OUGHT TO PASS** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.

In Senate, June 16, 2015, the Minority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**, in **NON-CONCURRENCE**.

Comes from the House, **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-484)**, in **NON-CONCURRENCE**.

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

COMMUNICATIONS

The Following Communication: S.C. 463

**STATE OF MAINE
ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE
COMMITTEE ON APPROPRIATIONS AND FINANCIAL
AFFAIRS**

June 19, 2015

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

Dear President Thibodeau and Speaker Eves:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Appropriations and Financial Affairs has voted unanimously to report the following bill(s) out "Ought Not to Pass":

- L.D. 148 An Act To Adjust Appropriations and Allocations from the General Fund and Other Funds for the Expenditures of the Department of Marine Resources, the Department of Agriculture, Conservation and Forestry, the Department of Environmental Protection and the Baxter State Park Authority for the Fiscal Year ending June 30, 2015 (EMERGENCY)
- L.D. 232 An Act To Adjust Appropriations and Allocations from the General Fund and Other Funds for the Expenditures of the Department of the Attorney General and the Judicial Department for the Fiscal Year Ending June 30, 2015 (EMERGENCY)
- L.D. 233 An Act To Adjust Appropriations and Allocations from the General Fund and Other Funds for the Expenditures of the Department of Defense, Veterans and Emergency Management and the Department of Public Safety for the Fiscal Year Ending June 30, 2015 (EMERGENCY)
- L.D. 576 An Act To Adjust Appropriations and Allocations from the General Fund and Other Funds for the Expenditures of State Government Related to Position Changes for the Fiscal Years Ending June 30, 2015, June 30, 2016 and June 30, 2017 (EMERGENCY)

Signed:

Senators:
ROSEN of Hancock
BURNS of Washington

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

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-477)**.

Signed:

Senator:
GERZOFISKY of Cumberland

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

Reports **READ**.

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

This is notification of the Committee's action.

Sincerely,

S/Sen. James M. Hamper S/Rep. Margaret R. Rotundo
Senate Chair House Chair

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

Senate at Ease.

Senate called to order by the President.

REPORTS OF COMMITTEES

House

Divided Report

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Allow for and Regulate the Adult Use of Cannabis"

H.P. 950 L.D. 1401

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

Divided Report

The Majority of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Enhance Energy Cost Reduction and Facilitate Heating Alternatives in furtherance of the Omnibus Energy Act" (EMERGENCY)

H.P. 839 L.D. 1221

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-386)**.

Signed:

Senator:
HILL of York

Representatives:
DION of Portland
BABBIDGE of Kennebunk
BEAVERS of South Berwick
DeCHANT of Bath
GROHMAN of Biddeford
RYKERSON of Kittery

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "B" (H-387).**

Signed:

Senators:

WOODSOME of York
MASON of Androscoggin

Representatives:

DUNPHY of Embden
HIGGINS of Dover-Foxcroft
O'CONNOR of Berwick
WADSWORTH of Hiram

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-386)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-386) AS AMENDED BY HOUSE AMENDMENT "C" (H-485)** thereto.

Reports **READ**.

On motion by Senator **MASON** of Androscoggin, the Minority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "B" (H-387)** Report **ACCEPTED**, in **NON-CONCURRENCE**.

READ ONCE.

Committee Amendment "B" (H-387) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-387)**, in **NON-CONCURRENCE**.
Ordered sent down forthwith for concurrence.

Senate

Ought to Pass As Amended

Senator **HAMPER** for the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act To Clarify a Recently Enacted Law Designed To Expand the Number of Qualified Educators"

S.P. 191 L.D. 522

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-310).**

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

READ ONCE.

Committee Amendment "A" (S-310) **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:

COMMUNICATIONS

The Following Communication: S.C. 465

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

19 June 2015

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

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 256, "An Act to Allow Nonresident College Students to obtain Hunting, Fishing and Trapping Licenses at the Resident Fee and with Resident Privileges."

Some legislation commits the minor, and forgivable, sin of ineptly addressing the right problem. Other legislation commits the major sin of trying to address the wrong problem. Somehow, this bill manages to commit both sins: ineptly addressing the wrong problem. LD 254 seeks to provide nonresident college students with hunting and fishing licenses at the cost of a resident's license; saving nonresident college students roughly \$100. In their zeal to encourage more hunting, supporters of this bill fail to recognize the stark reality that Maine is drawing nigh to a demographic death spiral – we are already experiencing negative population growth. The major sin here is striving for the wrong goal; providing benefits to nonresident students enjoyed by residents of this great State. Rather, we should be encouraging nonresidents to become residents of our State through all means at our disposal.

Not only does this bill miss the point in its objective, but it also suffers in its execution. In order for a nonresident to establish their eligibility for the benefits of being a resident, the Department of Inland Fisheries and Wildlife must verify that the student in question is between 18 and 24 years old and is enrolled full-time at a qualifying educational institution and has been enrolled there for at least one semester prior to applying for a license. The Department need not be conscripted to act as a college registrar in order for nonresident students to save \$100. This simply is not administrable.

For these transgressions, I return LD 256 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 Allow Nonresident College Students To Obtain Hunting, Fishing and Trapping Licenses at the Resident Fee and with Resident Privileges

S.P. 94 L.D. 256

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

The President 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 (#309)

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

NAYS: Senators: None

EXCUSED: Senators: CUSHING, WOODSOME

33 Senators having voted in the affirmative and no Senator having voted in the negative, with 2 Senators being excused, and 33 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: S.C. 466

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

19 June 2015

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

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 647, "An Act To Require the Department of Health and Human Services To Update Its Rules Governing Services for Children with Cognitive Impairments and Functional Limitations."

This bill requires the Department of Health and Human Services to create a permanent working group made of staff, vendors, and advocates to review and recommend evidence-based services for children served under Section 28 of the MaineCare Benefits Manual.

This bill is unnecessary because the Department already evaluates appropriate evidence-based treatment for children with developmental disabilities. Currently, the federal Substance Abuse and Mental Health Services Administration and the Centers for Medicare and Medicaid Services approve one evidence-based treatment, ABA therapy, for children with Autism Spectrum Disorder. As the federal government changes its treatment recommendations, so, too, does the State.

This bill is yet another unfunded mandate that will result in a report. It accomplishes nothing. For these reasons, I return LD 647 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 Require the Department of Health and Human Services To Update Its Rules Governing Services for Children with Cognitive Impairments and Functional Limitations
S.P. 240 L.D. 647

The President 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 (#310)

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

NAYS: Senators: None

EXCUSED: Senators: CUSHING, WOODSOME

33 Senators having voted in the affirmative and no Senator having voted in the negative, with 2 Senators being excused, and 33 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: S.C. 467

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

19 June 2015

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

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 1079, "Resolve, To Support and Encourage the Development of an Adult Family Care Demonstration Project in Washington County."

This resolve directs the Department of Health and Human Services to review residential care facility reimbursement, and create a new level of reimbursement for individuals aging in place at those facilities. The resolve also requires the Department to develop a plan for a demonstration project in Washington County to establish facilities with suite-type settings, and to report back to the Legislature regarding its findings.

The Department is already undertaking work to identify the need and appropriate reimbursement for residential care services across Maine. Indeed, the resolve notes that the Department's review "may include other reviews that the department is currently undertaking" in this exact area. In other words, this resolve is duplicative of work being performed. This resolve will turn into another report gathering dust on the shelf.

It is unclear why the Department, rather than the private sector, is responsible for developing a plan for a suite-style residential care facility in a particular county. There is nothing prohibiting the creation of a suite-style facility today. The Department cannot force any company to participate in such a pilot project, anyway. The private sector is much more nimble and creative than state government, and far be it from me to try to usurp the private sector's role.

For these reasons, I return LD 1079 unsigned and vetoed. I strongly encourage the Legislature to sustain it.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The accompanying Resolve:

Resolve, To Support and Encourage the Development of an Adult Family Care Demonstration Project in Washington County
S.P. 381 L.D. 1079

The President 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 (#311)

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

NAYS: Senators: None

EXCUSED: Senators: CUSHING, WOODSOME

33 Senators having voted in the affirmative and no Senator having voted in the negative, with 2 Senators being excused, and 33 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: S.C. 468

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

19 June 2015

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

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 1123, "An Act To Amend the Campaign Reports and Finances Laws and the Maine Clean Election Act."

This bill seeks to amend the reporting requirements on campaigns for political office. For the most part, the changes are merely form-over-substance changes that do nothing to enhance or strengthen the reporting laws. For example, the bill requires that when prerecorded automated telephone calls and scripted live telephone communications that name a candidate during the 21 days before a primary election or the 35 days before a general election must state both the name (which is already required) and the *address* of the person who made or paid for the calls. Requiring the caller or person who paid for the calls to give an address adds no value to the campaign reporting laws at all.

Similarly, the bill provides that when a political action committee (PAC) is facing a penalty for a failure to file a report or for filing a report late, the statement the PAC provides does not have to be a sworn statement. Rather than focusing on what form the statement should take, the bill should be focused on whether a statement that is less than 24 hours late should result in a penalty at all. For the most part, these changes to the reporting laws are unnecessary changes that add no value.

For these reasons, I return LD 1123 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 Amend the Campaign Reports and Finances Laws and the Maine Clean Election Act

S.P. 395 L.D. 1123

The President 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 (#312)

YEAS: Senators: ALFOND, BREEN, DIAMOND, DILL, DUTREMBLE, GERZOFSKY, GRATWICK, HASKELL, HILL, JOHNSON, KATZ, LIBBY, MILLETT, MIRAMANT, PATRICK, SAVIELLO, VALENTINO

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

EXCUSED: Senators: CUSHING, WOODSOME

17 Senators having voted in the affirmative and 16 Senators having voted in the negative, with 2 Senators being excused, and 17 being less than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **SUSTAINED**.

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

The Following Communication: S.C. 469

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

19 June 2015

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

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 1129, "Resolve, To Change the Requirements for Nursing Services in Home Health Care."

As promised, I am vetoing all bills sponsored by Democrats, who vote for the job-killing, pro-welfare agenda set by the Maine People's Alliance, but have stifled the voice of the Maine people 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, in order for legislation sponsored by Democrats to become law, they will have to follow the procedure for reconsideration of a veto, which requires two-thirds support of the Legislature and a roll call. Instead of allowing them to pass bills out of the public eye and with no accountability, I believe the Maine people deserve to see how their elected officials voted on each piece of legislation.

For this reason, I return LD 1129 unsigned and vetoed.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The accompanying Resolve:

Resolve, To Change the Requirements for Nursing Services in Home Health Care

S.P. 398 L.D. 1129

The President 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 (#313)

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

NAYS: Senators: None

EXCUSED: Senators: CUSHING, WOODSOME

33 Senators having voted in the affirmative and no Senator having voted in the negative, with 2 Senators being excused, and 33 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.

ORDERS OF THE DAY

Unfinished Business

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

The Chair laid before the Senate the following Tabled and Later Assigned (6/19/15) matter:

SENATE REPORTS - from the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Reverse Jail Consolidation"

S.P. 61 L.D. 186

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-304)** (9 members)

Minority - **Ought to Pass as Amended by Committee Amendment "B" (S-305)** (4 members)

Tabled - June 19, 2015, by Senator **ROSEN** of Hancock

Pending - **ACCEPTANCE OF EITHER REPORT**

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

On motion by Senator **ROSEN** of Hancock, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-304)** Report **ACCEPTED**.

READ ONCE.

Committee Amendment "A" (S-304) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-304)**.

Sent down for concurrence.

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

Off Record Remarks

RECESSED until the sound of the bell.

After Recess

Senate called to order by the President.

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

PAPERS FROM THE HOUSE

Non-Concurrent Matter

HOUSE REPORTS - from the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Promote the Safe Use and Sale of Firearms"

H.P. 282 L.D. 415

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-474)** (9 members)

Minority - **Ought to Pass as Amended by Committee Amendment "B" (H-475)** (4 members)

In House, June 19, 2015, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-474)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-474)**.

In Senate, June 19, 2015, Reports **READ** and the Bill and accompanying papers **INDEFINITELY POSTPONED**, in **NON-CONCURRENCE**.

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

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

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

COMMUNICATIONS

The Following Communication: H.C. 248

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

June 19, 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 359, "An Act To Assist Persons with Breast Cancer."

As promised, I am vetoing all bills sponsored by Democrats, who vote for the job-killing, pro-welfare agenda set by the Maine People's Alliance, but have stifled the voice of the Maine people

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, in order for legislation sponsored by Democrats to become law, they will have to follow the procedure for reconsideration of a veto, which requires two-thirds support of the Legislature and a roll call. Instead of allowing them to pass bills out of the public eye and with no accountability, I believe the Maine people deserve to see how their elected officials voted on each piece of legislation.

For this reason, I return LD 359 unsigned and vetoed.

Sincerely,

S/Paul R. LePage
Governor

READ and **ORDERED PLACED ON FILE**.

The accompanying Bill:

An Act To Assist Persons with Breast Cancer
H.P. 246 L.D. 359

Comes from the House, 145 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 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 (#314)

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

NAYS: Senators: None

EXCUSED: Senator: CUSHING

34 Senators having voted in the affirmative and no Senator having voted in the negative, with 1 Senator being excused, and 34 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 Following Communication: H.C. 249

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

June 19, 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 401, "An Act To Create Transparency in the Mortgage Foreclosure Process."

As promised, I am vetoing all bills sponsored by Democrats, who vote for the job-killing, pro-welfare agenda set by the Maine People's Alliance, but have stifled the voice of the Maine people 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, in order for legislation sponsored by Democrats to become law, they will have to follow the procedure for reconsideration of a veto, which requires two-thirds support of the Legislature and a roll call. Instead of allowing them to pass bills out of the public eye and with no accountability, I believe the Maine people deserve to see how their elected officials voted on each piece of legislation.

For this reason, I return LD 401 unsigned and vetoed.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The accompanying Bill:

An Act To Create Transparency in the Mortgage Foreclosure Process

H.P. 267 L.D. 401

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 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 (#315)

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

NAYS: Senators: EDGECOMB

EXCUSED: Senator: CUSHING

33 Senators having voted in the affirmative and 1 Senator having voted in the negative, with 1 Senator being excused, and 33 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 Following Communication: H.C. 252

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

June 19, 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 895, "Resolve, Directing the Real Estate Commission To Convene a Stakeholder Group on Real Estate Licensure Requirements."

This resolve directs the Real Estate Commission to convene a stakeholder group to review Maine's real estate sales agent licensure requirements to determine if additional classroom hours should be required for licensure, and also whether the Commission should be responsible for tracking continuing education classes taken by sales agents.

The sales agent license is a two-year entry level license that requires 55 hours of classroom time and a passing exam score. The classroom education is supplemented by on-the-job training before the agent moves on to higher licensure. In 2013, the Real Estate Commission looked at whether to increase the required classroom time, and concluded that doing so constituted an unnecessary barrier to employment. Instead, it decided that it would increase education requirements for brokers, who are responsible for training the entry-level sales agents.

Real estate sales agents do not have continuing education requirements, and so it makes absolutely no sense to review any process for tracking those professionals' continuing education hours for them. Additionally, the Office of Professional and Occupational Regulation does not track any licensees' continuing education hours. As professionals, licensees are expected to track their own hours, which may then be audited.

For these reasons, I return LD 895 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 Resolve:

Resolve, Directing the Real Estate Commission To Convene a Stakeholder Group on Real Estate Licensure Requirements
H.P. 614 L.D. 895

Comes from the House, 127 members having voted in the affirmative and 20 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 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 (#316)

YEAS: Senators: ALFOND, DIAMOND, DILL, DUTREMBLE, GERZOFSKY, GRATWICK, HASKELL, HILL, JOHNSON, KATZ, LANGLEY, LIBBY, MILLETT, MIRAMANT, PATRICK, VALENTINO

NAYS: Senators: BAKER, BRAKEY, BREEN, BURNS, COLLINS, CYRWAY, DAVIS, EDGEComb, HAMPER, MASON, MCCORMICK, ROSEN, SAVIELLO, VOLK, WHITTEMORE, WILLETTE, WOODSOME, THE PRESIDENT - MICHAEL D. THIBODEAU

EXCUSED: Senator: CUSHING

16 Senators having voted in the affirmative and 18 Senators having voted in the negative, with 1 Senator being excused, and 16 being less than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **SUSTAINED**.

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

The Following Communication: H.C. 253

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

June 19, 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 1028, "An Act To Amend the Laws Concerning the Registration of Professional Engineers."

As promised, I am vetoing all bills sponsored by Democrats, who vote for the job-killing, pro-welfare agenda set by the Maine People's Alliance, but have stifled the voice of the Maine people 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, in order for legislation sponsored by Democrats to become law, they will have to follow the procedure for reconsideration of a veto, which requires two-thirds support of the Legislature and a roll call. Instead of allowing them to pass bills out of the public eye and with no accountability, I believe the Maine people deserve to see how their elected officials voted on each piece of legislation.

For this reason, I return LD 1028 unsigned and vetoed.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The accompanying Bill:

An Act To Amend the Laws Concerning the Registration of Professional Engineers (EMERGENCY)
H.P. 711 L.D. 1028

Comes from the House, 126 members having voted in the affirmative and 21 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 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 (#317)

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

NAYS: Senators: None

EXCUSED: Senator: CUSHING

34 Senators having voted in the affirmative and no Senator having voted in the negative, with 1 Senator being excused, and 34 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 Following Communication: H.C. 255

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

June 19, 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 1057, "Resolve, To Review and Report Recommendations on the Safety of Motorized Farm Rides Provided for a Fee to the Public."

This bill directs both the Fire Marshal and the Chief of the Maine State Police to convene a group of stakeholders to review how best to ensure the safety of those who go on hayrides. It also requires them to write a report on the findings of the group that must be submitted to two legislative committees by February 1, 2016.

As I write this letter, the illegal drug epidemic is as bad as it has ever been and is getting worse. Also, the Department of Public Safety, the agency targeted by this resolve and the state department tasked with stopping illegal drugs from coming into our state, is understaffed.

I have tried to explain to members of the Legislature that resolves that mandate DPS to complete reports often actually harm the public safety of the State of Maine. If this bill becomes law, resources that could be used to address the most pressing public safety concerns facing our state will instead be used to address a public safety concern that is plainly not as serious as the issue of illegal drugs destroying the lives of thousands of Maine citizens.

For these reasons, I return LD 1057 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 Resolve:

Resolve, To Review and Report Recommendations on the Safety of Motorized Farm Rides Provided for a Fee to the Public
H.P. 726 L.D. 1057

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 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 (#318)

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

NAYS: Senators: BURNS, CYRWAY, DAVIS, EDGEComb, MCCORMICK, WILLETTE

29 Senators having voted in the affirmative and 6 Senators having voted in the negative, and 29 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 Following Communication: H.C. 256

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

June 19, 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 1125, "An Act To Expand Public Access to Epinephrine Autoinjectors."

This bill allows for businesses and organizations to have epinephrine autoinjectors, which may be administered by nonmedical personnel, to persons believed to be suffering anaphylaxis, a potentially life-threatening allergic reaction. The lack of limitation in this bill is staggering. For example, a restaurant could get an autoinjector, and an employee could stick it into a passerby outside the restaurant who might be suffering a severe allergic reaction. An organization with no physical space, like a "youth sports league," could get an autoinjector, which presumably would be kept by a coach working with the league.

There is nothing in the bill to prevent that individual from using the autoinjector on someone outside of a league sporting event. I am concerned about nonmedical personnel injecting people with epinephrine. There are contraindications to administration of epinephrine based on medical history, such as cardiac disease, but that medical history will be completely unknown to the person sticking the needle in.

I appreciate that this bill attempts to allow, but not require, regulatory oversight of this program by the Department of Health and Human Services. After all, the Department does not regulate the use of pharmaceuticals, with the exception of vaccines. The Department does not have the expertise to oversee this program, and so I cannot, in good faith, direct the Department to do so. If the Legislature is comfortable with the lack of limitation in this bill, and the fact that this administration will not oversee this initiative, then so be it.

For these reasons, I return LD 1125 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 Expand Public Access to Epinephrine Autoinjectors
H.P. 776 L.D. 1125

Comes from the House, 143 members having voted in the affirmative and 4 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 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 (#319)

YEAS: Senators: ALFOND, BRAKEY, BREEN, COLLINS, CUSHING, DIAMOND, DILL, DUTREMBLE, GERZOFISKY, GRATWICK, HAMPER, HASKELL, HILL, JOHNSON, KATZ, LANGLEY, LIBBY, MASON, MILLETT, MIRAMANT, PATRICK, ROSEN, SAVIELLO, VALENTINO, WHITTEMORE, THE PRESIDENT - MICHAEL D. THIBODEAU

NAYS: Senators: BAKER, BURNS, CYRWAY, DAVIS, EDGEComb, MCCORMICK, VOLK, WILLETTE, WOODSOME

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 opened the vote.

ROLL CALL (#320)

YEAS: Senators: ALFOND, BREEN, DIAMOND, DILL, DUTREMBLE, GERZOFSKY, GRATWICK, HAMPER, HASKELL, HILL, JOHNSON, LANGLEY, LIBBY, MASON, MILLETT, MIRAMANT, PATRICK, ROSEN, VALENTINO, THE PRESIDENT - MICHAEL D. THIBODEAU

NAYS: Senators: BAKER, BRAKEY, BURNS, COLLINS, CUSHING, CYRWAY, DAVIS, EDGECOMB, KATZ, MCCORMICK, SAVIELLO, VOLK, WHITTEMORE, WILLETTE, WOODSOME

The Following Communication: H.C. 258

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

June 19, 2015

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

20 Senators having voted in the affirmative and 15 Senators having voted in the negative, and 20 being less than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **SUSTAINED**.

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 1179, "An Act To Prohibit Certain Payments with Respect to an Adoption."

This bill prohibits within the context of a child any payment that is not authorized. The bill makes such conduct a Class D crime. I believe this goes too far. There may be legitimate expenses not in law that may be appropriate. It would also risk exposing adoption service employees to criminal liability for harmless mistakes.

For this reason, I return LD 1179 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 Prohibit Certain Payments with Respect to an Adoption
H.P. 812 L.D. 1179

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 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.

Senate at Ease.

Senate called to order by the President.

On motion by Senator **CUSHING** of Penobscot, the Senate **RECONSIDERED** whereby the Veto was **SUSTAINED**.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending **CONSIDERATION**.

The Following Communication: H.C. 259

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

June 19, 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 1256 "An Act To Improve the Safety and Survival of 9-1-1 Callers and First Responders."

Passage of this bill would require that all the public safety answering points in the state provide training in new standardized protocols to their operators. The bill also calls for regular quality assurance checks. This training would be provided at an overtime rate and the costs would have to be absorbed by the agencies.

For this reason, I return LD 1256 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 Improve the Safety and Survival of 9-1-1 Callers and First Responders

H.P. 856 L.D. 1256

Comes from the House, 130 members having voted in the affirmative and 17 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 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."

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

The Following Communication: H.C. 260

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

June 19, 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 1310, "An Act To Amend the Community-based Renewable Energy Program."

The Community-based Renewable Energy Program is a good example of poorly designed energy policy. In 2009, the Legislature enacted the program that requires that the Public Utilities Commission (PUC) approve contracts of 10-cents per kilowatt for 20 years for qualifying renewable projects. The wholesale rate for electricity in Maine is roughly 5 to 6 cents per kilowatt, so the subsidy is roughly a premium of 50 percent. As the PUC testified if the program was expanded to 100MW from the current level of 50MW and fulfilled solely with wind projects it

would annually cost ratepayers between \$15 and \$18 million, or more than \$300 million over the lifetime of the contracts.

Instead of coming to the obvious conclusion that this pilot program was arbitrary, inflexible, costly, and an abysmal failure, the Legislature has determined that the State should actually try to get more above-market contracts. The bill expands the program by only counting the "net-capacity" within the 50 MegaWatt cap rather than the "installed capacity" under current law. This would allow more projects to make money off of ratepayers. The bill also makes the PUC scramble to get more projects approved for above market contracts prior to the expiration of the program at the end of the year.

It is unbelievable to me that this is the only substantive energy bill that has emerged from the Legislature when our energy challenges are a significant economic barrier and cost to struggling Maine families.

For these reasons, I return LD 1310 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 Amend the Community-based Renewable Energy Program

H.P. 888 L.D. 1310

Comes from the House, 107 members having voted in the affirmative and 40 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 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."

Senate at Ease.

Senate called to order by the President.

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

The Following Communication: H.C. 261

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

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

June 19, 2015

The Following Communication: H.C. 262

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

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

Dear Honorable Members of the 127th Legislature:

June 19, 2015

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 1335, "An Act To Amend the Election Laws."

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

This bill makes substantial changes to the election laws. A couple of the most objectionable parts of this bill, however, are based on the assumption that most people are dishonest. For example, this bill adds a restriction that a registrar may not serve during an election when an immediate family member of the registrar is a candidate for federal office. It also makes it a violation of law to communicate in the voting place via text messages or emails. Since most people with character have the ability to do an honest job, regardless of whether their family member(s) are candidates for public office, and since we live in an internet age where legitimate polling data can be communicated electronically, I disagree with this bill's premise.

Dear Honorable Members of the 127th Legislature:

In addition, the bill unnecessarily extends numerous deadlines. More time is given for candidates withdrawing from political races; more time is allowed for when municipal clerks must file a voting place report; and the filing deadline for a declaration of write-in candidacy is almost doubled. There is simply no need for these time extensions.

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 1442, "An Act To Establish a Bag Limit for Brook Trout on Portions of Webster Stream in Piscataquis County."

As promised, I am vetoing all bills sponsored by Democrats, who vote for the job-killing, pro-welfare agenda set by the Maine People's Alliance, but have stifled the voice of the Maine people by preventing them from voting on the elimination of the income tax.

For these reasons, I return LD 1335 unsigned and vetoed. I strongly urge the Legislature to sustain it.

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.

Sincerely,

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.

S/Paul R. LePage
Governor

Therefore, in order for legislation sponsored by Democrats to become law, they will have to follow the procedure for reconsideration of a veto, which requires two-thirds support of the Legislature and a roll call. Instead of allowing them to pass bills out of the public eye and with no accountability, I believe the Maine people deserve to see how their elected officials voted on each piece of legislation.

READ and ORDERED PLACED ON FILE.

For this reason, I return LD 1442 unsigned and vetoed.

The accompanying Bill:

Sincerely,

An Act To Amend the Election Laws
H.P. 907 L.D. 1335

S/Paul R. LePage
Governor

Comes from the House, 119 members having voted in the affirmative and 27 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.

READ and ORDERED PLACED ON FILE.

The President 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 accompanying Bill:

An Act To Establish a Bag Limit for Brook Trout on Portions of Webster Stream in Piscataquis County (EMERGENCY)
H.P. 985 L.D. 1442

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 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."

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

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 **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act To Eliminate Retirement Benefits and Paid Health Insurance for Legislators Elected after 2016"

H.P. 15 L.D. 16

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

Signed:

Senators:

- HAMPER of Oxford
- KATZ of Kennebec
- VALENTINO of York

Representatives:

- ROTUNDO of Lewiston
- FREY of Bangor
- GATTINE of Westbrook
- GRANT of Gardiner
- JORGENSEN of Portland
- MARTIN of Eagle Lake
- NUTTING of Oakland
- WINSOR of Norway

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-482)**.

Signed:

Representatives:

- SIROCKI of Scarborough
- TIMBERLAKE of Turner

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

Reports **READ**.

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

Divided Report

The Majority of the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act To Eliminate the Bonding Authority of the Maine Governmental Facilities Authority"
H.P. 45 L.D. 51

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

Signed:

Senators:

- HAMPER of Oxford
- KATZ of Kennebec
- VALENTINO of York

Representatives:

- ROTUNDO of Lewiston
- FREY of Bangor
- GATTINE of Westbrook
- GRANT of Gardiner
- JORGENSEN of Portland
- MARTIN of Eagle Lake
- NUTTING of Oakland
- WINSOR of Norway

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-483)**.

Signed:

Representatives:

- SIROCKI of Scarborough
- TIMBERLAKE of Turner

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

Reports **READ**.

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

Divided Report

The Majority of the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act To Provide Funds to the Town of Millinocket Due to the Loss in Valuation of the Katahdin Paper Company"

H.P. 817 L.D. 1184

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-486)**.

Signed:

Senators:

KATZ of Kennebec
VALENTINO of York

Representatives:

ROTUNDO of Lewiston
FREY of Bangor
GATTINE of Westbrook
GRANT of Gardiner
JORGENSEN of Portland
MARTIN of Eagle Lake

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

Signed:

Senator:

HAMPER of Oxford

Representatives:

NUTTING of Oakland
SIROCKI of Scarborough
TIMBERLAKE of Turner
WINSOR of Norway

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-486)**.

Reports **READ**.

On motion by Senator **HAMPER** of Oxford, the Minority **OUGHT NOT TO PASS** Report **ACCEPTED**, in **NON-CONCURRENCE**.

Sent down 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 **TAXATION** on Bill "An Act To Amend the Property Tax Fairness Credit"
S.P. 24 L.D. 76

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-202)** (7 members)

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

In Senate, June 19, 2015, on motion by Senator **MCCORMICK** of Kennebec, 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-202)**, in **NON-CONCURRENCE**.

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

Sent down 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 **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Legalize, Tax and Regulate Marijuana"

H.P. 935 L.D. 1380

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

Signed:

Senators:

ROSEN of Hancock
BURNS of Washington
GERZOFKY of Cumberland

Representatives:

FOWLE of Vassalboro
GERRISH of Lebanon
LONG of Sherman
NADEAU of Winslow
THERIAULT of China
TIMMONS of Cumberland
WARREN of Hallowell

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-488)**.

Signed:

Representatives:

CHENETTE of Saco
DAVITT of Hampden
LAJOIE of Lewiston

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

Reports **READ**.

On motion by Senator **ROSEN** of Hancock, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, in 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:

Emergency Measure

An Act To Stabilize and Streamline the Department of Environmental Protection's Ground Water Oil Clean-up Fund and Maine Coastal and Inland Surface Oil Clean-up Fund
S.P. 468 L.D. 1303
(C "A" S-301)

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

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

Ordered sent down forthwith.

Mandate

An Act To Protect Children in School Facilities by Requiring Boiler Inspections

S.P. 114 L.D. 299
(S "A" S-303 to C "A" S-191)

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

Acts

An Act To Strengthen Penalties for Abuse of General Assistance
S.P. 252 L.D. 722
(C "A" S-204)

An Act To Prevent the Shackling of Pregnant Prisoners and Pregnant Juveniles

S.P. 353 L.D. 1013
(C "A" S-302)

An Act To Amend the Polygraph Examiners Act
S.P. 365 L.D. 1039
(C "A" S-300)

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

Ordered sent down forthwith.

An Act To Establish the Municipal Gigabit Broadband Network Access Fund
H.P. 818 L.D. 1185
(S "A" S-257 to C "A" H-288)

On motion by Senator **CUSHING** of Penobscot, **TABLED** until Later in Today's Session, pending **ENACTMENT**, in 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 Regarding Timber Harvesting on Land Managed by the Bureau of Parks and Lands"
H.P. 254 L.D. 388

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-297)**.

Comes from the House with the Report **READ** and the Bill and accompanying papers **INDEFINITELY POSTPONED**.

Report **READ** and **ACCEPTED**, in **NON-CONCURRENCE**.

READ ONCE.

Committee Amendment "A" (H-297) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in **NON-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 **HEALTH AND HUMAN SERVICES** on Bill "An Act To Promote Equity in Business Opportunity for Tobacco Specialty Stores"
S.P. 295 L.D. 821
(C "A" S-262)

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-262)** (7 members)

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

In Senate, June 16, 2015, on motion by Senator **BRAKEY** of Androscoggin, 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-262)**.

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

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

Sent down for concurrence.

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

COMMUNICATIONS

The Following Communication: H.C. 264

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

June 22, 2015

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

Dear Secretary Priest:

House Paper 179, Legislative Document 247, "An Act To Create Corridor Districts for the Purpose of Funding Transportation and Transit Services," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the House proceeded to vote on the question:

"Shall this Bill become a law notwithstanding the objections of the Governor?"

80 voted in favor and 63 against, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

House Paper 398, Legislative Document 574, "An Act To Amend the Laws Governing the Membership of the Maine Commission on Domestic and Sexual Abuse," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

88 voted in favor and 58 against, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

House Paper 510, Legislative Document 757, "An Act To Limit the Amount That May Be Retained on Construction Contracts," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

79 voted in favor and 68 against, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

House Paper 712, Legislative Document 1029, "An Act To Improve Maine's Juvenile Justice System," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

92 voted in favor and 55 against, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

House Paper 785, Legislative Document 1147, "An Act To Clarify the Mortgage Foreclosure Sale Process," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

84 voted in favor and 62 against, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

Sincerely,

S/Robert B. Hunt
Clerk of the House

READ and ORDERED PLACED ON FILE.

ORDERS OF THE DAY

The Chair laid before the Senate the following Tabled and Later Assigned (6/19/15) matter:

HOUSE REPORTS - from the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Authorize a Casino To Benefit Federally Recognized Indian Tribes in the State"
H.P. 990 L.D. 1446

Majority - **Ought to Pass** (12 members)

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

Tabled - June 19, 2015, by Senator **CYRWAY** of Kennebec

Pending - **ACCEPTANCE OF EITHER REPORT**

(In House, June 18, 2015, the Majority **OUGHT TO PASS** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-459).**)

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

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

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

THE PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator Willette.

Senator **WILLETTE:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I'm basically going to read to you a speech that was similar to the one that I gave during the public hearing for a different bill but it applies to this one as this bill is a conglomeration of a couple of different bills. Having served on the VLA Committee, I'm well aware of the deliberations pertaining to gaming, but I'm currently more impressed and enlightened on where the gaming policy for the state of Maine is heading. In the 126th the decision to hire independent consultants to conduct a market analysis regarding the feasibility of expanding gaming in Maine was, perhaps, the boldest move since the initial inception of licensed gaming that began in Maine over nine years ago in Bangor, Maine. I'm encouraged the White Sands Report clearly quantifies the current regional gaming market's capacity for additional commercial casino gaming in Maine. It allows for all gaming facilities to sustain their market share where wagering is conducted statewide. The White Sands Report should finally invalidate the whispering in the halls that additional gaming in Maine is not possible. I admire and respect the Maine tribes and have supported their gaming legislation as VLA Committee member and on the Floor of the House. My Senate district includes the Houlton Band of Maliseet and I have always enjoyed and respect my interactions and conversations with Chief Brenda

Commander and Representative Henry Bear. Chief Commander has been before the VLA Committee on several occasions, patiently stating her case for investing capital, generating desirable employment, and enhancing tourism dollars for the Houlton region and the entire state. Would a potential Maliseet tribal casino in Houlton be the panacea, the cure all, or the single restorative effort for the region's economic recovery? No, but it's a shot in the arm, a stimulus that will attract ancillary businesses to locate and create additional livable wages. All reports signify Canadian tourism dollars will be attracted to the tribal casino in Houlton if that were to see the light of day. L.D. 1446 exempts the Maliseet facility from a statewide referendum but would require a favorable referendum vote by Aroostook County.

In 2013 L.D. 1298, An Act to Authorize the Houlton Band of Maliseet Indians to Operate a Casino in Aroostook County, was introduced and carried over into 2014. Although the bill passed the House with almost two-thirds, it came up short in the Senate and ultimately failed for non-concurrence between the houses. The White Sands Report denotes the following on page 86, if you care to look. It basically says the fiscal note on both L.D. 1298 and 1520, those were the bills back then, notwithstanding distinctions between the demographics of Houlton and Calais, share the same set of generic financial projections. Likely, for many legislators, a strong incentive to push the pause button was provided by a statement common to both fiscal notes. The legislation could have a significant impact on revenues generated by the Hollywood and Oxford Casinos. An assessment of the impact has not been done at this time.

Distinguished members of this Body, through our leadership and in collaboration with the clear and convincing recommendations for expansion from the White Sands Report, an assessment on the impact has been made. I encourage you to follow my light and support economic development for Northern Maine and Downeast Maine. You've got at your desks a handout with my name on it. I encourage you to read that testimony from the town manager of Houlton and there is also a nice blueprint of what the proposed casino might look like. I encourage you to vote against the pending Ought Not to Pass motion. Thank you for your time.

THE PRESIDENT: 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 discuss L.D. 1446, An Act to Authorize a Casino to Benefit Federally Recognized Indian Tribes in the State. The Joint Standing Committee on Veterans and Legal Affairs worked through a number of bills dealing with the casinos this session. We worked to combine the best parts of those bills into L.D. 1446, which is a committee bill. This bill establishes a competitive bid process for a casino in either Washington County or Aroostook County. The committee felt that in order to be fair, if another casino were to be approved, all tribes should have an equal chance to benefit. Here are some key facts about the bill. The fee to submit a bid is \$100,000. The fee for the operator's license is \$1 million for a five year term with a renewal fee of \$100,000. The bidder must make a minimum \$20 million capital investment in the casino. The distribution of net slot machine revenue for the casino is 46% and the distribution of net table game revenue for the casino is 16%. It will allow up to 250 slot machines for the three years and up to 350 machines after three years of slot machine operation at

the casino. Voters would have to approve the operation of a casino by municipal and county-wide referendum.

I think this issue is very important and should be brought before the chambers for a debate and I urge you to think about what an additional casino would mean for the constituents in your district and vote accordingly. I have a hard time myself. I've never stepped foot in a casino in this state. I've been in one casino, I think, in my lifetime. I'm not much of a gambler. I do see the need for jobs. Being a DARE officer, the alcohol, I kind of cringe a little bit and I cringe about the gambling part of it. I have really fought hard both ways here. I can see the tribes needing a casino, but also it really doesn't give a fair shake for everyone else. I kind of wonder about that. I got it through committee as the chairman. I felt that I voted for it because I wanted to get it to the Senate and also to the House to make the decision and also get it, if it has to, to the people. Thank you for your time. Thank you, Mr. President.

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

Senator **PATRICK:** Thank you, Mr. President. Ladies and gentlemen of the Senate, colleagues and friends, I stand in opposition to this motion. As the good Senator said, we worked on this bill several times. To preface my remarks, if any of you know me, I've been here since 2000 and I have always supported a tribal casino. They were the first ones, back in, I think, 1980 to try to expand casino gaming in Maine. I kind of wish they had because probably the issue would be dead now. The White Sands Report, you're going to hear a lot about that between now and the end of the session. To me, the White Sands Report only has as much validity as the side of the issue that they're on. We did hire them because I think trying to find a neutral party to deal with gaming in itself is pretty hard. I think they did a good job as far as trying to be as neutral as they can, but they are in the business for big gaming. The one thing that I will agree with them on, I always knew that there was the ability to have more casino gaming in Maine, depending on where it is and how much cannibalization we wanted to do. I will say that I'm a little bit perplexed at the report that was moved because actually it was a 12-1 report that came out of committee. In fairness to the good Representative, Representative Bear was on the committee. We actually told him we were going to kill his bill and we were going to use the process to come out with a committee bill so that we could take ownership on it. We worked hard and diligently on it, to come up with a process, which is a competitive bid process, that at least two tribes had to bid on it. It doesn't say that all the tribes can't bid on it, but it says at least two tribes have to take ownership. The dispensing of the funds can be with all the tribes.

I'm a little bit perplexed at this time because I've listened to the debate several times and I actually helped get two bills on Governor Baldacci's desk because at the time I think it was the right thing to do. I have been in casinos. As a matter of fact, I was in one Sunday. The meal was good but the gambling wasn't. I lost \$38.88. I came home with \$12 out of my \$40, but I had fun with it. I learned a lesson because I actually watched a lot of people. If I had my druthers I would never vote for another casino and I would vote to abolish casinos in Maine because they're not economic development. I do think that within the scope of what this bill is asking for, the potential to have one in Washington County or Aroostook County, is actually a good thing. It's not going to help them to do everything they want because we're

looking at something small. I call something with 250 machines more a boutique casino. Most casinos of size usually have between 1,000 and 1,500, and that's kind of the norm in Maine, although the size of the casino in Maine, each entity could have 1,500 slot machines and they only have 800 because there isn't the ability. Given the opportunity to start off with the right size casino in either Calais or Houlton, or wherever it would be in Washington County or Aroostook County, gives them the ability to get a revenue stream that they can, in turn, take and put it into other businesses so they can have an opportunity to grow their business background. This is just the start of something that, I think, will lead to many other businesses either in Washington County or Aroostook County. One thing that I've heard here time and time again is that Washington County and Aroostook County need jobs because the outward migration is terrible and the joblessness in these areas are really high as well. I would like everyone to think long and hard when they cast their vote. This isn't a huge expansion and I will say, if you look at all the paperwork pro and con, that there is a potential of affecting the Hollywood Casino by as much as 10%. I will say that I have debated the numerical equations that the White Sands Report had and you're going to hear me speak at length on some of the possibilities of cannibalization in other areas of the state, but I'm not sure if I actually agree that it's going to be 10% cannibalization from the potential tribal casino. I would ask you to vote against the Ought Not to Pass motion and move onto the Ought to Pass as they did in the eastern end of the building. Thank you, Mr. President.

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

Senator **GRATWICK:** Thank you very much, Mr. President. Ladies and gentlemen of the Senate, I rise in support of the Ought Not to Pass today. Two major reasons, both of which have to do with a poorly written bill and several other observations as well. One, the tribes already are benefiting from the current casinos/racinos because under current law the Penobscot and Passamaquoddy tribes share \$2.4 million from the slot revenues from existing casinos. This was to terminate if the tribes began operating their own casinos. However, under the amendment of 1446, this has been done away with. The tribes are, therefore, not only going to have their own revenues from their racino but they're going to be getting it from the current two existing ones. This seems like a very unequal playing field and I think it's going to result in the fact that no one could do well. Second, the revenue cascade, there will be money coming into the State from this but it's not been agreed where this is going to go to. This is simply going to be "up to the Legislature to decide." I think that's a very unsatisfactory pattern. That means we're going to have three different types of revenue sharing with the State, none of which, I think, are going to work out particularly well. We need an overall policy.

Just in general, I think that Maine, and I think most of us would agree, I think everybody in this room would agree, already has enough casinos for the number of gamblers in the state. This is not a big growth industry here. This does not add to the quality of life. It does not add to our productivity. We have enough here. Second, they are very fragile markets. The current casinos are not being utilized to their fullest extent and they could most easily do that. The larger issue here, of course, is have we been fair to the tribes over the past 14 years? My answer to that is no. We

have to have a much better way to go about it than this. The White Sands group is a pro-industry group. You would not expect them to come up with anything other than the report they came up with. I think Ought Not to Pass is entirely appropriate in this instance. This is going to be one of the very, very difficult issues that will be back to visit us in the future, but I think we owe it to the citizens of Maine to do a better job than this legislation. Thank you, Mr. President.

THE PRESIDENT: The pending question before the Senate is the motion by the Senator from Kennebec, Senator Cyrway to Accept the Minority Ought Not to Pass Report, in Non-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 (#321)

YEAS: Senators: ALFOND, BAKER, BREEN, CUSHING, CYRWAY, DAVIS, EDGEComb, GRATWICK, HAMPER, HILL, KATZ, MASON, MCCORMICK, MILLETT, ROSEN, VOLK, WHITTEMORE, THE PRESIDENT - MICHAEL D. THIBODEAU

NAYS: Senators: BRAKEY, BURNS, COLLINS, DIAMOND, DILL, DUTREMBLE, GERZOFISKY, HASKELL, JOHNSON, LIBBY, MIRAMANT, PATRICK, SAVIELLO, VALENTINO, WILLETTE, WOODSOME

EXCUSED: Senator: LANGLEY

18 Senators having voted in the affirmative and 16 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **CYRWAY** of Kennebec to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE, PREVAILED.**

Sent down for concurrence.

Senate at Ease.

Senate called to order by the President.

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

Mandate

An Act To Protect Children in School Facilities by Requiring Boiler Inspections

S.P. 114 L.D. 299
(S "A" S-303 to C "A" S-191)

Placed on the Special Appropriations Table - June 22, 2015, by Senator **HAMPER** of Oxford

Pending - **ENACTMENT**, in concurrence.

(In Senate, June 18, 2015, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-191) AS AMENDED BY SENATE AMENDMENT "A" (S-303)** thereto, in **NON-CONCURRENCE.**)

(In House, June 22, 2015, **PASSED TO BE ENACTED.**)

This being a Mandate, in accordance with the provisions of Section 21 of Article IX of the Constitution, 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 **PASSED TO BE ENACTED** and, having been signed by the President, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

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 Enhance the Address Confidentiality Program Regarding Property Records

H.P. 509 L.D. 756
(C "A" H-472)

An Act To Implement the Recommendations of the Right To Know Advisory Committee Concerning Receipt of a Request for Public Records

H.P. 746 L.D. 1085
(C "A" H-473)

An Act To Require the Department of Health and Human Services To Distribute Information Regarding Down Syndrome to Providers of Prenatal and Postnatal Care and to Genetic Counselors

S.P. 403 L.D. 1134
(H "B" H-480)

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

Ordered sent down forthwith.

Senate at Ease.

Senate called to order by the President.

An Act To Amend the Maine Spruce Budworm Management Laws
S.P. 315 L.D. 870
(H "A" H-466 to C "A" S-252)

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

Ordered sent down forthwith.

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 **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act To Adjust Appropriations and Allocations from the General Fund and Other Funds for the Expenditures of State Government for the Fiscal Year Ending June 30, 2015" (EMERGENCY)

H.P. 166 L.D. 234

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-489)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-489)**.

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

READ ONCE.

Committee Amendment "A" (H-489) **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 **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act To Allow a Former Spouse of a Member of the Maine Public Employees Retirement System To Begin Collecting Benefits When the Former Spouse Reaches the Member's Retirement Age"

H.P. 556 L.D. 822

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-490)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-490)**.

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

READ ONCE.

Committee Amendment "A" (H-490) **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:

ENACTORS

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

Emergency Resolve

Resolve, Reauthorizing the Balance of the 2009 Bond Issue for an Offshore Wind Energy Demonstration Project

S.P. 546 L.D. 1445
(C "A" S-291)

This being an Emergency Measure and having received the affirmative vote of 24 Members of the Senate, with 10 Senators having voted in the negative, and 24 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** and, having been signed by the President, 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:

COMMUNICATIONS

The Following Communication: H.C. 265

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

June 22, 2015

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

Dear Secretary Priest:

Senate Paper 240, Legislative Document 647, "An Act To Require the Department of Health and Human Services To Update Its Rules Governing Services for Children with Cognitive Impairments and Functional Limitations," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

86 voted in favor and 60 against, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

Sincerely,

S/Robert B. Hunt
Clerk of the House

READ and ORDERED PLACED ON FILE.

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

Senate at Ease.

Senate called to order by the President.

Off Record Remarks

RECESSED until the sound of the bell.

After Recess

Senate called to order by the President.

Senate at Ease.

Senate called to order by the President.

ORDERS OF THE DAY

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

HOUSE REPORTS - from the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Remove from the Maine Medical Use of Marijuana Act the Requirement That a Patient's Medical Condition Be Debilitating"

H.P. 22 L.D. 23

Majority - **Ought to Pass** (12 members)

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

Tabled - June 22, 2015, by Senator **BRAKEY** of Androscoggin

Pending - **FURTHER CONSIDERATION**

(In House, May 28, 2015, the Majority **OUGHT TO PASS** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.)

(In Senate, June 16, 2015, the Minority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**, in **NON-CONCURRENCE**.)

(In House, June 19, 2015, **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-484)**, in **NON-CONCURRENCE**.)

Senator **BRAKEY** of Androscoggin moved the Senate **RECEDE**.

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

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

Senator **BRAKEY:** Thank you, Mr. President. I just wanted to state that I hope we will vote to Recede as there is a pending amendment that I would love for this Body to have an opportunity to act on. Thank you very much.

THE PRESIDENT: The pending question before the Senate is the motion by the Senator from Androscoggin, Senator Brakey to Recede. 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 (#322)

YEAS: Senators: ALFOND, BRAKEY, BREEN, DIAMOND, DILL, DUTREMBLE, GERZOFOSKY, HASKELL, JOHNSON, KATZ, LIBBY, MILLETT, MIRAMANT, PATRICK, SAVIELLO, VALENTINO, WILLETTE

NAYS: Senators: BAKER, BURNS, COLLINS, CUSHING, CYRWAY, DAVIS, EDGECOMB, GRATWICK, HAMPER, HILL, MASON, MCCORMICK, ROSEN, VOLK, WHITTEMORE, WOODSOME, THE PRESIDENT - MICHAEL D. THIBODEAU

EXCUSED: Senator: LANGLEY

17 Senators having voted in the affirmative and 17 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **BRAKEY** of Androscoggin to **RECEDE FAILED**.

The Senate **ADHERED**.

Sent down for concurrence.

HELD MATTER

Bill "An Act To Establish a Fund for the Operations and Outreach Activities of the University of Maine Cooperative Extension Animal and Plant Disease and Insect Control Laboratory"

H.P. 759 L.D. 1099
(C "A" H-458)

(In House, June 19, 2015, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-458)**.)

(In Senate, June 19, 2015, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-458)**, in concurrence.)

Senator **CUSHING** of Penobscot moved the Senate **RECONSIDER** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-458)**, in concurrence.

Senator **DILL** of Penobscot requested a Roll Call.

Senate at Ease.

Senate called to order by the President.

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

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

Senator **CUSHING:** Thank you, Mr. President. First my appreciation to my colleague from Penobscot for his consideration. I would like to move that we table this until later in today's session.

On motion by Senator **CUSHING** of Penobscot, **TABLED** until Later in Today's Session, pending the motion by same Senator to **RECONSIDER** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-458)**, in concurrence.

ORDERS OF THE DAY

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

An Act To Prohibit Certain Payments with Respect to an Adoption
H.P. 812 L.D. 1179

Tabled - June 22, 2015, by Senator **CUSHING** of Penobscot

Pending - **CONSIDERATION**

(In House, June 22, 2015, **VETO OVERRIDDEN** and the Bill **PASSED TO BE ENACTED**, notwithstanding the objections of the Governor.)

(In Senate, June 22, 2015, Veto Communication (H.C. 258) **READ** and **ORDERED PLACED ON FILE**. Veto **SUSTAINED**. On motion by Senator **CUSHING** of Penobscot, **RECONSIDERED** whereby the Veto was **SUSTAINED**.)

The President 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 (#323)

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

NAYS: Senators: None

EXCUSED: Senator: LANGLEY

34 Senators having voted in the affirmative and no Senator having voted in the negative, with 1 Senator being excused, and 34 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 Chair laid before the Senate the following Tabled and Later Today Assigned matter:

An Act To Improve the Safety and Survival of 9-1-1 Callers and First Responders

H.P. 856 L.D. 1256

Tabled - June 22, 2015, by Senator **CUSHING** of Penobscot

Pending - **CONSIDERATION**

(In House, June 22, 2015, **VETO OVERRIDDEN** and the Bill **PASSED TO BE ENACTED**, notwithstanding the objections of the Governor.)

(In Senate, June 22, 2015, Veto Communication (H.C. 259) **READ** and **ORDERED PLACED ON FILE.**)

The President 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 (#324)

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

NAYS: Senator: BURNS

EXCUSED: Senator: LANGLEY

33 Senators having voted in the affirmative and 1 Senator having voted in the negative, with 1 Senator being excused, and 33 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 Chair laid before the Senate the following Tabled and Later Today Assigned matter:

An Act To Amend the Community-based Renewable Energy Program

H.P. 888 L.D. 1310

Tabled - June 22, 2015, by Senator **CUSHING** of Penobscot

Pending - **CONSIDERATION**

(In House, June 22, 2015, **VETO OVERRIDDEN** and the Bill **PASSED TO BE ENACTED**, notwithstanding the objections of the Governor.)

(In Senate, June 22, 2015, Veto Communication (H.C. 260) **READ** and **ORDERED PLACED ON FILE.**)

The President 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 (#325)

YEAS: Senators: ALFOND, BAKER, BREEN, COLLINS, CUSHING, CYRWAY, DAVIS, DIAMOND, DILL, DUTREMBLE, GERZOFsky, GRATWICK, HASKELL, HILL, JOHNSON, KATZ, LIBBY, MILLETT, MIRAMANT, PATRICK, SAVIELLO, VALENTINO, VOLK, WOODSOME

NAYS: Senators: BRAKEY, BURNS, EDGEComb, HAMPER, MASON, MCCORMICK, ROSEN, WHITTEMORE, WILLETTE, THE PRESIDENT - MICHAEL D. THIBODEAU

EXCUSED: Senator: LANGLEY

24 Senators having voted in the affirmative and 10 Senators having voted in the negative, with 1 Senator being excused, and 24 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 Chair laid before the Senate the following Tabled and Later Today Assigned matter:

An Act To Amend the Election Laws

H.P. 907 L.D. 1335

Tabled - June 22, 2015, by Senator **CUSHING** of Penobscot

Pending - **CONSIDERATION**

(In House, June 22, 2015, **VETO OVERRIDDEN** and the Bill **PASSED TO BE ENACTED**, notwithstanding the objections of the Governor.)

(In Senate, June 22, 2015, Veto Communication (H.C. 261) **READ** and **ORDERED PLACED ON FILE.**)

The President 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 (#326)

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

NAYS: Senators: BAKER, BRAKEY, BURNS, COLLINS, CUSHING, CYRWAY, DAVIS, EDGEComb, HAMPER, MASON, MCCORMICK, ROSEN, VOLK, WHITTEMORE, WILLETTE, WOODSOME, THE PRESIDENT - MICHAEL D. THIBODEAU

EXCUSED: Senator: LANGLEY

17 Senators having voted in the affirmative and 17 Senators having voted in the negative, with 1 Senator being excused, and 17 being less than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **SUSTAINED**.

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

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

An Act To Establish a Bag Limit for Brook Trout on Portions of Webster Stream in Piscataquis County (EMERGENCY)
H.P. 985 L.D. 1442

Tabled - June 22, 2015, by Senator **CUSHING** of Penobscot

Pending - **CONSIDERATION**

(In House, June 22, 2015, **VETO OVERRIDDEN** and the Bill **PASSED TO BE ENACTED**, notwithstanding the objections of the Governor.)

(In Senate, June 22, 2015, Veto Communication (H.C. 262) **READ** and **ORDERED PLACED ON FILE**.)

The President 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 (#327)

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

NAYS: Senators: None

EXCUSED: Senator: LANGLEY

34 Senators having voted in the affirmative and no Senator having voted in the negative, with 1 Senator being excused, and 34 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.

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

An Act Regarding Limitations on Certain Storm Water Fees
S.P. 26 L.D. 78
(C "A" S-4)

Placed on the Special Highway Table - April 2, 2015, by Senator **COLLINS** of York

Pending - **ENACTMENT**, in concurrence

(In Senate, March 25, 2015, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-4)**.)

(In House, April 1, 2015, **PASSED TO BE ENACTED**.)

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

Ordered sent down forthwith.

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

Emergency Resolve

Resolve, To Create a License Plate To Recognize the Centennial of the United States Navy Reserve

S.P. 98 L.D. 260
(C "A" S-11)

Placed on the Special Highway Table - April 21, 2015, by Senator **COLLINS** of York

Pending - **FINAL PASSAGE**, in concurrence

(In Senate, April 7, 2015, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-11).**)

(In House, April 16, 2015, **FINALLY PASSED.**)

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, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

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

PAPERS FROM THE HOUSE

Non-Concurrent Matter

HOUSE REPORTS - from the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Enhance Energy Cost Reduction and Facilitate Heating Alternatives in furtherance of the Omnibus Energy Act" (EMERGENCY)
H.P. 839 L.D. 1221
(C "B" H-387)

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-386)** (7 members)

Minority - **Ought to Pass as Amended by Committee Amendment "B" (H-387)** (6 members)

In House, June 19, 2015, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-386)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-386) AS AMENDED BY HOUSE AMENDMENT "C" (H-485)** thereto.

In Senate, June 22, 2015, on motion by Senator **MASON** of Androscoggin, the Minority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "B" (H-387)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-387)**, in **NON-CONCURRENCE**.

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

On motion by Senator **WOODSOME** of York, the Senate **RECEDED**.

On further motion by same Senator, Bill and accompanying papers **COMMITTED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY**, in **NON-CONCURRENCE**.

Sent down 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 Improve Regulatory Consistency within the Jurisdiction of the Maine Land Use Planning Commission
H.P. 562 L.D. 828
(S "A" S-307 to C "A" H-374)

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

Ordered sent down forthwith.

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

COMMUNICATIONS

The Following Communication: S.C. 472

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

June 22, 2015

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

Dear President Thibodeau and Speaker Eves:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Judiciary has voted unanimously to report the following bill(s) out "Ought Not to Pass":

L.D. 351 An Act To Reinstate as a Nonprofit Corporation
the Orchard Hills Umbrella Association
(EMERGENCY)

This is notification of the Committee's action.

Sincerely,

S/Sen. David C. Burns
Senate Chair

S/Rep. Barry J. Hobbins
House Chair

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

On motion by Senator **MASON** of Androscoggin, **ADJOURNED** to Tuesday, June 23, 2015, at 10:00 in the morning.

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

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 **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Promote Minimum Wage Consistency"
S.P. 494 L.D. 1361
(C "A" S-142)

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

Minority - **Ought to Pass as Amended by Committee Amendment "A" (S-142)** (6 members)

In Senate, June 18, 2015, on motion by Senator **VOLK** of Cumberland, 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-142).**

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

Senator **VOLK** of Cumberland moved the Senate **INSIST** and **ASKED FOR A COMMITTEE OF CONFERENCE.**

Senate at Ease.

Senate called to order by the President.

On motion by Senator **MASON** of Androscoggin, **TABLED** until Later in Today's Session, pending the motion by Senator **VOLK** of Cumberland to **INSIST** and **ASK FOR A COMMITTEE OF CONFERENCE.**

Off Record Remarks