

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

In Senate Chamber
Thursday
May 21, 2015

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

Prayer by Senator Andre E. Cushing III of Penobscot County.

SENATOR CUSHING: Friends and colleagues, we come here every day to do the citizen's work. We're given a great responsibility. This is a country that allows us to express ourselves in different ways and I ask that those of you who would join me would reflect upon the duties before us as we move into the final month of our session. Would you bow your heads with me.

Dear Lord, we thank You for the blessings You've given to our state and our country. We thank You for watching over us, protecting us as we come and go to this city and this building, for the work that we do, for giving us the peace that passes all understanding to deal with the many pleas that come before us, to work hard for the citizens of our state, to be thoughtful and careful in how we execute the role that we have been granted by our citizens. We ask that You continue to give us the fortitude and the wisdom that we need to complete our task and move forth from here in a timely way. All God's people said Amen.

Pledge of Allegiance led by Senator Roger J. Katz of Kennebec County.

Reading of the Journal of Wednesday, May 20, 2015.

Doctor of the day, Kenneth Christian, MD of Holden.

Off Record Remarks

Out of order and under suspension of the Rules, on motion by Senator **MASON** of Androscoggin, the following Joint Order:
S.P. 537

Ordered, the House concurring, that when the Senate and House adjourn, they do so until Tuesday, May 26, 2015 at 10:00 in the morning.

READ and PASSED.

Ordered sent down forthwith for concurrence.

PAPERS FROM THE HOUSE

Non-Concurrent Matter

SENATE REPORTS - from the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Protect Employees from Abusive Work Environments"

S.P. 63 L.D. 188

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-101)** (7 members)

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

In Senate, May 19, 2015, on motion by Senator **VOLK** of Cumberland, 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-101)**, in **NON-CONCURRENCE**.

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

Sent down for concurrence.

Non-Concurrent Matter

SENATE REPORTS - from the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Provide a Source of Funding for Drug Abuse Resistance Education"
S.P. 144 L.D. 376

Majority - **Ought Not to Pass** (9 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (S-95)** (4 members)

In Senate, May 19, 2015, motion by Senator to **ROSEN** of Hancock to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report **FAILED**. Subsequently, 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-95)**.

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

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

Sent down for concurrence.

Non-Concurrent Matter

Bill "An Act To Expand the Scope of Practice for Denturists"
H.P. 327 L.D. 488
(C "A" H-130)

In Senate, May 13, 2015, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-130)**, in concurrence.

Comes from the House, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-130) AND HOUSE AMENDMENT "A" (H-169)**, in **NON-CONCURRENCE**.

On motion by Senator **VOLK** of Cumberland, the Senate **RECEDED** and **CONCURRED**.

Non-Concurrent Matter

HOUSE REPORTS - from the Committee on **TRANSPORTATION** on Resolve, To Study the Feasibility and Cost of Providing Passenger Rail Service to the City of Bangor
H.P. 806 L.D. 1174

Majority - **Ought Not to Pass** (12 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (H-134)** (1 member)

In House, May 14, 2015, the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-134)**.

In Senate, May 19, 2015, on motion by Senator **COLLINS** of York, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**, in **NON-CONCURRENCE**.

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

On motion by Senator **COLLINS** of York, the Senate **ADHERED**.

House Paper

Bill "An Act To Allow Maine Residents To Personally Import Medications as Permitted under the Federal Food, Drug, and Cosmetic Act" (EMERGENCY)
H.P. 968 L.D. 1422

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

Comes from the House, **REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT**.

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

COMMUNICATIONS

The Following Communication: S.C. 334

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

May 20, 2015

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

Dear President Thibodeau and Speaker Eves:

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

L.D. 546 An Act To Assist Individuals To Obtain a Permit To Grow and Sell Water Spinach

This is notification of the Committee's action.

Sincerely,

S/Sen. Peter E. Edgecomb
Senate Chair

S/Rep. Craig V. Hickman
House Chair

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

The Following Communication: S.C. 335

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

May 20, 2015

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

Dear President Thibodeau and Speaker Eves:

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

L.D. 573 An Act To Provide for Annulment of Certain Arrest Records and Expungement of Certain Confidential Criminal History Record Information

This is notification of the Committee's action.

Sincerely,

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

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 336

STATE OF MAINE ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS

May 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 Education and Cultural Affairs has voted unanimously to report the following bill(s) out "Ought Not to Pass":

- L.D. 218 An Act To Support Fair Financing in Charter Schools and School Administrative Units (EMERGENCY)
L.D. 380 Resolve, To Establish a Working Group To Aid with the End of Student Hunger (EMERGENCY)
L.D. 391 Resolve, To Create a State-run Virtual Academy Providing Maine Students with Access to Online Learning through Their Existing School Districts (EMERGENCY)
L.D. 1118 Resolve, To Establish the Study Commission on the Social Emotional Learning and Development of Maine's Young Children (EMERGENCY)

L.D. 1207 Resolve, To Implement an Online Professional Development Platform for Teachers and Educators

This is notification of the Committee's action.

Sincerely,

S/Sen. Brian D. Langley Senate Chair S/Rep. Victoria P. Kornfield House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 337

STATE OF MAINE ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS

May 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 Education and Cultural Affairs has voted unanimously to report the following bill(s) out "Ought Not to Pass":

- L.D. 130 An Act To Exempt Certain Established Public Prekindergarten Programs from New Regulations
L.D. 579 An Act To Allow Teachers To Teach and Students To Learn by Amending the Laws Governing Education Standards
L.D. 601 An Act To Clarify the Authority of Individualized Education Plans in Relation to Proficiency-based Diplomas
L.D. 749 An Act To Ensure Integrity in Students' Proficiency
L.D. 1153 An Act To Restore Local Control of Education to Towns
L.D. 1198 An Act To Improve Representation on the Board of Trustees of the University of Maine System

This is notification of the Committee's action.

Sincerely,

S/Sen. Brian D. Langley
Senate Chair

S/Rep. Victoria P. Kornfield
House Chair

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

The Following Communication: S.C. 338

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

May 20, 2015

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

Dear President Thibodeau and Speaker Eves:

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

L.D. 832 An Act To Improve Public Health in Maine

This is notification of the Committee's action.

Sincerely,

S/Sen. Eric L. Brakey
Senate Chair

S/Rep. Andrew M. Gattine
House Chair

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

The Following Communication: S.C. 339

**STATE OF MAINE
ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE
COMMITTEE ON INLAND FISHERIES AND WILDLIFE**

May 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 Inland Fisheries and Wildlife has voted unanimously to report the following bill(s) out "Ought Not to Pass":

L.D. 158 Resolve, To Direct the Department of Inland Fisheries and Wildlife To Modify Fishing Rules for Webster Stream in Piscataquis County

L.D. 906 Resolve, To Review Maine's Fish Stocking Rules

This is notification of the Committee's action.

Sincerely,

S/Sen. Paul T. Davis
Senate Chair

S/Rep. Michael A. Shaw
House Chair

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

The Following Communication: S.C. 340

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

May 20, 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. 735 An Act To Establish a Voluntary Preforeclosure Mediation Program

This is notification of the Committee's action.

Sincerely,

S/Sen. David C. Burns
Senate Chair

S/Rep. Barry J. Hobbins
House Chair

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

The Following Communication: S.C. 341

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

May 20, 2015

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

Dear President Thibodeau and Speaker Eves:

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

L.D. 1187 An Act To Specify the Record-keeping Requirements for Social Workers

This is notification of the Committee's action.

Sincerely,

S/Sen. Amy F. Volk S/Rep. Erin D. Herbig
Senate Chair House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 342

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

May 20, 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 Marine Resources has voted unanimously to report the following bill(s) out "Ought Not to Pass":

L.D. 800 An Act To Prevent Passage of Alewives through the Grand Falls Dam on the St. Croix River

This is notification of the Committee's action.

Sincerely,

S/Sen. Linda L. Baker S/Rep. Walter A. Kumiega
Senate Chair House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 343

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

May 15, 2015

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

Dear President Thibodeau and Speaker Eves:

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

L.D. 406 An Act To Increase the Salaries of the Governor and Legislators

L.D. 857 An Act To Prohibit Public Endorsement of Candidates for Office by County Employees and Elected Officials

This is notification of the Committee's action.

Sincerely,

S/Sen. Rodney L. Whittemore S/Rep. Roland Danny Martin
Senate Chair House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 344

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

May 20, 2015

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

Dear President Thibodeau and Speaker Eves:

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

L.D. 41 An Act To Require the Inspection of Certain Vehicles Used To Transport Members of the General Public

This is notification of the Committee's action.

Sincerely,

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

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

The Following Communication: S.C. 345

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

May 20, 2015

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

Dear President Thibodeau and Speaker Eves:

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

L.D. 1189 An Act To Make Certain Local Primaries Nonpartisan

This is notification of the Committee's action.

Sincerely,

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

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

The Following Communication: H.C. 160

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

May 20, 2015

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

Dear Secretary Priest:

The House voted today to insist on its former action whereby it accepted the Majority Ought Not to Pass Report of the Committee on Transportation on Bill "An Act To Prohibit the Use of a Mobile Telephone When Operating a Motor Vehicle Except in Hands-free Mode" (S.P. 60) (L.D. 185)

Sincerely,

S/Robert B. Hunt
Clerk of the House

READ and **ORDERED PLACED ON FILE.**

The Following Communication: S.C. 331

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

19 May 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 311 "An Act To Improve Attendance at Public Elementary Schools."

This bill would seek to lower the age at which children may be declared truant to five years old from the current age of seven. While this bill may be well-intentioned it is ill-advised. I cannot support a law that would interfere with the rights of parents to decide when their children are ready for school. This bill marks an invasion of the government into family matters. While there is much that the State of Maine can and should do to provide high quality education for our children, we should focus on investing in our classrooms and our teachers. We should prioritize inspiring

our kids to learn rather than sending out truancy officers to round up five- and six-year-olds who may not yet be ready to learn.

For these reasons, I return LD 311 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 Attendance at Public Elementary Schools
S.P. 126 L.D. 311

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

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

The President took a seat on the Floor.

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

Senate at Ease.

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

SENATE PAPERS

Bill "An Act To Allow Hunters Whose Religion Prohibits Wearing Hunter Orange Clothing To Instead Wear Red"
S.P. 538 L.D. 1430

Presented by President THIBODEAU of Waldo.
Cosponsored by Senators: DAVIS of Piscataquis, MASON of Androscoggin, Representative: SHERMAN of Hodgdon.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

On motion by Senator **DAVIS** of Piscataquis, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed.

Sent down for concurrence.

Bill "An Act To Help Facilitate New Career Opportunities and Attract Major Private Investment"

S.P. 539 L.D. 1431

Presented by Senator CUSHING of Penobscot. (GOVERNOR'S BILL)

On motion by Senator **CUSHING** of Penobscot, **REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed.

Sent down for concurrence.

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

ORDERS

Joint Resolutions

On motion by President **THIBODEAU** of Waldo (Cosponsored by Representative HERBIG of Belfast and Representatives: GILLWAY of Searsport, KINNEY of Knox), the following Joint Resolution:

S.P. 536

**JOINT RESOLUTION
RECOGNIZING THE BELFAST ROTARY CLUB ON ITS
90TH ANNIVERSARY**

WHEREAS, in June of 1925, 20 years after the first Rotary Club was formed by Paul P. Harris in Chicago, the Belfast Rotary Club received its charter through the extended efforts of several Belfast residents, including Linwood B. Thompson, who would serve as its first president; and

WHEREAS, for the last 90 years, 90 men and women from the Belfast region have stepped forward to serve as the President of the Belfast Rotary Club to lead its great humanitarian efforts on a local, state, national and international level; and

WHEREAS, for 90 years, hundreds of individual men and women from the Belfast region have come forward to serve as honored members of the Belfast Rotary Club under the motto "Service Above Self"; and

WHEREAS, at the local level, the Belfast Rotary Club has provided annual financial support for international community and student exchanges, established a scholarship program that over the last 32 years has provided over \$425,000 in scholarships, organized and run community events, supported food pantries, brought Christmas gifts to low-income persons in the region and contributed to other charitable and targeted efforts to support those most challenged or in need; and

WHEREAS, today the Belfast Rotary Club proudly works every day with 32,000 Rotary Clubs in over 200 countries around the world; and Rotary International has contributed more than

\$900,000,000 to the eradication of polio and annually assists with humanitarian projects in impoverished and threatened regions around the globe; and

WHEREAS, the Belfast Rotary Club stands today as an exceptional example of the generosity, warmth and caring nature of Belfast residents; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-seventh Legislature now assembled in the First Regular Session, on behalf of the people we represent, take this opportunity to send our gratitude and appreciation to the Belfast Rotary Club for 90 years of continuous service to the people of the Belfast region, the State and the rest of the world; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Belfast Rotary Club with our congratulations and best wishes.

READ.

THE PRESIDENT PRO TEMPORE: The Chair recognizes the Senator from Waldo, Senator Thibodeau.

Senator **THIBODEAU**: Thank you, Mr. President. Ladies and gentlemen of the Senate, I rise this morning to express my pride in the Belfast Rotary Club. As many of you have Rotary Clubs back in your own districts, I know that you realize the tremendous work that these organizations do. We need more civic organizations like the Rotary, that are out doing really great work for the folks that we represent. I know that the Rotary Club here in Belfast engages in fundraising in several different areas, including pancake breakfasts, golf tournaments. Fundraising is a big part of what the Rotary does because they want to do some really great things. The Belfast Rotary has a program where they deliver Christmas gifts to many needy children throughout Waldo County. As they get together and they wrap the gifts, Santa comes along, along with many of the helpers from throughout Waldo County that are Santa's helpers, and they actually compete to see who can deliver the most gifts to the folks. It's a rewarding experience and something that the Rotary is particularly proud of. We're very proud of the 90 year history. There have been many great individuals that have been involved. No organization lasts, or has a history of 90 years, without the dedication of some very wonderful people. With that, ladies and gentlemen, I appreciate your indulgence. I know that you all are very proud of your Rotary as am I. Thank you, Mr. President.

On motion by Senator **THIBODEAU** of Waldo, **ADOPTED**.

Sent down for concurrence.

THE PRESIDENT PRO TEMPORE: The Chair is pleased to recognize in the rear of the Chamber members of the Belfast Rotary Club. John Carrick, President; Etienne Perret, Assistant District Governor; Micky Sirota; Su Wood; Phil Carthage; Al Feather; and Sue Feather. Will they please rise and accept the greetings of the State Senate.

Joint Resolution in Memoriam:

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

Helen Geraldine Plummer, of Windham. Mrs. Plummer grew up in the village of White Rock in Gorham and graduated from Gorham High School in 1940. She married D. William "Bill" Plummer, and they settled in Windham. She worked on local elections for many years, was a member of the Order of the Eastern Star and was a Worthy Matron in 1961. She also was a Cub Scout, Brownie and Girl Scout Leader, a school volunteer, a member of the Windham Rotary Garden Club, a 75-year member of the White Rock Grange and a member of the Windham Historical Society. In 1965, she started college and earned her bachelor's degree and master's degree, enabling her to fulfill her lifelong dream to become a classroom teacher. She was a member of the Maine Education Association and of the National Education Association, a member of the Gorham Alumni Association and a member of the Cumberland County Retired Teachers Association. Mrs. Plummer will be long remembered and sadly missed by her friends and colleagues and her family, including her son the Honorable Gary Plummer and his wife Betty, her daughter Rebecca Delaware and her husband Roger, her daughter-in-law Judy Plummer and her grandchildren and great-grandchildren;

SLS 480

Sponsored by Senator DIAMOND of Cumberland.
Cosponsored by Senators: BAKER of Sagadahoc, BRAKEY of Androscoggin, BURNS of Washington, COLLINS of York, CUSHING of Penobscot, CYRWAY of Kennebec, DAVIS of Piscataquis, DILL of Penobscot, DUTREMBLE of York, EDGEComb of Aroostook, GERZOFsky of Cumberland, HAMPER of Oxford, HASKELL of Cumberland, KATZ of Kennebec, LANGLEY of Hancock, MASON of Androscoggin, McCORMICK of Kennebec, MILLETT of Cumberland, MIRAMANT of Knox, ROSEN of Hancock, SAVIELLO of Franklin, President THIBODEAU of Waldo, VOLK of Cumberland, WHITTEMORE of Somerset, WILLETTE of Aroostook, WOODSOME of York, Representatives: AUSTIN of Gray, BATES of Westbrook, BATTLE of South Portland, BRYANT of Windham, BUCKLAND of Farmington, COREY of Windham, CRAFTS of Lisbon, DAVITT of Hampden, DILLINGHAM of Oxford, DOORE of Augusta, ESPLING of New Gloucester, Speaker EVES of North Berwick, GATTINE of Westbrook, GERRISH of Lebanon, GIDEON of Freeport, GILBERT of Jay, GINZLER of Bridgton, HARLOW of Portland, HILLIARD of Belgrade, KINNEY of Limington, KUMIEGA of Deer Isle, LONG of Sherman, LONGSTAFF of Waterville, MAKER of Calais, MAREAN of Hollis, McCLELLAN of Raymond, NUTTING of Oakland, PARRY of Arundel, PICCHIOTTI of Fairfield, ROTUNDO of Lewiston, SANDERSON of Chelsea, SHERMAN of Hodgdon, STEARNS of Guilford, TIMBERLAKE of Turner, TURNER of Burlington, WARD of Dedham.

READ.

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

REPORTS OF COMMITTEES

House

Pursuant to Joint Order

The Committee on **JUDICIARY** on Bill "An Act To Amend the Laws Relating to Corporations and Limited Partnerships"
H.P. 971 L.D. 1425

Reported that the same be **REFERRED** to the Committee on **JUDICIARY**, pursuant to Joint Order, H.P. 931.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **JUDICIARY**.

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

REFERRED to the Committee on **JUDICIARY**, in concurrence.

Ought to Pass As Amended

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Align Maine's School Marketing Law with Current Federal Food Standards"

H.P. 680 L.D. 985

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-157)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-157)**.

Report **READ**.

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

The Committee on **HEALTH AND HUMAN SERVICES** on Resolve, To Increase Funding To Support Peer Centers
H.P. 316 L.D. 477

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-160)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-160)**.

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

READ ONCE.

Committee Amendment "A" (H-160) **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 **HEALTH AND HUMAN SERVICES** on Bill "An Act To Provide Funding for Home Visiting Services"
H.P. 376 L.D. 552

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-161)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-161)**.

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

READ ONCE.

Committee Amendment "A" (H-161) **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 **HEALTH AND HUMAN SERVICES** on Bill "An Act To Establish a Block Grant Program for Homemaker Services"

H.P. 446 L.D. 665

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-162)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-162)**.

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

READ ONCE.

Committee Amendment "A" (H-162) **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 **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Provide Access to Opioid Analgesics with Abuse-deterrent Properties"

H.P. 638 L.D. 919

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-159)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-159)**.

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

READ ONCE.

Committee Amendment "A" (H-159) **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 **JUDICIARY** on Bill "An Act To Clarify That the Medical Records of Applicants for Disability Variances Submitted to Municipal Boards of Appeal Are Not Public Records"

H.P. 94 L.D. 136

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-163)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-163)**.

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

READ ONCE.

Committee Amendment "A" (H-163) **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 **JUDICIARY** on Bill "An Act To Clarify Restrictions on Disclosure of E-9-1-1 System Information"

H.P. 149 L.D. 206

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-165)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-165)**.

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

READ ONCE.

Committee Amendment "A" (H-165) **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 **JUDICIARY** on Bill "An Act To Amend Certain Laws Affecting the Judicial Branch"

H.P. 611 L.D. 892

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-164)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-164)**.

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

READ ONCE.

Committee Amendment "A" (H-164) **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 **JUDICIARY** on Bill "An Act To Increase Consumer Protections"

H.P. 859 L.D. 1259

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-166)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-166)**.

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

READ ONCE.

Committee Amendment "A" (H-166) **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 **TRANSPORTATION** on Bill "An Act To Improve the Health of Maine Citizens and Safety of Pedestrians"

H.P. 537 L.D. 788

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-171)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-171)**.

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

READ ONCE.

Committee Amendment "A" (H-171) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **VETERANS AND LEGAL AFFAIRS** on Resolve, To Establish a Task Force To Ensure Equity in the Benefits Provided to Military Service Members
H.P. 68 L.D. 74

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-168)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-168)**.

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

READ ONCE.

Committee Amendment "A" (H-168) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Change Municipal Campaign Contribution Limits"
H.P. 430 L.D. 617

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-167)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-167)**.

Report **READ**.

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

ORDERS OF THE DAY

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

JOINT RESOLUTION - Memorializing Helen Geraldine Plummer of Windham

SLS 480

Tabled - May 21, 2015, by Senator **CUSHING** of Penobscot

Pending - **ADOPTION**

(In Senate, May 21, 2015, **READ**.)

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

Senator **DIAMOND:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I am proud today to rise and speak in memory of a Windham resident that we all were very fond of. Helen Geraldine Plummer, who was the mother of a former member of this Body, Gary Plummer, passed away. You see her full name but for most of us, except maybe for her immediate family, it was always Mrs. Plummer. I would not have the audacity to say, "Good morning, Helen." I would say, "Good morning, Mrs. Plummer." I think many people felt the same way because of that respect. She was an unusual person. She lived a long and productive life, and she was so involved in the community. Beyond all that, she decided, at a later age in life, in 1965, to go to college. She got her Bachelor's Degree and, like her, she didn't stop. She went on and got her Master's Degree and became a teacher, something, from what I understand, she always wanted to do, although she was a teacher even though she might not have had the degree. She certainly was a teacher to family and many of us in the community. I was proud to know her and her family and I think that today, by recognizing all that she has done, we're doing what the people of Windham would love to have us do. I'm proud to be here for that. Gary, her son, is here today with his wife, Betty, and his sister, Becky, who is also a teacher, and Becky's daughter, Bethany, and little Noah. I want to point out how good little Noah has been because of the delay, normal delays happen, to get to this sentiment. Noah has been a perfect child, as I think probably you would all expect him to be. Mr. President and members of the Senate, I do speak today with sadness of the loss of Mrs. Plummer and also ask you to join me in recognizing Gary Plummer and his family, who are here in the back of the room.

At the request of Senator **DIAMOND** of Cumberland, **READ**.

THE PRESIDENT PRO TEMPORE: The Chair recognizes the Senator from Waldo, Senator Thibodeau.

Senator **THIBODEAU:** Thank you, Mr. President. Ladies and gentlemen of the Senate, as we all know, when you become a member of this Body you become family. That gives us an opportunity to share some pretty special times together. I had an opportunity recently to share a very special time with the Plummer family when I attended Gary and Betty's wedding recently. I got to meet Mrs. Plummer. She was a very special lady, as you can tell, heavily involved in her community and beloved by her community. If Gary is any indication of the quality of people that his brothers and sisters are then certainly they are wonderful people as well and that doesn't happen by chance. That happens because they are raised by, obviously, a very special lady. This is our opportunity to extend our condolences, let our friends know that we share in their sorrow when they lose somebody that's very special to them. I just want to extend, on behalf of the Senate, the real feeling of loss and disappointment and hope that the Plummer family recognizes that we realize that the state has lost a very special person as well. Thank you.

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

Senate called to order by the President.

Senator **HASKELL:** Thank you very much, Mr. President. I'd like to just speak briefly because I had the opportunity to serve on a committee with Representative Plummer. I switched chairs a couple of times in the committee and we always had a very cordial relationship. One of the things that I remember most about the Honorable Gary Plummer was his devotion to his mother. That is an example that we all should be looking to. There were many times in committee that I'd say, "Oh, Gary, have a good weekend," or "I'll see you later." "Yep, I'm going to take my Mom to the doctors," or "Mom and I are heading out somewhere," or "I'm stopping by Mom's house to see her." I think, as I get older and I start to look at my kids, I'm hoping that any one of them would be as attentive, as thoughtful, and as good a son as Gary was to his Mom. Thank you.

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

Senator **GERZOFSKY:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I, too, want to stand up and recognize Mrs. Plummer. My knowledge of Mrs. Plummer is through her son. Many of you here know that we served together quite a few years on Criminal Justice and Public Safety, along with the President. As Gary was going through health issues with his Mom I was also with my Mom. He was such great strength to me going through that process. Watching how he was handling it, and how he was conducting himself on some tough issues gave me a little bit more strength than I might have had otherwise. I just want to say that a Mom raises her kids as a reflection of herself sometimes and, looking at a family, there is no higher respect for the parents that raise them. Knowing Gary like I do, his Mom must have been really something special to take the raw Gary Plummer, at some point in his life, and made him the good man he is today. I want to just mention that, Mr. President.

THE PRESIDENT PRO TEMPORE: The Chair would also take the liberty to extend condolences to the Plummer family.

ADOPTED.

Sent down for concurrence.

THE PRESIDENT PRO TEMPORE: The Chair is pleased to recognize in the rear of the Chamber the Honorable Gary Plummer; his wife, Betty; daughter of the deceased, Rebecca Delaware; granddaughter, Bethany Bosse; and great-grandson, Noah Bosse. They are from Windham and they are the guests of the Senator from Cumberland, Senator Diamond. Would they please rise and accept the condolences of the State Senate.

The President Pro Tempore requested the Sergeant-At-Arms escort the Senator from Waldo, Senator **THIBODEAU**, to the rostrum where he resumed his duties as President.

The Sergeant-At-Arms escorted the Senator from Androscoggin, Senator **MASON**, to his seat on the floor.

Divided Report

The Majority of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act To Include Nonalcoholic Malt Beverages in the List of Exempt Products in the Law Regarding the Labeling of Genetically Engineered Products"

H.P. 295 L.D. 456

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

Signed:

Senators:

- EDGECOMB of Aroostook
- DILL of Penobscot
- SAVIELLO of Franklin

Representatives:

- BLACK of Wilton
- DUNPHY of Old Town
- EDGECOMB of Fort Fairfield
- KINNEY of Knox
- MAREAN of Hollis
- McELWEE of Caribou
- NOON of Sanford

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

Signed:

Representatives:

- HICKMAN of Winthrop
- CHAPMAN of Brooksville
- SAUCIER of Presque Isle

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

Reports **READ.**

On motion by Senator **EDGECOMB** of Aroostook, the Majority **OUGHT TO PASS** Report **ACCEPTED**, in concurrence.

Under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, in concurrence.

Divided Report

The Majority of the Committee on **MARINE RESOURCES** on Bill "An Act To Improve Lobster Licensing"

H.P. 615 L.D. 896

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

Signed:

Senators:

BAKER of Sagadahoc
LANGLEY of Hancock

Representatives:

KUMIEGA of Deer Isle
BLUME of York
DEVIN of Newcastle
HAWKE of Boothbay Harbor
PIERCE of Dresden
SAWICKI of Auburn
TUELL of East Machias

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

Signed:

Senator:

MIRAMANT of Knox

Representatives:

ALLEY of Beals
BATTLE of South Portland
McCREIGHT of Harpswell

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

Reports **READ**.

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

Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Buy American-made Products" H.P. 273 L.D. 407

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-141)**.

Signed:

Senator:

LIBBY of Androscoggin

Representatives:

MARTIN of Sinclair
BABBIDGE of Kennebunk
BEEBE-CENTER of Rockland
BRYANT of Windham
DOORE of Augusta
EVANGELOS of Friendship

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

Signed:

Senators:

WHITTEMORE of Somerset
WILLETTE of Aroostook

Representatives:

GREENWOOD of Wales
PICKETT of Dixfield
TUELL of East Machias
TURNER of Burlington

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-141)**.

Reports **READ**.

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

On motion by Senator **HILL** of York, 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 Libby.

Senator **LIBBY:** Thank you, Mr. President. Men and women of the Senate, I rise in opposition to the pending motion. The bill that is before us establishes the Maine Buy America Act and requires that all contracts for the construction, reconstruction, alteration or repair, improvement, or maintenance of a public building or a public work made by a State agency contain a provision that the manufactured goods, including iron and steel, used in this construction be manufactured in the United States. This does not apply to school districts and it doesn't apply to municipalities. This bill provides many exemptions when those materials are not readily available. The idea behind this is that tax dollars used in these projects should, to the extent possible, be spent on American made products. Companies that manufacture overseas, a lot of the products that we use in the construction industry, are often not held to the same standards as American companies when it comes to workplace safety, child labor laws, and environmental responsibility. By procuring iron, steel, and other goods made overseas, we're undermining American companies who are playing by the rules and doing what's right. By using tax dollars to purchase foreign made goods for public works projects, we are, instead, rewarding companies that have chosen to off-shore good paying jobs. This is a good bill, a very reasonable bill. It provides substantial exemptions when American made products are not readily available. I'd ask you to vote against the pending motion so that we can get onto the Majority Report. 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 rise in opposition to this motion so we can move onto the task at hand. I cannot imagine how any American, let alone any Mainer, would want to not buy American when it's available. We continually say we want to try to get good, livable wage paying jobs in Maine, but we also want to have an America that is vibrant. If we don't at least put the priority, when it's available and when it's reasonable, to buy our own products we're just going to further perpetuate the downward harmonization of the American and Maine economies. I would ask you to follow my light and vote not to pass. Thank you.

THE PRESIDENT: The pending question before the Senate is the motion by the Senator from Somerset, Senator Whittemore 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 (#81)

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

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

20 Senators having voted in the affirmative and 15 Senators having voted in the negative, the motion by Senator **WHITTEMORE** of Somerset to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE, PREVAILED.**

Sent down for concurrence.

Senate

Ought to Pass As Amended

Senator DAVIS for the Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Eliminate Permits for Turkey Hunting and To Expand Turkey Hunting"

S.P. 279 L.D. 781

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

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

READ ONCE.

Committee Amendment "A" (S-103) **READ** and **ADOPTED.**

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

Sent down for concurrence.

Senator CYRWAY for the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act Regarding Write-in Candidates in Municipal and City Elections"

S.P. 219 L.D. 626

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-107).**

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

READ ONCE.

Committee Amendment "A" (S-107) **READ** and **ADOPTED.**

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

Sent down for concurrence.

Divided Report

The Majority of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on RESOLUTION, Proposing an Amendment to the Constitution of Maine To Permit 25 Acres or Less To Be Withdrawn from Taxation as Timberland and Woodland without Penalty

S.P. 416 L.D. 1169

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

Signed:

Senators:

EDGECOMB of Aroostook
SAVIELLO of Franklin
DILL of Penobscot

Representatives:

BLACK of Wilton
CHAPMAN of Brooksville
DUNPHY of Old Town
EDGECOMB of Fort Fairfield
KINNEY of Knox
MAREAN of Hollis
McELWEE of Caribou
NOON of Sanford
SAUCIER of Presque Isle

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-102).**

Senate at Ease.

Signed:

Senate called to order by the President.

Representative:

HICKMAN of Winthrop

Reports **READ**.

On motion by Senator **EDGECOMB** of Aroostook, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**.

Sent down for concurrence.

Senator **ROSEN** of Hancock requested and received leave of the Senate to withdraw her motion to **TABLE** until later in today's session.

On motion by same Senator, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**.

Sent down for concurrence.

Divided Report

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Create the Crime of Intentional Interference with Business Operations" S.P. 383 L.D. 1096

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

Signed:

Senator:

GERZOFISKY of Cumberland

Representatives:

FOWLE of Vassalboro
CHENETTE of Saco
DAVITT of Hampden
LAJOIE of Lewiston
NADEAU of Winslow
WARREN of Hallowell

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

Signed:

Senators:

ROSEN of Hancock
BURNS of Washington

Representatives:

GERRISH of Lebanon
LONG of Sherman
THERIAULT of China
TIMMONS of Cumberland

Reports **READ**.

Senator **ROSEN** of Hancock moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

Same Senator moved to **TABLE** until later in today's session, pending **ACCEPTANCE OF EITHER REPORT**.

Divided Report

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Create a Civil Cause of Action for Intentional Interference with Business Operations" S.P. 427 L.D. 1200

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

Signed:

Senator:

GERZOFISKY of Cumberland

Representatives:

FOWLE of Vassalboro
CHENETTE of Saco
DAVITT of Hampden
LAJOIE of Lewiston
NADEAU of Winslow
THERIAULT of China
WARREN of Hallowell

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

Signed:

Senators:

ROSEN of Hancock
BURNS of Washington

Representatives:

GERRISH of Lebanon
LONG of Sherman
TIMMONS of Cumberland

Reports **READ**.

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

Divided Report

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Change the Type of Rulemaking Required Regarding Persons with Intellectual Disabilities or Autism"

S.P. 441 L.D. 1236

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

Signed:

Senators:

- BRAKEY of Androscoggin
- McCORMICK of Kennebec
- HASKELL of Cumberland

Representatives:

- GATTINE of Westbrook
- BURSTEIN of Lincolnville
- HAMANN of South Portland
- HEAD of Bethel
- HYMANSON of York
- MALABY of Hancock
- PETERSON of Rumford
- STUCKEY of Portland
- VACHON of Scarborough

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

Signed:

Representative:

- SANDERSON of Chelsea

Reports **READ**.

On motion by Senator **BRAKEY** of Androscoggin, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**.

Sent down for concurrence.

Divided Report

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Fund the Maine Diversion Alert Program" (EMERGENCY)

S.P. 475 L.D. 1307

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-106)**.

Signed:

Senators:

- BRAKEY of Androscoggin
- McCORMICK of Kennebec

Representatives:

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

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

Signed:

Senator:

- HASKELL of Cumberland

Representatives:

- GATTINE of Westbrook
- BURSTEIN of Lincolnville
- HAMANN of South Portland
- STUCKEY of Portland

Reports **READ**.

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

Divided Report

The Majority of the Committee on **INLAND FISHERIES AND WILDLIFE** on Resolve, Directing the Department of Inland Fisheries and Wildlife To Amend Its Rules Regarding the Bag Limit on Smelts

S.P. 437 L.D. 1232

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

Signed:

Senators:

- CYRWAY of Kennebec
- DUTREMBLE of York

Representatives:

- SHAW of Standish
- COREY of Windham
- CRAFTS of Lisbon
- HILLIARD of Belgrade
- LYFORD of Eddington
- REED of Carmel
- WOOD of Greene

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

Signed:

Senator:

- DAVIS of Piscataquis

Representatives:
ALLEY of Beals
MARTIN of Sinclair
SHORT of Pittsfield

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

Sent down for concurrence.

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

Reports **READ.**

On motion by Senator **MASON** of Androscoggin, the Majority **OUCHT NOT TO PASS** Report **ACCEPTED.**

Sent down for concurrence.

Divided Report

The Majority of the Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Permit Funds for Prearranged Funerals To Be Invested under a Wider Range of Options" S.P. 469 L.D. 1304

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

Signed:

Senators:
BAKER of Sagadahoc
GRATWICK of Penobscot

Representatives:
BROOKS of Lewiston
COOPER of Yarmouth
FOLEY of Wells
MELARAGNO of Auburn
MORRISON of South Portland
PRESCOTT of Waterboro
WALLACE of Dexter

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-108).**

Signed:

Senator:
WHITTEMORE of Somerset

Representatives:
BECK of Waterville
PICCHIOTTI of Fairfield
TUCKER of Brunswick

Reports **READ.**

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

Sent down for concurrence.

Divided Report

The Majority of the Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Amend the Health Plan Improvement Law Regarding Prescription Drug Step Therapy" S.P. 103 L.D. 289

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-104).**

Signed:

Senators:
WHITTEMORE of Somerset
BAKER of Sagadahoc
GRATWICK of Penobscot

Representatives:
BROOKS of Lewiston
COOPER of Yarmouth
MELARAGNO of Auburn
MORRISON of South Portland
PICCHIOTTI of Fairfield
PRESCOTT of Waterboro
TUCKER of Brunswick
WALLACE of Dexter

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

Signed:

Representatives:
BECK of Waterville
FOLEY of Wells

Reports **READ.**

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

READ ONCE.

Committee Amendment "A" (S-104) **READ** and **ADOPTED.**

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

ENACTORS

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

Act

An Act Regarding the Removal of Moorings and Floating Docks in Great Ponds During Ice-in Conditions

H.P. 21 L.D. 22
(H "A" H-137 to C "A" H-34)

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.

RECALLED FROM GOVERNOR'S DESK

An Act To Exempt a Fee for a Paper or Plastic Single-use Carry-out Bag from Tax

S.P. 206 L.D. 590
(C "A" S-15)

(In Senate, May 14, 2015, **PASSED TO BE ENACTED**, in concurrence.)

(**RECALLED** from the Governor's Desk, pursuant to Joint Order (S.P. 534), in concurrence.)

On motion by Senator **HAMPER** of Oxford, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENACTED**, in concurrence.

On further motion by same Senator, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **ENACTMENT**, in concurrence.

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Establish the Forensic Treatment Fund To Establish a Behavioral Assessment and Safety Evaluation Unit"
H.P. 974 L.D. 1428

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

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

ORDERS OF THE DAY

The Chair laid before the Senate the following Tabled and Later Assigned (5/7/15) matter:

HOUSE REPORTS - from the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Increase Funding for the Maine Community College System"

H.P. 838 L.D. 1220

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-107)** (7 members)

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

Tabled - May 7, 2015, by Senator **LANGLEY** of Hancock

Pending - **ACCEPTANCE OF EITHER REPORT**

(In House, May 5, 2015, the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-107)**.)

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

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

READ ONCE.

Committee Amendment "A" (H-107) **READ** and **ADOPTED**, in concurrence.

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

Off Record Remarks

The Chair laid before the Senate the following Tabled and Later Assigned (5/13/15) matter:

Bill "An Act To Protect Students' Rights and Privacy Regarding Their School Records"

H.P. 53 L.D. 59

Tabled - May 13, 2015, by Senator **MASON** of Androscoggin

Pending - **CONSIDERATION**

(In Senate, April 28, 2015, **PASSED TO BE ENACTED**, in concurrence.)

(In House, May 12, 2015, Veto **OVERRIDDEN** and the Bill **PASSED TO BE ENACTED**, notwithstanding the objections of the Governor.)

(In Senate, May 13, 2015, Veto Communication (H.C. 142) **READ** and **ORDERED PLACED ON FILE.**)

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

Senator **LANGLEY:** Thank you, Mr. President. I rise to encourage the men and women of the Senate to vote for an Override on this matter. The folks on the Education Committee worked diligently to extend the privacy rights and data collection of students from the public schools over into our private schools. We've had a number of testimonies of where those rights that are, by federal law, extended to public schools and that's because of the funding mechanism. If you accept federal funds you have to go by the FERPA laws. Those don't exist in the private schools and, frankly, we felt that those children ought to have the same exact rights. Thank you.

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 (#82)

YEAS: Senators: ALFOND, BAKER, BREEN, BURNS, COLLINS, CUSHING, 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: Senator: BRAKEY

34 Senators having voted in the affirmative and 1 Senator having voted in the negative, 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 Assigned (5/13/15) matter:

SENATE REPORTS - from the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Create a 9-month Time Limit on General Assistance Benefits"

S.P. 361 L.D. 1035

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

Minority - **Ought to Pass as Amended by Committee Amendment "A" (S-85)** (6 members)

Tabled - May 13, 2015, by Senator **CUSHING** of Penobscot

Pending - motion by Senator **BRAKEY** of Androscoggin to **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report

(In Senate, May 13, 2015, Reports **READ.**)

On motion by Senator **BRAKEY** 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 very much, Mr. President. I rise today to support the Ought to Pass motion on L.D. 1035, An Act to Create a 9-Month Time Limit on General Assistance Benefits." This bill would create a maximum of 275 days within a 5-year period that an individual who is capable of working and without dependents may receive General Assistance benefits. As the sponsor of the bill, the proposal arose out of conversations with several of Maine's municipal welfare directors who operate Maine's General Assistance programs. These local welfare directors see the shortcomings and the loopholes of these programs on a daily basis and suggested several reform proposals. I cannot speak to those other proposals, as they will be coming to this Body in separate legislation, but today I'm proud to speak in favor of the commonsense reform proposal before us in L.D. 1035.

The General Assistance program is intended as a safety net for short-term, acute emergencies. Increasingly, however, Maine taxpayers find themselves paying into General Assistance to serve longer term purposes, including subsidized housing. We can debate the merits of separate programs for subsidized housing, but that is not the purpose of the General Assistance program. Among the endorsements for this proposal include the welfare directors from many of Maine's cities, including Biddeford, Lewiston, and Auburn. To highlight the testimony of a few, Lewiston's municipal welfare director, Sue Sharon, wrote, "In order to continue receiving SNAP benefits able bodied persons without dependents are now required to volunteer or work for a certain number of hours each month based on the amount of SNAP that they are eligible to receive. A number of these able bodied persons have not complied with the requirements and are applying for GA to essentially replace their SNAP benefits. GA cannot include the SNAP benefits as a resource when determining eligibility, so if there is a deficit, and the person meets all the GA eligibility requirements, the person can be granted food assistance. This is causing an increase in GA expenditures and these expenditures will only increase as more individuals lose their SNAP benefits. Implementing a time limit for able bodied persons without dependents to receive GA holds the client

accountable and adds accountability into the program." In the testimony of Vicki Edgerly, the director of health and welfare for the City of Biddeford, she notes, "General Assistance was not designed to be a long-term means of support for those who are able to work."

Establishing time limits for adults without dependents and capable of working broadcasts that we have a robust safety net capable of catching people when they fall and also establishes that the generosity of taxpayers for those who can work does not stretch on indefinitely. General Assistance is meant to provide short-term emergency help to those in a desperate situation. Putting a reasonable time limit on the benefits will not only help lessen the burden on the municipalities and taxpayers, but helps move us one step further from an entitlement culture while protecting benefits for those who truly need them. I intend to vote in favor of the Ought to Pass motion and I hope this Body will join me. Thank you very much.

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

Senator **HASKELL:** Thank you very much, Mr. President. Ladies and gentlemen of the Senate, I rise in opposition to the pending motion and would give you just a little bit of insight into some of the other information that we have. Municipalities keep their own data about General Assistance. There is no centralized database. I think if we were to truly begin to look at GA that that's a reform that we ought to undertake so we have a better understanding of what GA is doing, where it's doing it, how it's doing it. It is different from community to community. However, there have been some recent examples that I can talk to you about. In Bangor, for instance, they provide GA to about 5,000 households and about 80% of those receive that assistance for 3 months or less. I think if you polled and asked General Assistance providers they would tell you that the number of people who extend beyond 270 days are few. The majority of people do use General Assistance in the way that it was intended, as a short-term bridge to employment or to better circumstances. The University of New England did interview a group of people from Bangor and from Portland who had received GA for more than 6 months and provided some statistics for us. Just to get a sense of what that population looks like, 97% of that population indicated that they do not own a vehicle, so being able to work and being able to find a job that you can get to without a vehicle are two different things. The overwhelming majority of those people, 92%, and these are the ones who have been on for longer, talked about what some of the other handicaps were that they had, physical or mental, that were hurting them in being able to find a job that was suitable to their skills. An overwhelming majority of them, 92%, said that they would have no place to live without help from general assistance.

The other piece that's included in this bill is this idea that people have to be capable of working. That's a term that's not defined. That means that the definition would be left to municipal GA administrators. Other welfare programs have trained professionals that determine that ability to work. Here that's going to be left with your municipal GA administrator. Capable of working is not always being able to be hired and that would be at the determination of that municipal official. I am going to quote here from testimony of the Maine Municipal Association in opposition to this bill. They said their concerns are that it would be broadly applied and could significantly limit access to

assistance for basic necessities without consideration of these factors. Local economic circumstances. Being able to find a job in South Portland, near the Mall, might be different than being able to find a job in some other parts of the state. Local economic circumstances do change. There are housing needs that are different from one part to the other. This is in Maine Municipal's testimony. Transportation barriers, that I spoke of. Municipal officials believe that the limitations proposed in the bill would unfairly impact residents of the state's most rural communities, where both employment opportunities and public transportation is unavailable.

Furthermore, municipal officials are uncertain as to how this limit would be administered. The absence of a statewide database to track GA benefits provided to a single individual, who could reside in multiple communities over a 5-year period, would make it nearly impossible to accurately determine if and when an applicant had reached that limit. Without a centralized resource, municipal officials are concerned that the administrator's decision would be challenged either by DHHS, which could threaten reimbursement, or by advocates who could threaten litigation. In any case, property taxpayers would be left holding the bag.

For all the reasons that are the thoughtful reasons regarding the few number individuals who might be impacted, I would tell you that I perceive this as a tiger without any teeth. It can roar, but there are no teeth in this. I would urge you to vote Ought Not to Pass and reject the pending motion. Thank you.

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 to speak against this particular motion. I have worked for a number of years, many years, doing disability evaluations for patients, working for Workman's Compensation, for patients in general. It takes me an hour to an hour and a half at least to go through a careful history, physical, to see what the work capacity is of someone. There are physical therapists who specialize in this as well. It takes them at least two hours to go through a careful evaluation. The problem with this bill is that "able to work" and "capable of work" are not defined. I think that if this bill goes through it's a bill that would perhaps make people feel better, but it's really not getting at the problem. We really need to define what it is if you are "capable of work" before we go forth in this way. I recommend, as does the good Senator Haskell, we vote against this and we can look at it again in the future, but not certainly in this form. Thank you, Mr. President.

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

Senator **ALFOND:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I also stand opposed to the current motion on the floor, not just because I'm a resident of Portland, not because I'm an elected official of Portland, but because I'm a Mainer. We in Maine have a proud tradition of being compassionate, caring, and looking out for one another. Growing up in Dexter, where I spent most of my formative years, I often would see many families struggle. Many families not to have some of the things they needed on the most basic level. They were using General Assistance. What worries me most is that these families sometimes would have emergencies, a fire or not

enough oil for the winter. If they had used up their 9 months, which is being proposed in this bill, what would they do? What options would they have?

I was curious enough to go and look at the Maine DHHS website to understand where this mythology of short-term comes from because on both sides we talk about short-term being General Assistance. This is coming right from the definition of General Assistance from the Maine Department of Health and Human Services. Emergency assistance provided benefits to families with children in some situations when the family is threatened by destitution or homelessness due to an emergency situation. These situations include fire, other natural disasters, termination of utility services, evictions, or lack of adequate shelter. Only certain items can be purchased. Unless I'm missing something, there is nothing in there that says short-term. Now this is just part of the mythology of a lot of the different things that are happening in our state, where there is actually nothing in our definition in the State of Maine that says short-term under General Assistance.

The good Senator from Cumberland and the good Senator from Penobscot talked about what this would mean for people. I just have a couple of stories, one starting from the good Senator from Penobscot's region. A man from Bangor was born with a genetic condition that causes a number of health issues, from heart disease to learning disabilities. He is able to work but until recently still lived in a shelter. He wanted to keep his job and get his own place for the first time in his life and better manage his health. He went to GA for help and it was the foundation needed to get back on his feet and stay there. This gentleman would need GA for more than 275 days in the 5 years as proposed in this proposal. This man wouldn't have gotten the help. We'll go to another story, in Camden. We heard from Karen, 58 year old Mom. Is raising a son with Down Syndrome and was abandoned by her husband. Their home was foreclosed on and they became homeless, staying with family and friends two hours away for a week at a time, and then with a mid-coast neighbor for several weeks. The car she depends on to get her son to his services and work, which is now in danger, is being repossessed. On several occasions she has needed help from GA to pay for utilities or to ensure that her car is registered. She is tremendously grateful for the help she has gotten and will likely continue to need GA on and off for some time. When she learned that there were bills to limit GA she told us that her lifeline would be cut and she couldn't imagine how stressful it would be not to have this General Assistance.

You could go on and on with stories across our state and it's just unfortunate that this one program, that provides this lifeline to so many, has become so polarized in our state. It has become what some would call a political hammer that one side uses against the other because they see a political advantage. I think it's really tremendously sad. People use GA as a lifeline, the last line of defense when things are going very poorly for themselves and their families.

This got me to think of why we have General Assistance and it got me to remember a great quote that I often think of from Franklin D. Roosevelt. He said, "The test of our progress is not whether we add more to the abundance of those who have so much, it is whether we provide enough to those who have so little." Ladies and gentlemen of the Senate, I ask you and urge you to vote against the pending motion. The solution that is being proposed in this legislation, L.D. 1035, is inflexible, it's harsh, and

it does not reflect the realities that are facing many of our Maine people. Thank you, Mr. President.

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

Senator **BRAKEY:** Thank you, Mr. President. I apologize for rising a second time. I just heard concern from several of my colleagues about the potential effect of this bill on families. I just wanted to alleviate their concerns and point to the text in the bill that clarifies that this only affects individuals capable of work and without dependents. Individuals with dependents, with children, would not be affected by this proposal. Alleviating that concern, I'm sure, they will follow my light. Thank you very much.

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

Senator **CUSHING:** Thank you, Mr. President. Colleagues of the Senate, I rise today on this issue having served on the Town Counsel in Hamden. We weighed some of the nature of these issues. I've been in hearings with individuals in our community and I recognize that when people are at a difficult point in their life they need their friends and neighbors to step up. There are many community organizations besides government, Mr. President, who reach out to take care of those in our communities. They may do things a little different in the big City of Portland, Mr. President, but, as I understand it, General Assistance is for those times when people need a hand up, not a lifestyle. I think that we're talking about a reasonable opportunity here. I think that there are always opportunities for those who create the understanding in their community of the need to find ways to help their friend and neighbors, but Maine has, sadly, become known for its overly generous policies towards people who don't treat General Assistance in the manner that the communities and the State intended it to be. I think that this is a thoughtful and proper step in taking individuals, many of whom may be capable of providing for themselves, and limiting the availability of hardworking Mainer's tax dollars being funneled through a system that sometimes forgets that their purpose is to be a lifeline and not a hammock. Thank you, Mr. President.

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

Senator **MIRAMANT:** Thank you, Mr. President. Men and women of the Senate, like Senator Cushing, I have dealt with these issues at the town level. One of the things that's been most gratifying about town politics was dealing at this level with our clerks who see the folks that need General Assistance and, in many cases, don't need to go further than that. They know these folks. They know they need help. They also follow up and check on them at no cost to the town. This is one of those programs that is so personal that we can keep track of it. We know if someone's abusing it and we can say no. We'd love the State programs to be that responsive and that knowledgeable about every situation, but they can't. They have to have a hard set of rules. We can set up rules that protect the town, protect the taxpayer, protect the individuals in need, and just blanket regulations, like we might need for the overall State rules, don't need to be applied to local GA. It's a program with heart. It's administered fairly. The integrity of our town, which was brought

up for another issue, is amazing and an area to look at for the whole state, for every town. I bet that your towns are the same way. These folks run that program so efficiently and compassionately that it's one of the best programs we have going and I don't want to limit it and start adding rules to it, to take that heart out. Thank you.

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

Senator **LIBBY:** Thank you, Mr. President. May I pose a question through the Chair?

THE PRESIDENT: The Senator may pose his question.

Senator **LIBBY:** Thank you, Mr. President. Given the absence of a state-wide database to track General Assistance benefits given to individuals over a 5 year period, how in the world is the State going to enforce this new law? Thank you.

THE PRESIDENT: The Senator from Androscoggin, Senator Libby poses a question through the Chair to anyone who may wish to answer. The Chair recognizes the Senator from Androscoggin, Senator Brakey.

Senator **BRAKEY:** Thank you, Mr. President. In response to the question of my colleague, the good Senator from Androscoggin County. Since an individual reapplies for General Assistance every month if they are to continue beyond a single month, my understanding is that, from speaking to several of our municipal welfare directors, there is an interview and a series of questions that goes on there. It certainly wouldn't be very difficult to ascertain if someone had recently moved into the municipality from another municipality, and, since there are records kept at these, I can't imagine, if it were the case that someone had recently moved, it would be very hard to get on the phone, call over to that other municipality, and obtain that information. That information is only a phone call away. Thank you very much, Mr. President.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#83)

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

NAYS: Senators: ALFOND, DILL, GERZOFISKY, GRATWICK, HASKELL, HILL, JOHNSON, LIBBY, MILLETT, MIRAMANT, VALENTINO

24 Senators having voted in the affirmative and 11 Senators having voted in the negative, the motion by Senator **BRAKEY** of Androscoggin to **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report **PREVAILED**.

READ ONCE.

Committee Amendment "A" (S-85) **READ** and **ADOPTED**.

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

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (5/14/15) matter:

HOUSE REPORTS - from the Committee on **HEALTH AND HUMAN SERVICES** on Resolve, To Direct the Department of Health and Human Services To Address the Growing Deficit in Room and Board Allowances Paid to Agencies Providing Residential Services to Adults with Intellectual Disabilities or Autism (EMERGENCY)

H.P. 192 L.D. 274

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-131)** (7 members)

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

Tabled - May 14, 2015, by Senator **MASON** of Androscoggin

Pending - motion by Senator **BRAKEY** of Androscoggin to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE**

(In House, May 13, 2015, the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-131).**)

(In Senate, May 14, 2015, Reports **READ**. Motion by Senator **BRAKEY** of Androscoggin to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE**, **FAILED**. On motion by Senator **MASON** of Androscoggin, **RECONSIDERED**.)

Senate at Ease.

Senate called to order by the President.

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

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

Senator **HASKELL:** Thank you very much, Mr. President. Ladies and gentlemen of the Senate, just to refresh your memory about what it is we're talking about here, this is a Resolve which has to do with those folks who are in residential services, adults with intellectual disabilities or Autism, for many of whom all of their checks that they get, like SSI, are completely used up in rent, leaving nothing for folks. Right now these facilities are showing significant deficits because of the lack of funding and this bill simply asks that the department resolve that issue and identify the need for General Fund cost changes within the Office of Aging and Disability Services. Thank you.

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

Senator **BRAKEY:** Thank you, Mr. President. I rise today to support the Ought Not to Pass motion on L.D. 274. Some of the concerns from my colleague from Cumberland has raised, I'm very much in agreement with on some of the problems that do exist in these current programs, but, to put it simply, the very premise of this particular piece of legislation is fatally flawed. It spends \$40,000 in General Fund dollars to hire an individual to audit the room and board costs incurred by the agencies that own and operate residential dwellings for individuals receiving these services. However, when the department pays for these services, providers are not paid based on cost. DHHS pays for this as a lump sum, not a rate. This bill would spend taxpayer money to gather information that is not immediately useful unless we are to restructure the way payments are made, which this bill, and no bill before us, as I understand, proposes to do. For that reason, the reason being that the information that would be gathered is of no immediate purpose and would cost us \$40,000 to gather, I hope this Body will support the motion of Ought Not to Pass. Thank you very much.

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

Senator **HASKELL:** Thank you very much, Mr. President. Ladies and gentlemen of the Senate, I would just remind folks that there is a rate setting which is set to take effect that was not an APA process for that particular rate setting process, nor were these facilities asked what their costs were when the rates were set. That's no way to set a rate. That's no way to be supporting these people, who are some of the most vulnerable in our communities. Thank you.

THE PRESIDENT: The pending question before the Senate is the motion by the Senator from Androscoggin, Senator Brakey 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 (#84)

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

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

19 Senators having voted in the affirmative and 16 Senators having voted in the negative, the motion by Senator **BRAKEY** of Androscoggin to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE, PREVAILED.**

Sent down for concurrence.

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

Bill "An Act To Continue the Visual and Digital Media Loan Program and the Visual and Digital Media Loan Fund"
S.P. 145 L.D. 377

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

Pending - **CONSIDERATION**

(In Senate, May 5, 2015, **PASSED TO BE ENACTED**, in concurrence.)

(In Senate, May 19, 2015, Veto Communication (S.C. 321) **READ** and **ORDERED PLACED ON FILE.**)

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

Senator **VALENTINO:** Thank you, Mr. President. Men and women of the Senate, I rise today to address points that were raised in the veto letter. First, what this bill is and what this bill isn't. Two, why it is an unused program and why it is not a feel good vote. Three, the economic impact of the bill.

First of all, what this bill isn't. This is not the film bill tax credit. I repeat. This is not the film bill tax credit. This is not the bill for the \$25 million tax credit. This is not the blockbuster films coming in with the A-list stars. This is not the million dollars in tax credits. In 2011, when I was working on previous film bills, this was crafted by myself and by the Commissioner of the DECD, who did most of the crafting also, to help small, independent Maine filmmakers. This bill is not a tax credit. This bill, as the title says, is the visual and digital medial loan program. It was set up through FAME and was seeded with \$5,000. This is a loan program. You apply for the loan based on your business plan, based on financial documents, based on marketing plans. If you obtain the loan then it kicks in that there may be a loan forgiveness. Those people who start a project, and don't finish a

project, have signed a commitment for a loan. They owe the money to the State of Maine. If you go through with the project and you have met certain criteria, such as 75% of the completed project or production has been filmed in the state of Maine; that you spent at least \$100,000 in the state of Maine on production costs; that you have a marketing plan to promote this film; that you give the State of Maine a signed agreement that they have access to all of the film trailers, all of the B-roll footage, which promotes the state of Maine, free of charge; that you put in the film that this was done through the help of the State of Maine; and, most importantly, you have a signed agreement with the State of Maine saying that if you go through this loan forgiveness process that you state you will not take any claim for any income tax credit under any film tax bill. Pretty straight forward, to help small people in their bills.

Secondly, this bill was actually a dream bill for any committee chair who looked at their agenda and had maybe 12 items on the agenda. It came up and has changed one word, not even a word, in existing statute. It changed the year 2015 to 2018. That was the only change. As a sponsor of the bill, I stood up, I presented this one change, nobody else spoke for the bill, nobody spoke against the bill, nobody spoke for or against the bill. The Administration never came down and said they were against this bill. We were done within 5 or 10 minutes. We were done in less time than it's going to take me to make this speech on the floor to get this bill through committee. It was unanimous through committee. It went through the House. It went through the Senate. We all voted for it. Easy, easy bill to go through.

The second point I want to make is that it says in the veto letter that this program has never been used. This program has never been funded, therefore it has never been used. Makes sense. I agree. It hasn't been used because it hasn't been funded. It goes on to state, "This piece of legislation is simply a feel good bill. Either we fund it or we get rid of it. Doing neither one makes no sense." I agree also. I'd go downstairs right now and I'd appropriate \$1 million and go put it in. If you'd all vote for me, great let's fund it. I think it's a great bill. As far as a feel good bill, I'm a member of a committee that reviews all of these programs. You want to talk about feel good bills, I can list dozens of feel good bills that we have, programs that are seeded with \$500 or \$5,000, and we have them on the books. Many of them maybe you sponsored. I will bring one up here today as our feel good bill and why we do it. In 2003, there was a fiscal stability program put in to ensure the public and hunters and anglers was included in the cost of Fish and Wildlife conservation, that if there was ever any extra money that 18% in excess of the Department's requested biennial bill it would be put in that That was in 2003. In 2005, we changed the year to 2007. In 2007, we changed the year to 2009. In 2009, we changed the year to 2011. In 2011, we changed it to 2013. In this budget, by this Administration, they have the exact same language and we're kicking it out to 2018, and this has never, ever been funded into effect since 2003. Let's talk about feel good bills. There are a lot of them out there. I just wanted to bring that up.

Now let's talk about the economics. It says, this is the most important part, the Maine Film Office reports an increase in film production in Maine of more than 200% over the past 2 years, adding more than \$10 million in spending to Maine's economy. We continue to fund corporation after corporation to entice them to come into the state of Maine with tens of millions of dollars in tax breaks. We take over landfills. We have outstanding loans. We do it time and time again for businesses that are on the

decline. We have a business that has grown 200% in 2 years and we don't want to help our small, independent film makers on a loan that they may end up paying back to the State of Maine? I just want to say, I want to give you some examples, who would use this if it was funded. We know it's too late for Tumbledown. They went to Massachusetts. We have a wonderful film, Anatomy of the Tide, done by local Joel Strunk. I saw the movie. It debuted down in Rockland. It was wonderful. It was too long. They needed to cut 15 minutes from the film. It doesn't have the money to do the editing to do it. Who would use this? This is an example. This is a testimony to the state of Maine. Carl Rankin, a native Mainer, filmed a movie last year in Portland. It's premiering tonight in Portland, which I will not be able to attend. They shot at different businesses all over the state of Maine; Coffee by Design, 54 Danforth Street, Go Berry Yogurt, Andy's Restaurant, Christmas Shops. All of these people are in the movie. Let's try and get this funded so that we can give these businesses promotion. They all closed for the day to let everybody shoot there.

Lastly I will say, the other evening I did go down to USM. My daughter's a film student. That's why I'm so familiar with this. They did their capstone project. The auditorium was filled at Luther Bonney. All the students were there. They did public service announcements. These are the most creative, brightest people I have seen. These are the future to the state of Maine. They are part of the creative economy. This is not something to give some Hollywood producer \$25 million in credits to have a Paul Newman movie here. This is to help local Maine people. This is a loan program. This is not a tax credit program. It is not a feel good bill. It is a bill that was started a couple of years ago, that needs to get its legs behind it and funding. I would urge you to vote to Override the veto. Thank you.

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

Senator **VOLK:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I rise to oppose the pending motion and I agree with, and I want to commend, the good Senator from York County. Good things are happening. We have a newish director now at the Film Office and she's been doing a wonderful job. She has never received an inquiry about this particular program that we are discussing here with L.D. 377, nor has FAME, nor has the Department of Economic and Community Development, which, of course, houses the Film Office. With that said, I'm going to be very brief. We are seeing an uptake in filming in this state, but it is not due, in any part, to interested parties availing themselves of this program. I've supported it in the past, but I'm no longer supporting keeping it on the books. Thank you.

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

Senator **CUSHING:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I appreciate your indulgence in speaking to the pending motion. I speak in opposition to Overriding the Governor's decision on this bill. Having served on the committee and had the opportunity to hear many people come in and share with us, Mr. President, the wonderful opportunities that are there in the film industry for local filmmakers here in our state, it becomes clear that if we had the courage of our convictions we would have funded this, Mr. President. The

simple fact that we have chosen not to fund it up until this point, I think, just highlights the Chief Executive's concern in casting his veto on this measure. I would like to pose a question through the Chair, to whoever may answer, as to whether currently before us in the Appropriations budget funding has been provided for this program. Thank you, Mr. President.

THE PRESIDENT: The Senator from Penobscot, Senator Cushing poses a question through the Chair to anyone who may wish to answer. The Chair recognizes the Senator from York, Senator Valentino.

Senator **VALENTINO:** Thank you very much, Mr. President. Men and women of the Senate, first of all, I'd like to address a few comments that nobody has asked for the program. Nobody knows about the program. There is no money in the program. Why would FAME put it on their list, to advertise a program where there is no money? Why would the Film Office advertise a program that there is no money for? I can tell you, as a member of the Maine Film and Video Association, there is not a meeting that goes by that somebody does not ask me, "Linda, is this funded? Has this been funded? Do we have this available?" I would promote it in a second. As far as funding goes, I'm going to go downstairs right now and put in an amendment to put funding in for the budget because if that's what people want then that's what I'm going to do and that's what I'm going to fight for and that's going to be my mission today and I'm going to go downstairs and I'm going to put money in the budget. Let's see what happens then. If people think it's a great program, and I've heard that, this is a really great program but we don't have money, then, hey, let's fund it. I'll go downstairs and put an amendment in right now.

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 (#85)

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

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

16 Senators having voted in the affirmative and 19 Senators having voted in the negative, 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 Chair laid before the Senate the following Tabled and Later Assigned (5/20/15) matter:

JOINT ORDER - Expression of Legislative Sentiment
Recognizing the Honorable Anne Haskell of Portland
HLS 279

Tabled - May 20, 2015, by Senator **ALFOND** of Cumberland

Pending - **PASSAGE**, in concurrence

(In House, May 19, 2015, **READ** and **PASSED**.)

(In Senate, May 20, 2015, **READ**.)

The Joint Order was **READ**.

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

Senator **ALFOND:** Thank you, Mr. President. Ladies and gentlemen of the Senate, it is with great pleasure that I stand up and honor the junior Senator from Portland. Many of you do recognize how absurd that statement is because Senator Haskell is no junior to anyone and she is a giant up here in the Legislature and also back in her hometown. I did have to make sure that we did recognize her because we are spanning 25 years ago. To go back in time a little bit, I just want to make sure that everyone recognizes not just one picture of Senator Haskell from Cumberland but multiple pictures of Senator Haskell throughout her years. I believe this was taken in 1989. I think it was the 103rd Legislature, if I'm not mistaken. I don't even think it was Senator Haskell back then. It was a different last name as a Representative. I did a little research because we are honoring Senator Haskell of Cumberland for her 25 years of experience on the Gorham Savings Bank board. I reached out to some folks, first from the bank. This was a quote from some folks there. "Over the years we've recognized Anne's passion for our customers and those in the community around us, particularly for those who are less fortunate and have essential needs that are unmet, such as homelessness and hunger. Her stewardship at the bank has been one of the strengths of our organization for 25 years." On a lighter note, this person said, with a smile, "At certain times of the year, like now, we, at the bank, vie for Senator Haskell's time as much as you do in Augusta. She is a remarkable lady." From a very good friend, she shared a bunch of these comments, "Who's the strongest and kindest woman I know? Senator Haskell. Who draws people into her circle of warmth? Senator Haskell. What do you do when you're getting married, when you have a Jewish girl of 45 and a Catholic boy of 52 and you need a ceremony performed? You go to Senator Haskell." On a more serious note, "When you find out that your daughter's diagnosed with breast cancer, who do you go to? Senator Haskell, because of her experience with her daughter being diagnosed with cancer." Then you have what I guess is just a great story from Senator Haskell's Mom, who had the good

foresight to say this, something that I've actually heard Senator Haskell say, "God put eyes in front of your head not on the back for a reason. Don't look back, look ahead." I think all of you that have worked with Senator Haskell over the years, I think that really reflects her tremendously. I did reach out, some of you know that Senator Haskell worked for a former Governor, to the former Governor, United States Senator King. He had this to say, "Anne is truly a special person. I worked closely with her during my first gubernatorial term when she was the Director of Appointments. She should write a book on how the job could and should be done. Anne taught me some great life lessons, like how important it is to listen, even if you disagree. She is tough, but she's always fair. She's also very smart, but always caring and generous with her time and attention. In short, she's the finest kind, as they say in the Downeast. I'll always be one of Anne's biggest fans."

Folks, today we celebrate Senator Haskell, the work not only that she does inside of this Chamber but outside of this Chamber, which we don't get to see. I know that a lot of us touch many people's lives outside of this Chamber, but none more so than the good junior Senator from Portland, Senator Haskell. Thank you, Mr. President.

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

Senator **MASON:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I rise to say congratulations to our colleague, the Senator from Cumberland, Senator Haskell. I know that the Senator from Cumberland, Senator Alford, probably said the junior Senator remark with great trepidation, but then he mentioned it again. I'm sure he'll hear about it later. I just wanted to rise and give my congratulations to our colleague because it's very rare that we get to actually honor someone with a sentiment while they are sitting in one of the seats in this Chamber. Back in the 125th Legislature I was a very green new Chair of the Criminal Justice and Public Safety Committee and not only had I never been to a committee hearing in Augusta, I had never chaired one. I was very lucky to have Senator Haskell at that horseshoe with me, as well as Senator Gerzofsky, to help me to walk through that process. The reason that I tell you that story is because if there is one thing that I know about Anne Haskell it's that she has great respect for this institution and if she has the same respect for Gorham Savings Bank that she has for this Legislature I have no doubt in my mind that that bank has served itself very well by having her as one of their Directors. Congratulations, Senator Haskell, and I thank you for your service to your community.

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

Senator **GERZOFSKY:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I not only get up today to honor my seatmate and great friend, but to agree wholeheartedly with what both sides of the aisle have already said. I was taught a long time ago if you want to come to Augusta and be a politician and make a lot of friends, save yourself a trip and go out and get a dog. The humane society would like you for it. I came here and I started serving down in the House. I met Representative Larrabee, to me when I used to work here. Then I got to know Representative Haskell very well. We served on Criminal Justice together for

many, many years. Then, through the wisdom of some, we both became Chairs. I learned the true meaning of working with somebody that you became a deep friend with. If you want to talk about some of my personality quirks, it's when you can take me into an office, explain to me why I might be thinking a little wrong, that I should look at something from another perspective, and come out of that office and follow in the footsteps of my good friend, who is always right and explained to me how periodically I might be wrong. Mr. President, as you well know, that's not an easy task with me sometimes. Anne Haskell has got talents that you don't ever see. I can just imagine, at her board meetings, just exactly how Gorham Savings comes up with their decisions after they listen to the great advice from Senator Haskell. I want to get up today and congratulate my friend. Best seatmate I'm going to get. Diamond thinks it's him, but in reality I've been following both their lives, but Anne has really taught me the more mellow part of being a legislator and how to get along. She's really the pro at it. Thank you very much.

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

Senator **BRAKEY:** Thank you, Mr. President. There's not much that I can say that has not already been said, but I just wanted to echo some of the sentiments from our colleague, Senator Mason, who served with Senator Haskell on the Criminal Justice Committee, because I am very fortunate to have the opportunity, currently, to serve as a first time legislator and a first time committee Chair with Senator Haskell on the Health and Human Services Committee. As she's being acknowledged today, I just want to express my gratitude to her and my congratulations. It is wonderful to work with her on that committee. I'm very grateful that she's there to help me learn the ropes and help us have such an effective committee. Thank you very much, Mr. President.

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

Senator **DIAMOND:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I was not going to get up, but I just had to rise because I served with Senator Haskell for so many years. Let me tell you something you maybe don't know about Anne Haskell. I take that back. Maybe I'll tell you something else you don't know. That was just another piece I was going to add to this. Anne Haskell was the person who first put in Maine the sex offender registry. She was the one that started it for the State of Maine. For that I think we owe her a lot of credit, along with the many other things she's done. I just, personally, want to say thank you for that. We were leading the country and we were leading the country in that area because of Anne Haskell. Thank you, Senator Haskell.

THE PRESIDENT: The Chair recognizes the Senator from Franklin, Senator Saviello.

Senator **SAVIELLO:** Thank you, Mr. President. Ladies and gentlemen of the Senate, there is much I can say but I won't. About 8 years ago I was going through a very difficult time down here, similar to what was in the newspaper articles yesterday about me flying around. There was a person that stood in the House with me, and wasn't a Representative, who came up to me and said, "Be careful, be calm, and you'll be fine." I always

remember that. Didn't know who she was at the time. Later she became my seatmate. Even though she tried to counsel me a number of times in the error of the way of my vote, she still remained my friend. Congratulations. Thank you, Mr. President.

PASSED, in concurrence.

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

Senator **HASKELL:** Thank you very much, Mr. President. I will be very brief because the hour is late and I stand between you and lunch. I have been truly honored to be able to serve as long as I have on the Gorham Savings Bank board. The community bank, and all that it represents, has been a very core part of my interest in public service and also my interest in what those small organizations, not so small any more, can do in our communities. It has been truly an honor and a privilege to be serving. I appreciate all the comments that I heard today, and some of them we'll have a talk about. Thank you.

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

An Act To Improve Attendance at Public Elementary Schools
S.P. 126 L.D. 311

Tabled – May 21, 2015, by Senator **MASON** of Androscoggin

Pending - **CONSIDERATION**

(In Senate, May 7, 2015, **PASSED TO BE ENACTED**, in concurrence.)

(In Senate, May 21, 2015, Veto Communication (S.C. 331) **READ** and **ORDERED PLACED ON FILE**.)

Senator **LIBBY** of Androscoggin moved to **TABLE** until Later in Today's Session pending **CONSIDERATION**.

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 Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#86)

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

NAYS: Senators: BAKER, BRAKEY, BURNS, COLLINS, CUSHING, CYRWAY, DAVIS, EDGECOMB, HAMPER, KATZ, MASON, MCCORMICK, ROSEN, SAVIELLO, VOLK, WHITTEMORE, THE PRESIDENT – MICHAEL D. THIBODEAU

18 Senators having voted in the affirmative and 17 Senators having voted in the negative, the motion by Senator **LIBBY** of Androscoggin to **TABLE** until Later in Today's Session **PREVAILED**.

Off Record Remarks

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

On motion by Senator **MASON** of Androscoggin, **ADJOURNED** until Tuesday, May 26, 2015, at 10:00 in the morning, in memory of and lasting tribute to Helen Geraldine Plummer of Windham.