

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

In Senate Chamber
Tuesday
March 15, 2016

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

Prayer by Reverend Ed Hatch, Palermo Christian Church.

REVEREND HATCH: I want to thank you for inviting me here to pray. I was not surprised at all when I heard that there was the potential for a snow storm. I think of the four or five times that I've been here three or four have been right with major snow storms. I guess you know what I've got for tires on my car, so that might be it.

The bible sends us very optimistic messages. Jewish scripture tells us that this is the day that Lord has made, let us rejoice and be glad in it. Every day we have a choice as to what kind of day we will have. We can choose to rejoice or we can choose another option. It lies within these choices that we determine the kind of people that we are going to be. The Merriam-Webster Dictionary defines the word statesman as a wise, skillful, and respected political leader. Wisdom and skill do not necessarily translate into respect. Respect is a quality that distinguishes a statesman and comes from the choices one makes on how they will apply the wisdom and skill that they possess. Is that man or woman, during times of conflict and disagreement, able to stay focused on maintaining the dignity of others who may disagree with him but are made in the image of God or do they slide down into the level of the personal and the petty? This is a personal opinion but I find few that fit the bill. It may be that the media will not highlight those who conduct themselves with dignity and grace as much as they quote the story that will capture the attention of readers. It is my prayer that within this group there will be a large number of statesmen, people who are not only wise and skillful but, by the way that they conduct themselves, earned the respect of their colleagues and the public that they serve. This is the day the Lord has made; we will choose what kind of day it will be. Let us pray.

We're thankful, O God, that we're able to live in a country where the rule of laws is respected. You have tasked these men and women with writing these laws and executing justice in our state. Help them today to honor the people of Maine by making good choices, good choices in the decisions they make, and good choices in how they conduct themselves in the process. We are thankful that You are willing to take on this task. This is not their only responsibility. Some who are here are facing emotional, physical, relational, financial, or spiritual issues in their other life. You can help them, God. I ask You to do so with Your mighty power and wisdom. May they be able to say at the end of the day that today is the day that the Lord has made and that they would rejoice and be glad in it. I pray this in Jesus' name. Amen.

Pledge of Allegiance led by Senator Scott W. Cyrway of
Kennebec County.

Reading of the Journal of Thursday, March 10, 2016.

Doctor of the day, Kenneth Christian, M.D. of Holden.

Off Record Remarks

PAPERS FROM THE HOUSE

Non-Concurrent Matter

Bill "An Act To Allow York County To Better Provide Rescue and
Ambulance Services"

H.P. 124 L.D. 166

In House, February 16, 2016, **PASSED TO BE ENGROSSED AS
AMENDED BY COMMITTEE AMENDMENT "B" (H-513).**

In Senate, March 1, 2016, on motion by Senator **MASON** of
Androscoggin, Bill and accompanying papers **INDEFINITELY
POSTPONED**, in **NON-CONCURRENCE**.

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

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

COMMUNICATIONS

The Following Communication: S.C. 819

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

March 10, 2016

The Honorable Michael Thibodeau
President of the Senate
The Honorable Mark Eves
Speaker of the House of Representatives
127th Legislature
State House
Augusta, ME 04333

Dear President Thibodeau and Speaker Eves:

Please accept this letter as the report of the findings of the Joint Standing Committee on State and Local Government from its review and evaluation of the Maine Municipal Bond Bank under the State Government Evaluation Act, Title 3 Maine Revised Statutes, chapter 35.

The committee finds that the Maine Municipal Bond Bank is operating within its statutory authority.

Sincerely,

S/Senator Rodney L. Whittemore
Senate Chair

S/Representative Roland Danny Martin
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 820

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

March 10, 2016

The Honorable Michael Thibodeau
President of the Senate
The Honorable Mark Eves
Speaker of the House of Representatives
127th Legislature
State House
Augusta, ME 04333

Dear President Thibodeau and Speaker Eves:

Please accept this letter as the report of the findings of the Joint Standing Committee on State and Local Government from its review and evaluation of the Office of the State Treasurer under the State Government Evaluation Act, Title 3 Maine Revised Statutes, chapter 35.

The committee finds that the Office of the State Treasurer is operating within its statutory authority.

Sincerely,

S/Senator Rodney L. Whittemore
S/ Senate Chair

Representative Roland Danny Martin
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 821

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

March 10, 2016

The Honorable Michael Thibodeau
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Thibodeau:

This is to inform you that I am today nominating John A. Bird of Rockland for appointment to the State Board of Education.

Pursuant to Title 20-A, MRSA §401, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 822

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

March 10, 2016

The Honorable Michael Thibodeau
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Thibodeau:

This is to inform you that I am today nominating Martha J. Harris, Esq. of Winterport for reappointment to the State Board of Education.

Pursuant to Title 20-A, MRSA §401, this reappointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 823

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

March 10, 2016

The Honorable Michael Thibodeau
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Thibodeau:

This is to inform you that I am today nominating Wilson G. Hess of Freedom for appointment to the State Board of Education.

Pursuant to Title 20-A, MRSA §401, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 824

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

March 10, 2016

The Honorable Michael Thibodeau
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Thibodeau:

This is to inform you that I am today nominating Elise M. McKendry of Jackman for appointment to the State Board of Education.

Pursuant to Title 20-A, MRSA §401, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 825

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

March 10, 2016

The Honorable Michael Thibodeau
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Thibodeau:

This is to inform you that I am today nominating Carolyn H. Brodsky of Scarborough for appointment to the Board of Trustees, Maine Maritime Academy.

Pursuant to P&SL 1975, Chapter 771 §428, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 826

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

March 10, 2016

The Honorable Michael Thibodeau
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Thibodeau:

This is to inform you that I am today nominating Gregory S. Fryer, Esq. of Cumberland for appointment to the Board of Trustees, Maine Maritime Academy.

Pursuant to P&SL 1975, Chapter 771 §428, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 827

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

March 10, 2016

The Honorable Michael Thibodeau
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Thibodeau:

This is to inform you that I am today nominating Matthew E. Fendl of Ellsworth for appointment to the Board of Trustees, Maine Maritime Academy.

Pursuant to P&SL 1975, Chapter 771 §428, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 829

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

March 11, 2016

The Honorable Michael Tibodeau
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Thibodeau:

This is to inform you that I am today nominating Joshua W. Bragg of East Machias for reappointment to the Washington County Development Authority.

Pursuant to Title 5, MRSA §13083-C, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Labor, Commerce, Research and Economic Development.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 828

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

March 11, 2016

The Honorable Michael Thibodeau
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Thibodeau,

This is to inform you that I am today nominating John G. Melrose of Vassalboro for appointment to the Northern New England Passenger Rail Authority.

Pursuant to Title 23, MRSA §8112, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Transportation.

Sincerely,

S/Paul R. LePage
Governor

The Following Communication: S.C. 830

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

March 11, 2016

The Honorable Michael Thibodeau
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Thibodeau:

This is to inform you that I am today nominating Detective Sgt. Steven D. Webster of Westbrook for appointment to the Maine Unemployment Insurance Commission.

Pursuant to Title 26, MRSA §1081, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Labor, Commerce, Research and Economic Development.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 831

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

March 11, 2016

The Honorable Michael Thibodeau
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Thibodeau:

This is to inform you that I am today nominating Elizabeth F. Fitzgerald of Machiasport for appointment to the State Liquor and Lottery Commission.

Pursuant to Title 5, MRSA §283-A, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Veterans and Legal Affairs.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 832

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

March 11, 2016

The Honorable Michael Thibodeau
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Thibodeau,

This is to inform you that I am today nominating Alexander R. Willette of Lewiston for appointment to the State Harness Racing Commission.

Pursuant to Title 8, MRSA §261-A, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Agriculture, Conservation and Forestry.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 833

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

March 11, 2016

The Honorable Michael Thibodeau
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Thibodeau,

This is to inform you that I am today nominating William L. Varney of Bangor for appointment to the State Harness Racing Commission.

Pursuant to Title 8, MRSA §261-A, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Agriculture, Conservation and Forestry.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 834

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

March 11, 2016

The Honorable Michael Thibodeau
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Thibodeau,

This is to inform you that I am today nominating Michael H. Graham of Weld for appointment to the State Harness Racing Commission.

Pursuant to Title 8, MRSA §261-A, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Agriculture, Conservation and Forestry.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 835

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

March 11, 2016

The Honorable Michael Thibodeau
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Thibodeau:

This is to inform you that I am today nominating Theresa A. Sutton of Cumberland for appointment to the Board of Trustees, University of Maine System.

Pursuant to P&SL 1967, Chapter 229, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 836

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

March 11, 2016

The Honorable Michael Thibodeau
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Thibodeau:

This is to inform you that I am today nominating John M. B. Craig of Waterville for appointment to the Board of Trustees, University of Maine System.

Pursuant to P&SL 1967, Chapter 229, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 837

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

March 11, 2016

The Honorable Michael Thibodeau
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Thibodeau:

This is to inform you that I am today nominating Jason E. Coombs of Brunswick for appointment to the Board of Trustees, University of Maine System.

Pursuant to P&SL 1967, Chapter 229, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 838

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

March 9, 2016

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

Dear President Thibodeau and Speaker Eves:

Pursuant to Title 3 Maine Revised Statutes, chapter 35, we are pleased to submit the report of the findings and recommendations of the Joint Standing Committee on Veterans and Legal Affairs from the review and evaluation of the Bureau of Alcoholic Beverages and Lottery Operations including the State Liquor and Lottery Commission under the State Government Evaluation Act.

In summary, the Committee found that the Bureau of Alcoholic Beverages and Lottery Operation presented a thorough report demonstrating that they are acting within their statutory authority and meeting the goals and objectives as the agency responsible for operating the lottery and the state's spirits business. Additionally, the bureau is adjusting well in its relatively new role as the agency charged with administering licenses under title 28-A and enforcing the liquor laws in partnership with local communities with which they have memorandum of understanding.

The Committee believes that some additional reporting will help facilitate its role as the committee of oversight with regard to the operation of the lottery and the state's spirits business. We recommend that the director of the bureau provide annual reports of revenues generated from the spirits sales in the state and expenditures made to promote the lottery sales through marketing and advertising.

Pursuant to Title 3 Maine Revised Statutes, chapter 35 (§955), we are submitting legislation to implement the recommendations made in this report.

Sincerely,

S/Senator Scott W. Cyrway S/Representative Louis. J. Luchini
Senate Chair House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 839

**STATE OF MAINE
127TH LEGISLATURE
MAINE STATE SENATE
PRESIDENT'S OFFICE**

March 10, 2016

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

Dear Secretary Priest:

Pursuant to my authority under Title 5, MRSA, §7030, I have reappointed Marjorie Crowley, of Northport, to the Permanent Commission on Status of Women.

If you have any questions regarding this appointment please do not hesitate to contact my office.

Sincerely,

S/Michael D. Thibodeau
President of the Senate

READ and ORDERED PLACED ON FILE.

Senate at Ease.

Senate called to order by the President.

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

ORDERS

Joint Orders

Expressions of Legislative Sentiment recognizing:

The Town of Brooks, which is celebrating its bicentennial. Originally the property of General Henry Knox, a hero of the Revolutionary War, the land that became Brooks was first settled in 1799 by Joseph Roberts, who was a soldier in the war. Mr. Roberts came from Buckfield, and when he arrived he built the first mills. In 1813, Brooks was known as Washington Plantation, named in honor of General George Washington. On April 7, 1816, Phineas Ashman and 47 others petitioned to incorporate the town, which was incorporated on December 10, 1816. In the same year the town was named in honor of Massachusetts Governor John Brooks, a man of unassuming manner and great political integrity, who had distinguished himself as an officer in the Revolution. Brooks became a hub of business activity, first with saw mills and grist mills and latter with the train, a canning factory and several businesses. The town's residents were noted for their sturdy character, rugged honesty, loyalty to duty and devotion to the best interests of the town. We extend to the citizens of the Town of Brooks our congratulations on the town's bicentennial;

SLS 991

Sponsored by President THIBODEAU of Waldo.

Cosponsored by Representative: KINNEY of Knox.

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 recognize that each one of us have very strong ties to the communities that we represent in this Body and we're very proud of our communities and look for opportunities to honor them. Today I rise to honor a very, very special community to me. As the State Senator from Waldo County I represent 26 communities and I wouldn't want to go back and tell them all that I have a favorite because, just like a father has no favorite children, we certainly don't have favorite communities. If I were to have a favorite community it would be the Town of Brooks. It is not my hometown but I want to assure you that I feel a strong tie to that community. They are very special people. They are a caring community. If there's something going on in Waldo County then it's going on in Brooks. They care about the people. They are a very community oriented group and a very special place. I want to assure you that I served a couple of terms in the House before serving in the Senate and over a decade of representing Brooks in this State House I have made some very, very special friends in that community. I'm proud of that community. I hope that they're proud of their representation here in the State House. I want to assure you that it is a community that each and every one of us would be proud to call home and while I live in Winterport, and I'm not sure that I'll ever have the privilege or honor of living in the Town of Brooks, if I had to move it might be to that community. They are special people. They are hardworking, proud community and I'm proud to represent them in the State Senate. A big year this year, celebrating a big year in this year. Look forward to the Fourth of July parade. If you don't have a very special Fourth of July parade in your community come to Brooks. It's a small community. Seems like everybody in Waldo County shows up there on the Fourth of July. I'd encourage you to come on by. It is going to be a wild time. Ladies and gentlemen, thank you for the opportunity and please, if you're traveling to Waldo County, make sure you path takes you through Brooks. Thank you.

PASSED.

Sent down for concurrence.

THE PRESIDENT PRO TEMPORE: The Chair is pleased to recognize in the rear of the Chamber former State Librarian, Linda Lord; Selectman Michael Switzer; Selectman Arthur Butler Jr.; Selectman Darrin Mehuren; and Town Clerk of the Town of Brooks, Jane McLaughlin. They are guests of the Senator from Waldo, Senator Thibodeau. Would they please rise and accept the greetings of the State Senate.

Emily Esposito, of Gorham, a junior at Gorham High School and a member of the basketball team, who in a recent playoff game scored her 1,000th high school career point. We extend to Emily our congratulations and best wishes;

SLS 992

Sponsored by Senator VOLK of Cumberland.
Cosponsored by Representatives: McLEAN of Gorham,
SANBORN of Gorham.

READ.

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

Senator **VOLK:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I just want to take a moment to sing the praises of not just Emily Esposito and the fact that as a junior she has already scored over 1,000 points in her high school career. In fact, she's scored 1,034 points; 345 as a freshman and, oddly enough, 345 as a sophomore and 344 this season as a junior while missing two games. That is pretty impressive indeed. She was named the MVP of the South Regional Tournament and received for that the Edward Red McMann Award. She's being recruited to play Division One basketball by many very good programs. When last I spoke with her she was still making up her mind and I've got to give her credit for having a lot of patience because, having been through that process with my daughter, it's a lot of work and a lot of pressure to try to make up your mind on what you're going to do two years down the road. Do it she will and I'm very, very pleased to have her here in the Chamber with us today, as well as the entire Gorham Girls Basketball Team. The first every Class AA State Champs, Class AA was a new division that was just created this year and they went 21 and 0, an undefeated season for this amazing group of girls, only six of whom are upper classmen. They rest of the team all freshmen and sophomores. We will, hopefully, be seeing them back again. In addition to winning the Class AA state title, their coach, Laughn Berthiaume, was also named the Class AA Coach of the Year. Just one other note, you can imagine an undefeated season sounds really great but in fact that is a lot of pressure for a team, especially a young team like this, to be under. Psychologically, they really had to be prepared for every single game to make sure that they weren't overly confident, that they brought their best, and comported themselves with all of the energy that it takes to win at that division. With that, I would just be very happy to welcome them here to the State House today.

PASSED.

Sent down for concurrence.

THE PRESIDENT PRO TEMPORE: The Chair is pleased to recognize in the rear of the Chamber the following members and coaches of the Gorham High School AA Championship Girls Basketball Team. Kaylea Lundin, Alexis Fotter, Mackenzie Holmes, Emily Bragg, Brittany Desjardin, Shayla Harris, Kristen Curley, Michelle Rowe, Courtney Brent, Molly Marrifield, Emily Esposito, Danasia Fennie, Sara Perry, Sydney Caron, Brooke Greatorex, Athena Pappalardo, Coach Laughn Berthiaume, Coach Aaron Oullette, Coach Renee Thibodeau, Coach Neile Nelson, and Athletic Director Tim Spear. They are the guests today of the Senator from Cumberland, Senator Volk. Would the guests please rise and accept the greetings and congratulations of the Maine Senate.

Joint Resolution

On motion by Senator **BURNS** of Washington (Cosponsored by Senators: COLLINS of York, ROSEN of Hancock, Representative: MONAGHAN of Cape Elizabeth), the following Joint Resolution:

S.P. 675

**JOINT RESOLUTION
RECOGNIZING SUNSHINE WEEK, MARCH 13 TO 19, 2016**

WHEREAS, President James Madison, generally regarded as the father of our federal Constitution, wrote that "a people who mean to be their own Governors, must arm themselves with the power which knowledge gives"; and

WHEREAS, every citizen in our participatory democracy has an inherent right of access to government meetings and public records; and

WHEREAS, an open and accessible government is vital to establishing and maintaining the people's trust and confidence in their government and in the government's ability to effectively serve its citizens; and

WHEREAS, we celebrate the 50th anniversary of the federal Freedom of Information Act this year and we recognize the Act's importance in shaping how people who believe in democracy think about the role of transparency in government and its influence in the adoption of our own Freedom of Access Act; and

WHEREAS, the protection of every person's right of access to public records and government meetings is a high priority for the State of Maine; and

WHEREAS, Sunshine Week was established to spark a discussion about the importance of open government and public access to government documents and meetings; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-seventh Legislature now assembled in the Second Regular Session, on behalf of the people we represent, take this opportunity to recognize Sunshine Week during the week of March 13 to 19, 2016 and confirm the basic principles of an open and accessible government in a free society and urge all citizens to join in this observance.

READ.

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

Senator **BURNS:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I just want to draw your attention to this item, this Joint Resolution recognizing a different type of Sunshine Week. Though the sun isn't shining today, this is the week that we are celebrating Sunshine Week. This Resolution, as you can see and I hope you'll just take a minute to read through it, is all about open government and transparency, which is what we are all about. As you can see from the words of

President Madison, this is a very important concept in our American government when it speaks to the power and knowledge which gives people that we represent the power to govern themselves. Every citizen has the right to access government openly, as far as meetings and the records that it keeps. Today, and this week, we are celebrating the Fiftieth Anniversary of the Freedom of Information Act, which was brought to this country 50 years ago. This is the reason why all of our bills, as you know, when they involve something that's going to be kept from the public goes before the Judiciary Committee and this is why we have a Right to Know Advisory Committee to vet out all of these various issues so that we can keep the proper balance between what needs to be public access to all of our citizens and what needs to be kept under wraps. I would, again, ask you to just take a minute and read this and we're hoping that this will provoke conversations around this building and around the state today to celebrate this very important week. Thank you very much, Mr. President.

On motion by Senator **BURNS** of Washington, **ADOPTED.**

Sent down for concurrence.

REPORTS OF COMMITTEES

House

Divided Report

The Majority of the Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Provide an Incentive to Nonresident Landowners Who Own More than 250 Acres To Keep That Land Open for Hunting"

H.P. 422 L.D. 609

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-550).**

Signed:

Senators:

DAVIS of Piscataquis
CYRWAY of Kennebec
GERZOFKY of Cumberland

Representatives:

DUCHESNE of Hudson
ALLEY of Beals
COREY of Windham
CRAFTS of Lisbon
HILLIARD of Belgrade
MARTIN of Sinclair
REED of Carmel
SHORT of Pittsfield
WOOD of Greene

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

Signed:

Representative:
LYFORD of Eddington

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-550)**.

Reports **READ**.

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

READ ONCE.

Committee Amendment "A" (H-550) **READ** and **ADOPTED**, in concurrence.

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

Divided Report

The Majority of the Committee on **MARINE RESOURCES** on Bill "An Act To Address and Mitigate the Effects of Marine Debris" H.P. 294 L.D. 427

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-531)**.

Signed:

Senators:
BAKER of Sagadahoc
MIRAMANT of Knox

Representatives:
KUMIEGA of Deer Isle
ALLEY of Beals
BLUME of York
DEVIN of Newcastle
McCREIGHT of Harpswell

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

Signed:

Senator:
LANGLEY of Hancock

Representatives:
BATTLE of South Portland
HAWKE of Boothbay Harbor
PIERCE of Dresden
SAWICKI of Auburn
TUELL of East Machias

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-531)**.

Reports **READ**.

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

READ ONCE.

Committee Amendment "A" (H-531) **READ** and **ADOPTED**, in concurrence.

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

Divided Report

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act Regarding Recovery of Emergency Response Costs Related to an OUI Offense" S.P. 335 L.D. 944

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

Signed:

Senators:
ROSEN of Hancock
GERZOFKY of Cumberland

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

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-390)**.

Signed:

Senator:
BURNS of Washington

Representative:
GERRISH of Lebanon

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 **JUDICIARY** on Bill "An Act To Create the Office of the Public Defender and Amend the Duties of the Commission on Indigent Legal Services"
S.P. 540 L.D. 1433

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

Signed:

Senators:
JOHNSON of Lincoln
VOLK of Cumberland

Representatives:
HOBBINS of Saco
EVANGELOS of Friendship
GINZLER of Bridgton
GUERIN of Glenburn
HERRICK of Paris
McCREIGHT of Harpswell
MONAGHAN of Cape Elizabeth
MOONEN of Portland
SHERMAN of Hodgdon
WARREN of Hallowell

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

Signed:

Senator:
BURNS of Washington

Reports **READ**.

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

Sent down forthwith for concurrence.

Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Ensure the Use of Environmentally Responsible Insulation Materials in Taxpayer-funded Building Projects"
S.P. 461 L.D. 1286

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

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
HARRINGTON of Sanford
ORDWAY of Standish
PICKETT of Dixfield

Reports **READ**.

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

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

SECOND READERS

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

House As Amended

Bill "An Act To Require the State To Adequately Pay for Emergency Medical Services"
H.P. 1006 L.D. 1465
(C "A" H-547)

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

On motion by Senator **HASKELL** of Cumberland, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending **PASSAGE TO BE ENGROSSED AS AMENDED**, in concurrence.

ENACTORS

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

Emergency Measure

An Act To Improve the Law Concerning Carbon Monoxide Detectors

S.P. 574 L.D. 1476
(C "A" S-370)

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

Ordered sent down forthwith.

Emergency Measure

An Act To Amend Maine's Motor Vehicle Laws

S.P. 581 L.D. 1483
(H "A" H-537 to C "A" S-367)

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

Emergency Resolve

Resolve, Regarding Legislative Review of Portions of Chapter 3: Eligibility Requirements for Specialized Case Types, a Late-filed Major Substantive Rule of the Maine Commission on Indigent Legal Services

H.P. 531 L.D. 778

This being an Emergency Measure and having received the affirmative vote of 33 Members of the Senate, with no Senator having voted in the negative, and 33 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** and, having been signed by the President Pro Tempore, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

Emergency Resolve

Resolve, To Further Study the Implementation and Funding of an Integrated Beach Management Program

H.P. 854 L.D. 1254
(C "A" H-532)

This being an Emergency Measure and having received the affirmative vote of 33 Members of the Senate, with no Senator having voted in the negative, and 33 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** and, having been signed by the President Pro Tempore, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

Acts

An Act To Require Training of Mandated Reporters under the Child Abuse Laws

S.P. 215 L.D. 622
(C "A" S-378)

An Act Regarding Sexual Exploitation of Children

S.P. 386 L.D. 1114
(C "A" S-369)

An Act To Revise the Educational Personnel Certification Statutes and To Direct the Department of Education To Review Department Rules Regarding Educational Personnel Certification

H.P. 1005 L.D. 1464
(C "A" H-525)

An Act To Improve the Disclosure of Financial Activities by Political Action Committees and Ballot Question Committees

H.P. 1033 L.D. 1510
(C "A" H-527)

An Act To Update the Laws Governing the Maine Veterans' Homes

S.P. 586 L.D. 1524

An Act To Protect Maine Voters from Intimidating Video Recording at the Polls

S.P. 625 L.D. 1574
(C "A" S-366)

An Act To Make Technical Amendments to the Maine Juvenile Code

H.P. 1067 L.D. 1575

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

Ordered sent down forthwith.

An Act To Ensure a Continuing Home Court for Cases Involving Children

H.P. 609 L.D. 890
(C "A" H-522)

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

An Act To Reduce the Trafficking of Illegal Drugs in the State
S.P. 596 L.D. 1534
(C "A" S-371)

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

An Act To Protect All Students in Elementary or Secondary Schools from Sexual Assault by School Officials
S.P. 601 L.D. 1540
(C "A" S-365)

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

Resolves

Resolve, Authorizing the Commissioner of Administrative and Financial Services To Convey Approximately 0.75 Acre of Land in Madrid Township to the Madrid Historical Society
S.P. 558 L.D. 1456
(C "A" S-377)

Resolve, To Name the Naples Bay Bridge on U.S. Route 302 in the Town of Naples the Robert Neault Memorial Bridge
H.P. 1074 L.D. 1582

Resolve, To Name the Essex Street Overpass Bridge in Bangor the Brent Cross Bridge
H.P. 1080 L.D. 1589

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

Ordered sent down forthwith.

Resolve, To Improve the Safety of Ferries in the State
S.P. 566 L.D. 1468
(C "A" S-374)

On motion by Senator **COLLINS** of York, placed on the **SPECIAL HIGHWAY TABLE**, pending **FINAL PASSAGE**, in concurrence.

Resolve, To Facilitate the Distribution of Food Harvested in Maine to Residents with Food Insecurity

S.P. 569 L.D. 1471
(C "A" S-373)

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

ORDERS OF THE DAY

Unfinished Business

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

The Chair laid before the Senate the following Tabled and Later Assigned (1/21/16) matter:

Bill "An Act To Establish Ranked-choice Voting"
I.B. 2 L.D. 1557

Tabled - January 21, 2016, by Senator **MASON** of Androscoggin

Pending - **CONSIDERATION**

(In House, January 19, 2016, Bill and accompanying papers **INDEFINITELY POSTPONED**.)

On motion by Senator **CUSHING** of Penobscot, Bill and accompanying papers **INDEFINITELY POSTPONED**, in concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (2/11/16) matter:

SENATE REPORTS - from the Committee on **TAXATION** on Bill "An Act To Update References to the United States Internal Revenue Code of 1986 Contained in the Maine Revised Statutes" (EMERGENCY)

S.P. 616 L.D. 1564
(C "A" S-351)

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-351)** (7 members)

Minority - **Ought to Pass as Amended by Committee Amendment "B" (S-352)** (6 members)

Tabled - February 11, 2016, by Senator **MASON** of Androscoggin

Pending - **FURTHER CONSIDERATION**

(In Senate, February 4, 2016, on motion by Senator **MCCORMICK** of Kennebec, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-351)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-351)**.)

(In House, February 9, 2016, the Minority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "B" (S-352)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (S-352) AS AMENDED BY HOUSE AMENDMENT "B" (H-516)** thereto, in **NON-CONCURRENCE**.)

On motion by Senator **CUSHING** of Penobscot, Bill and accompanying papers **INDEFINITELY POSTPONED**, in **NON-CONCURRENCE**

Sent down for concurrence.

Senate at Ease.

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

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

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act To Expand the 1998 Special Retirement Plan To Include Detectives in the Office of the Attorney General" H.P. 435 L.D. 654

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-548)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-548)**.

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

READ ONCE.

Committee Amendment "A" (H-548) **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 **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Enable an Alternative Organizational Structure To Purchase Group Health Insurance for Its Employees" (EMERGENCY)

H.P. 1042 L.D. 1517

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-549)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-549)**.

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

READ ONCE.

Committee Amendment "A" (H-549) **READ** and **ADOPTED**, in concurrence.

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

Senate

Ought to Pass

Senator **BURNS** for the Committee on **JUDICIARY** on Bill "An Act To Increase Government Efficiency"

S.P. 446 L.D. 1241

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

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

READ ONCE.

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

Sent down for concurrence.

Ought to Pass As Amended

Senator **LANGLEY** for the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Facilitate the Use of State Education Subsidies" (EMERGENCY)

S.P. 573 L.D. 1475

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-388)**.

Report **READ**.

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

Senator BRAKEY for the Committee on **HEALTH AND HUMAN SERVICES** on Resolve, To Increase Access to Opiate Addiction Treatment in Maine

S.P. 571 L.D. 1473

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-392).**

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

READ ONCE.

Committee Amendment "A" (S-392) **READ** and **ADOPTED.**

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

Sent down for concurrence.

Senator BRAKEY for the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Provide Additional Resources for Nurse Education Consultants in the Department of Health and Human Services"

S.P. 656 L.D. 1618

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-391).**

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

READ ONCE.

Committee Amendment "A" (S-391) **READ** and **ADOPTED.**

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

Sent down for concurrence.

Senator WHITTEMORE for the Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Repeal the Maine Guaranteed Access Reinsurance Association Act"

S.P. 605 L.D. 1545

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-393).**

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

READ ONCE.

Committee Amendment "A" (S-393) **READ** and **ADOPTED.**

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

Sent down for concurrence.

Senator McCORMICK for the Committee on **TAXATION** on Bill "An Act To Protect Maine's Natural Resources Jobs by Exempting from Sales Tax Petroleum Products Used in Commercial Farming, Fishing and Forestry"

S.P. 579 L.D. 1481

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-385).**

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

READ ONCE.

Committee Amendment "A" (S-385) **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 Maine Spirits" (EMERGENCY)

S.P. 565 L.D. 1467

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-394).**

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

READ ONCE.

Committee Amendment "A" (S-394) **READ** and **ADOPTED.**

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

Sent down for concurrence.

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

Off Record Remarks

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

On motion by Senator **CUSHING** of Penobscot, **ADJOURNED** until Wednesday, March 16, 2016, at 10:00 in the morning.