

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

In Senate Chamber
Friday
April 15, 2016

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

Prayer by Chaplain Kate Braestrup, Maine Warden Service.

CHAPLAIN BRAESTRUP: Good morning. I invite you all to take a deep breath and join me, as you will, in the spirit of prayer. Blessed is the breath of the glassblower who, with skilled and steady exhalation, heats the gritty solid of the heart and with his breath expands our hearts until a wider vessel is created until our heart's capacity is such the whole world could be embraced in love. Blessed be. Even though our heart's walls ache as they expand, even if glass must, of necessity, grow fragile to encompass as it shines, allowing light, more light, more light. May the glassblower breathe and breathe until, with the slightest tap, my heart flies and shatters into sand. Blessed be the breath of the glassblower, craftsman of fragility, the artist of the shatter and the shine. Amen. Bless you all.

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

Reading of the Journal of Thursday, April 14, 2016.

Doctor of the day, David McDermott, M.D. of Dover-Foxcroft.

Off Record Remarks

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

ENACTORS

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

Resolve

Resolve, To Provide Wage Parity for Supervisors of Law
Enforcement Personnel and Other Law Enforcement Personnel
S.P. 585 L.D. 1523
(H "A" H-663 to C "A" S-383)

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

Ordered sent down forthwith.

Senate at Ease.

Senate called to order by the President.

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

COMMUNICATIONS

The Following Communication: H.C. 534

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

April 14, 2016

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 Minority Ought Not to Pass pursuant to Joint Order
2016, S.P. 695 Report of the Committee on Criminal Justice and
Public Safety on Bill "An Act To Raise the Base Assessment for
Correctional Services for Oxford County" (S.P. 704) (L.D. 1697)

Sincerely,

S/Robert B. Hunt
Clerk of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: H.C. 535

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

April 14, 2016

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 Resolve, To Increase MaineCare Services for Certain Recipients To Allow Them To Remain at Home (H.P. 314) (L.D. 475)(EMERGENCY) was Passed to be Engrossed as Amended by Committee Amendment "A" (H-608) as Amended by House Amendment "C" (H-669) thereto.

Sincerely,

S/Robert B. Hunt
Clerk of the House

READ and ORDERED PLACED ON FILE.

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

PAPERS FROM THE HOUSE

Non-Concurrent Matter

HOUSE REPORTS - from the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act To Remove the Age Penalty for State Retirees Working at Institutions That Are Closing"

H.P. 646 L.D. 927

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-674)** (7 members)

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

In House, April 14, 2016, 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-674)**.

In Senate, April 14, 2016, on motion by Senator **HAMPER** of Oxford, the Minority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**, in **NON-CONCURRENCE**.

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

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

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

Off Record Remarks

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

RECESSED until the sound of the bell.

After Recess

Senate called to order by the President.

ORDERS OF THE DAY

Unfinished Business

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

The Chair laid before the Senate the following Tabled and Later Assigned (4/14/16) matter:

SENATE REPORTS -from the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Establish a Process for Procurement of Renewable Resources"
S.P. 689 L.D. 1676

Report "A" - **Ought to Pass as Amended by Committee Amendment "A" (S-517)** (9 members)

Report "B" - **Ought to Pass as Amended by Committee Amendment "B" (S-518)** (2 members)

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

Tabled - April 14, 2016, by Senator **WOODSOME** of York

Pending - **ACCEPTANCE OF ANY REPORT**

(In Senate, April 14, 2016, Reports **READ**.)

Senator **WOODSOME** of York moved the Senate **ACCEPT** Report "A" **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-517)**.

Senate at Ease.

Senate called to order by the President.

On motion by Senator **WOODSOME** of York, Report "**A**" **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-517) ACCEPTED.**

READ ONCE.

Committee Amendment "A" (S-517) **READ.**

On motion by Senator **WOODSOME** of York, Senate Amendment "B" (S-539) to Committee Amendment "A" (S-517) **READ** and **ADOPTED.**

Committee Amendment "A" (S-517) as Amended by Senate Amendment "B" (S-539) thereto, **ADOPTED.**

Senate at Ease.

Senate called to order by the President.

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

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 York, Senator Valentino.

Senator **VALENTINO:** Thank you very much, Mr. President. Men and women of the Senate, I rise today to really just ask a couple of questions on this bill. Being a member of the Appropriations Committee, I have some concerns and one of the things is on the amendment that was offered. The transfer of funds notwithstanding any provision of law to the contrary at the close of the fiscal year 2015-16, which would be June 30th, the State Controller as the next priority after making the transfers authorized will put this into the priority. The question was asked to me earlier today from some of my caucus members about the cascade and how it works. I did go down and I took a look with the people with OFPR. We do have \$6 transfers to go towards the cascade and there are four of those, one to go to the Governor's contingency account, one to go to loan insurance, one to go to the General Fund Operating Capital, and one for the Retiree Health Internal Service Fund. This first amount of money is about \$7,850,000. One of the things is that a cascade is not guaranteed. We have no idea what it will be. I asked OFPR did they have any idea what it will be and they said until we actually pass all of these bills that we have up here, which could be about \$40 million if they all go through, there might not be any money left because they don't know what it is, so nobody has an idea.

The other thing that they pointed out to me is that this is not a straight appropriation. This is an allocation. With an allocation there's no guarantee that they will have the money at the end of the year, so basically we're passing a bill that there's no guarantee that the \$13.4 million will even get to the people that some people are trying to get the money to. The other thing is that if there is money left over after we pay the \$7.8 million and then after we pay the rest of the stuff, usually 80% goes to the Budget Stabilization Fund. This \$13.4 million would be taken before we put any money into the Budget Stabilization Fund, which is what we call the Rainy Day Fund. My question is: if people who are supporting this really want to give the money why don't we just have an appropriation out of the Rainy Day Fund because we're really taking money from the Rainy Day Fund on July 1st or rather we're preventing money from going in. This may sound good, it's coming out of the cascade, because people don't know what the cascade is or understand the cascade, not everybody, a lot of people do that have served on the Appropriations Committee, or why aren't we just taking it out of the General Fund right now. If people truly support this bill, why are you letting it hang out there as an allocation and only if there is enough money left will any money go to this fund? I pose that to, I guess, people who are supporting the bill. Why wouldn't you have just done an outright appropriation? Why would you let this money dangle? What is the purpose? Thank you.

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

Senator **EDGEComb:** Thank you, Mr. President. Ladies and gentlemen of the Senate, last fall I spoke with a young man harvesting trees in the Northern Maine forest. He stopped work to explain how he was using best management practices to keep the forest producing for the future and what he was doing to make it also more productive. He had invested approximately a half a million dollars in this tree harvester to support his family. He certainly would be left with a tremendous debt if he was no longer able to work at his machine. The forest industry has produced wood and fiber for many years. It played a major role in Maine's economy and it continues to do that. Now is the time for us to step up, to provide the help that is needed to survive. The biomass industry plays an important role in keeping this renewable resource alive. Please support the motion that's on the Floor. Thank you.

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

Senator **MIRAMANT:** Thank you, Mr. President. Men and women of the Senate, when I think about the people that I meet who have to pay to support this subsidy for an industry that will not be any more efficient in two years I don't know what to say to them. If it was money going to upgrade the equipment that would be one thing, but a 20% efficiency that exudes carbon dioxide into the atmosphere and what we're dealing with along the coast is acidification and ocean warming based on some of these factors, a lot from mid-west power plants, but every source, every source we have. Without seeing that this will help that industry is certainly not going to help the ones that are along the coast that I

represent. I would urge you not to support this subsidy for big business and I'm not going to. Thank you, Mr. President.

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

Senator **WOODSOME:** Thank you, Mr. President. I'll try to answer Senator Valentino's question. This issue is very complicated. It came before the Energy Committee approximately a month ago with their concerns. As you all know, with difficult issues before you, one month is not much time to discuss all the different ramifications. The Committee listened hard. We asked the tough questions. The money issue was a big issue and many of the members of the Committee did not feel comfortable taking it out of the so-called Rainy Day Fund, did not feel comfortable putting it onto the ratepayers. We felt the best we could do to try to help this struggling industry was to use the cascades knowing full well that there is the possibility that there won't be any money there, but in the hope that there will be. Underneath our financial situation that's the best we could do. I ask you to support it. Thank you.

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

Senator **JOHNSON:** Thank you, Mr. President. Thank you, ladies and gentlemen of the Senate. I'm torn on this because, obviously, we've heard from people who have jobs tied to this industry that are very concerned whether they have a future and that job continuing, but I'm also torn about asking the taxpayers of the State of Maine to consider \$13 million put towards subsidizing what rates companies gets for its energy versus what the market will pay it for one or two years, and it's not changing the industry. I think that it would be a better way to spend those taxpayer dollars and ensure that those jobs will be here more than the next year or two if instead we were to put some money towards making loans more attractive for investment in upgrading the efficiency of that equipment. If we were to make the investments in advancing at a greater speed the kinds of technology work that's being done in research and, at this point, development at the University of Maine around other uses of celluloses fiber that create much higher value products. We could do something in the short-term by drawing investment and requiring investment match in upgrading the efficiency of this equipment. This isn't required in this bill. We're asking the PUC to look at what the economic impact is, but there's no metric. We're asking them to look at how competitive it is and, other than comparing on the price of electricity, I suppose, where's the metric for that? I don't think that throwing money at an industry that has a \$33 billion company investing in them without asking that that company take seriously whether they really want that investment to succeed by putting more money into creating a future for that industry versus simply handing the money so they don't have to declare a loss. Somehow I don't think that that's a great return for Maine people in my towns when they're not getting their education adequately funded and they're having to come up with more, when they're not getting things that matter to support their local industries and ensure that those jobs stay. Why are we not at least asking for a significant investment by the owners of these plants in this industry to make sure that there's a future for those jobs, because if we're just working to prop up jobs for one or two years for some people, and placing hopes that there will be a market change that

makes it viable, somehow I don't think that hope is how you define fiscal responsibility and I think that we should ask more.

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

Senator **CYRWAY:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I kind of look at this, you know, I'm going back to my farming days again. My father, when he first started crop farming, he actually worked in the mills, for Scott Paper Mill, for 20 years. He started into farming and when he got into farming we had 25 acres of potatoes, we had 35 acres of sweet corn, and we had 3,500 tomato plants, we had an acre of squash, and two acres of cucumbers and you name it. Anyway, we worked hard and we went into the dairying as well, but when we first got into the potato crops we were doing pretty well but then one year it was really difficult and we had 12 acres that we could not get rid of. My father invested a lot of money into those potatoes. My father was really up against it and it said, "Geez, what am I going to do? I've invested all this money and I can't get rid of these potatoes." He actually went around to other farmers, and some of you may be familiar with the Flood Farm which has like almost 3,000 cows that they milk, back then they were around 1,500. Old George Flood, he said, "I'm going to help you out, Allen. I'm going to buy all those potatoes and feed them to my cows." He helped us and he helped him get by. This is just what we're doing here for the loggers. We've got to help them out. They've got a short period of time here. Let's help them because they got a big investment. They're hard workers. This is not just saying, "Well, we can get a little bit of money off a loan." This is an immediate situation for them. We've lost six mills in two years. We've got just a few mills left and we've got, you know, this biomass that worked hard at trying to come up with a solution to help them. This is an important time for them. They pay taxes just like you and I. They took the chance of getting into business, entrepreneurs, and they've worked hard. You look at these guys. They're all muscled up. I wouldn't want to tangle with them and I'm pretty healthy. They've worked hard. I just wanted to let you know that I really care about these people and I think you should too and follow my light. Thank you.

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

Senator **DILL:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I hear and share the concern of using taxpayer money to help out these few companies and their employees, however this is far greater than just the plants, these couple of plants, and their employees. Logging is a Maine legacy. Making this investment will impact a large number of loggers and when you look at these loggers it's a huge, huge network of families that are involved in this industry. It's not just one person, two people, sometimes it's complete families, 10, 15, 20 members, that are all working together. I would just say this is truly a critical time that is facing loggers here in the State of Maine, not only just these biomass plants, but the loggers. Please consider voting for this measure. Thank you, Mr. President.

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

Senator **BRAKEY**: Thank you, Mr. President. I'll keep my comments very brief. You know, I understand this is going to be a very difficult vote for a lot of people. I think we all know individuals in our own districts back home who are part of this industry and who are going to be effected by the decision we make today, but I think there is a very important underlying principle and it's really gets to the question of at what point, when are we willing to use taxpayer money to prop up a business or an industry that can't find a way to be profitable and when shouldn't we. You know, I look at this and I see no guarantee. I think we all have the best of intent. I think we all care about the folks whose jobs are effected here, but I guess I look at this and I see no guarantee that if we take this taxpayer money, we take this money from the taxpayer, to prop up an industry that is struggling to remain profitable, I don't see any guarantee that we're going to not be back here in two years or four years in the exact same situation only we're going to have thrown good money after bad. If there are things we can do to support this industry by lowering their tax burden or cutting the red tape of dealing, things we can do to help them remain profitable by easing the burden of government that's on their shoulders, I'm all for it, but I can't, in good conscience, take taxpayer money and throw good money after bad and potentially risk being in this same situation in just a couple of years down the road. I know it's going to be difficult vote for all of us and I know we're all going to vote our conscience the best we know how, but that's my thoughts on the matter. Thank you very much, Mr. President.

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

Senator **CUSHING**: Thank you, Mr. President. Ladies and gentlemen of the Senate, thank you for indulging me. This is an issue that is difficult for many people here. If we look at it in the policy debate as to whether or not this is an appropriate role of government, we can find many reasons why this use of the taxpayer's money may be difficult, but we live in a reality, Mr. President. We live in a reality that states like New Jersey and Louisiana had to live in when natural disasters hit them. In my opinion, Mr. President, we're facing an economic hurricane that has struck an industry that has been a long tradition in Maine, which is made up of many good, hardworking people. The tradition of Maine to go into the sea and the forest and the fields to harvest the goods that Maine offers and provide that to our state and to others is a long and proud tradition. There are many people who have dedicated their lives for several generations to the woods of Maine and the industry. Through no fault of their own, they are now facing some circumstances. The names, the faces, and the signs on some of those facilities have changed. The days of companies like Saint Regis and Great Northern Paper and others have disappeared into time, but that doesn't mean that the need for that product that Maine woodsman produces is any less. It's just economic conditions outside of the scope of Maine are effecting this and it is now our turn, as we have done for many other agricultural industries, many other parts of Maine that have been hit by ice storms, that have been hit by economic tragedies, fires, disasters. We've stepped up and helped each other in Maine. During the ice storm we helped our friends and neighbors with heat in our home, use of our generators, and a pot of warm food on the stove. Today those folks who many times have stepped up to help their neighbors when they're in trouble are here asking for some assistance and I

think, Mr. President, that we need to respond to that. Thank you very much.

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

Senator **JOHNSON**: Thank you, Mr. President. Ladies and gentlemen, several topics touched upon here that I'd like to just say a few words about. Example of a potato farmer and someone in dairy farming bought their potatoes. Indeed, that was something which helped the other farmer out. They also got something for that. They got potatoes. What are Maine people getting for this \$13 million? What we ought to be getting is a significant investment in the future of our wood products industries. Here we stand and there is interest in spending \$13 million to, I'll say this once again, pay the difference in price between what the market rate for the energy that they're producing is and the cost at which they can produce it. The only way that that problem can be solved in the long-run without improving the efficiency of the generation is for the price of electricity and those markets to go up. We've talked many times in this Chamber about what the high cost of electricity is such a barrier to business. How can we now argue that we want and expect that that price is going to go up in the next couple of years, that price of energy, so that a business that requires that high a price to be viable remains viable? I think that one of the things that got us into this crunch is that Massachusetts strengthened the requirements on their renewable energy credits. The additional amount that they were willing to pay on top of the market price for that energy if, in this case, they were as a green source of renewable energy, now required to also be more efficient and be utilizing all of the heat capacity of the energy produced, not just electricity generation, which is roughly 20% efficient, and using the energy from that wood. I don't see that Massachusetts is suddenly going to decide that they're going to reverse that. I don't see that Maine or other states are suddenly going to decide that higher priced energy is a good idea. How can we once again move forward in the context of those market forces and argue that hope is something we should spend \$13 million on? Thank you.

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

Senator **WOODSOME**: Thank you, Mr. President. What are we going to get for \$13 million? It's \$300 million that this industry pumps into the Maine economy every year, so if this is \$13 million for a two year term that's \$600 million. I wouldn't mind those odds if I could increase my money like that. You know, it's time to think about Maine, not my backyard, not North versus South, but the State of Maine. We hear the arguments about energy this; energy that. It's going to affect this; it's going to affect that. There isn't one energy program in Maine that doesn't get a subsidy. I have to chuckle when a huge company comes before our committee to down this group that's trying to survive when they get subsidies out of this world from the federal government. Yet they're one of the biggest polluters of the oceans from the product that they make and the service that they serve. Everything is intertwined. There is nothing that we do that doesn't affect somebody else. This is a bridge that, hopefully, will get these people on their feet.

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 find this to be a very interesting, very difficult problem and I've gone back and forth on this a great deal and I'm basically 50.1% one way and 49.9% the other way because they're really very close and have very good arguments. The arguments that I see in favor of this are really have been very eloquently stated. The way of life of much of the Northern and Eastern part, Western part as well, of our state. Logging and one must also say agriculture because that's very much dependent on this and the Bangor region on north, I think, is very depended on this. I've had a call from a small business in my area which deals with fly ash, that is the very light ash that comes off this. It's an essential part of agriculture, used significantly in this. Much to say for its benefit for agriculture, not just for logging. I have to say that Senator Woodsome has done a very good job and the Committee's done a commendable job with directions for the PUC. Not perfect, but it's going to be an incremental process. Those are all reasons it is very good. Reasons it is not very good have been also eloquently stated, which is to say the macro-economic doesn't really make sense. Are we doing the equivalent of propping up blacksmiths and wheelwrights and farriers and people who make horseshoes when the world is, alas, for better or worse changing? Are we putting off the inevitable by this kind of vote? I think we're really going to have to adjust, not just have our finger in a dike, changing a different part of our economy. One of the parts that makes me very concerned about this is, indeed, it shows the importance of the Appropriations Committee and it's been a great disappointment, despite the heroic efforts of the people on the Committee. It shows we need an Appropriations Committee. We're now nickeling and diming this. We should be really dealing with the larger picture, making these larger decisions all together, how we want to divide up the pot and not be dealing with this, these, things as on an ad hoc basis, which I think is not the way to go about this, these, decisions. There's both a great deal to be said for this. There's a great deal to be said against it. Thank you, Mr. President.

THE PRESIDENT: The Chair recognizes the Senator from Somerset, Senator Whittemore.

Senator **WHITTEMORE:** Thank you, Mr. President. I, too, will try to be very brief. As I've been sitting here listening to the fact that we're spending taxpayer dollars, that's exactly what we do down here, spend taxpayer dollars. In my neck of the woods I live with these people that work very hard in the woods. My business relies on them to some degree. As Senator Cyrway said, they are very hard workers. I'm sitting here listening. We're having a hard time spending, relatively speaking, a small amount of money compared to the amount of money the we give to welfare to people, many of whom aren't willing to work. These people are very hard workers and they need a little help. Let's do that. Thank you, Mr. President.

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

Senator **HILL:** Thank you, Mr. President. This brings back memories because for two years I was Lead of Appropriations

and two years I was Senate Chair of Appropriations and I remember months upon months we would work on this complicated budget and every night when I walked out the door I would think, "This is so complicated, with so many moving parts, and it's so much money. How am I ever going to get the caucus behind it?" There's a lot of interests that come to bear in trying to push a budget through. It seemed that somehow working it, working it, working it; trying to take in what was important to people, what was to every district in the state, and working with great people on the Committee, we managed to pull it off time and time again, both the biennial and the supplemental. As I started working on the biomass bill, I had that sort of same reaction, like, "Oh my God, this is really complicated. This is a lot to take on in a short amount of time," but nonetheless that's what we signed up to do. You know, we have to take on the hard topics and sometimes we don't have the amount of time we'd like to have, but we have a lot of experts around and that's terrific and we rely on them. I understand the angst that many people are feeling in the room today, in the Chamber, and I'm sympathetic to that, having been there. This is a complicated bill and it was worked on very hard by the Energy, Technology, and Utilities Committee, and it also was worked on very hard by the stakeholders. I have to tell you, despite that, I voted Ought Not to Pass when it first came out of committee. Then I saw the stakeholders go back to the table. I saw Senator Woodsome, Representative Dion, the Chairs of the Committee, bring in more and more folks; kept talking, kept saying, "We get the problems here. How can we deal with this? How can we just not avoid punting it and saying too much, too complicated, not our problem?" because it is our problem.

After much work went into it and after many economic and financial oversight and stopgap measures were put in, we reconsidered the bill and I happily jumped on board to support it. I remain in that position today. I'll tell you why. It's because there's all this fear about what's this going to do. Well, we don't have a crystal ball and no one else in any other committee does either. They just do the best work they can. In our efforts here we said, "Ya, we've learned from experiences from other bills, from other failures, and we don't want that to happen. We see an industry here that could stay alive and we need to keep it alive." In this bill we gave it to the PUC and we said, "We want to give you the big picture and then you come up with exact measures and we want to know that when this goes to bid, and you look at the contracts, we want you to give preference to the following: you make sure it provides benefits to our ratepayers," and that was the first item on the list. "Second, you better darn well look at in-state, repeat the word, in-state economics. We want capital investments to improve long-term viability of these facilities. We want permanent direct jobs. We want payments to municipalities for their tax bases. We want payments for fuel harvested in the state. We want payment for in-state resource access. We want in-state purchases of goods and services. We want construction related jobs and purchases." Those are conversations that come up all the time in other committees and it's hard to get there, but we decided we were going to get there and we're going to use the PUC to do it. Then we thought about, well we have an environmental obligation to the state, so we want to reduce greenhouse gas emissions, which means clean up these facilities and improve them and make them more efficient with the capital investment we expect the PUC to impose upon you. Then again, for our people, it promotes fuel diversity. We can't be reliant on one source of fuel. We can't give strength to just one industry

and make them have, give them, the switch for on and off for us. It also supports an improved grid reliability and we thought this list that we give to the PUC, and now creates exact measures for this, was a very responsible way to go about it and kept everyone in mind. Then we said, "You know what? If the Commission finds," and this is in statute or would be in statute, this is in the bill, "If the Commission find the in-state benefits are not being achieved," because there's a reporting requirement, "then the Commission may reduce the contract payment by the percentage difference between actual in-state benefits achieved and the projected in-state benefits." Again, putting teeth into this bill, thinking about all Mainers, North and South.

What is this bill about? This bill is about jobs. We're all for creating jobs and this bill keeps people in their jobs and creates additional jobs with the strengthening of the industry. This bill's also about the environment. We're protecting the environment by asking these industries to upgrade their facilities and by protecting our forests. We have to haul that byproduct out of the forest. It's about businesses. All the businesses in these little towns depend on these people having jobs and making money to go make their purchases, to pay their mortgages, to keep their kids in school with clothing and lunches. It's about, as I said, energy diversity, which I think is critically important. We don't want to become dependent on just one. It's about not increasing subsidies to people because this group of people are working. They want to keep working. They need a reason to get up in the morning. They need a reason to feel relevant. They need to have hope. We, in the Legislature, get the option of giving people hope all the time. Sometimes we don't quite achieve it enough, but here's a chance to really do it. They're not asking for a hand out, they're asking for a hand up. Help us out. Help us keep going. Help us help you. I don't see me in this bill, and never have. I've learned more about biomass than I ever thought I would in my life, but I'm okay with that. This bill, I feel like from the start, even when I had originally voted no on it, was never ever about me. It was never ever about my town. It was never ever about my district. For me, it was always about the State of Maine. You have to take care of each other and here's an opportunity to do it. 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, first off I'd like to say thank you to the members of the Energy Committee; my colleague, the good Chairman from York, Senator Woodsome; and the Democratic Lead, Senator Hill. We worked this bill very hard and for it coming in so late a lot of really hard work, a lot of really tough questions were asked. To them I would like to say thank you. To the stakeholders, I would also like to say thank you. Mr. President, these are hard working men and women and they are doing their best to make a living in a very tough environment in the forest of our state, but as much as we would like to focus purely on that, we have to look at this entire issue holistically. This is an energy issue. This is a forestry issue. It's an environmental issue. It is a jobs issue. All of those things are true. I voted against this bill and there's one simple reason why I did that. It's because, not that I'm against the industry, I'm not against the people that work in it, it's because I don't believe that this bill is going to help. For me, the case was not made that this will truly be what it is advertised, a bridge. We have a couple of

extenuating circumstances in our state right now that, for me, prove that this will not be a bridge. Fuel prices are projected to remain low. If you would have told people a few years ago, three or four years ago, that you would see \$1.60 a gallon gas again they would have laughed at you. We were paying \$4.50 at the pump. If you would have told people that oil would dip below \$25 a barrel they would have laughed at you. If you would have told them that we would be installing more solar panels than ever, and that it was getting close to cost effective, they wouldn't have believed you. The energy mix fluctuates constantly and it fluctuates almost monthly. This industry is faced, the biomass industry is faced, with circumstances beyond their control, and for that I don't blame them. Low, low fuel prices. Low wholesale prices. We have six biomass generators in the state. Two of them are currently closed. They wouldn't be eligible for what is on the table right now because they would be required to be operating for sixty days. They are not planning to be operating for sixty days. That leaves us down to four. With the wattage cap that's in this bill, my guess is that there will only be two that are eligible for this, for what we are offering. As much as I hate to say it, I don't think that this will be a bridge. I think we're in a situation where, for the foreseeable future, costs are going to be low and biomass will not be feasible.

Mr. President, I will be voting against the motion. I understand this is a very difficult vote for a lot of people, as it is for me, and I respect everybody's decision in the Chamber. I thank you for the time, ladies and gentlemen, Mr. President. Thank you.

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

Senator **GERZOFSKY:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I have said many times in this Chamber and the other how much I appreciate our committee process. I've been around the country and I've looked at a lot of other Legislatures. When I look at this Legislature, we stand out because of our committee process; the way we work, the way we work through our problems. It wasn't that many years ago that I had to come in front of this Body as I was losing 5,000 jobs. The naval air station was being closed down in my district. Everybody told me you can't do anything about military bases. They don't redevelop. Well, working through a committee and working through relationships, both here and the other Body, and the second floor, no matter who was Governor, we came up with some ideas and some solutions. We started working together to come out of it. We didn't ask for \$13 million. We asked for tools. We asked to change some legislation around so it worked for us. We now allow planes to fly into the State of Maine without being fined for doing so and we're building a whole new aeronautical industry. We needed time to figure it out. When we started noticing along the coast this thing called a green crab that was eating a lot of my clams and I was losing, my clambers, were losing their jobs, after about 50% of my clambers started losing their jobs we got smart and we came up here and we worked with a committee, a committee that took the time to help us work through our problems. That is what I see going on here today, there's a problem in our woods. It's a problem. Are we going to suffocate them or are we going to try to do something about it? I think with the work that the committee did, which was pretty much unbeknownst to me on Criminal Justice, that's the beauty of our committee is that they got to work and become the experts. I'm

the expert on Criminal Justice, maybe, but there are other people that are experts in other fields. Marine resources helped me out a lot and so did Economic Development. Now Agriculture's been working on this one and Utilities and smart people, smarter than I am; a lot more eloquent in speech.

I want to support this bill today and I'm going to support it for the reasons I have mentioned. We're Mainers, we help Mainers, and I ain't never lived on no farm but I can certainly imagine living on a farm. Your next door neighbor is pretty close to you. If you are logging in the woods, which I have done, the other people in those woods are your friends and your family's. The communities that you're in is your lifeline and I can't for the life of me imagine that some of us that are going to be in Southern Maine, where there's not a lot of logging done in Brunswick, I doubt that Freeport has a lot of logging done, but that doesn't mean that we don't worry about our neighbors and that we're not going to help our neighbors. If we need some time to work through some of these problems than we ought to get that time to do it. I remember when we were going into a recession, how we had to cut and cut and cut. One out of my sixteen years up here we had a surplus. The rest of them we had deficits that we were cutting. Now we're coming out of a recession and we happen to have some money. We ought to be using that money to help our neighbors. It's nice to fill up our Rainy Day account, and we're doing a good job on that, but I think it's just as nice to be able to help out people that need some time to work out their problems. If we can't work together than I don't know what we're here for. Mr. President, thank you for your patience and thank the Body for listening.

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

Senator **SAVIELLO:** Thank you, Mr. President. Ladies and gentlemen of the Senate, obviously I rise today to support this bill and I'll explain a little bit why. First I want to thank Senator Dill. You hit it on the head. It's about families. Thank you, Senator Hill, that's one of the best floor speeches I've ever heard. It was outstanding. I find myself in an unusual position. Even though he's not here, which he's usually not, I'm supporting Senator Cushing. Senator Gratwick, I hope at the end of my speech I will turn the tables with you. Senator Miramant, I hope when you listen you'll find out that if you want to control carbon dioxide you clearly will support this bill.

Let me start first with a letter from the National Association of University Forest Resource Programs that was sent to EPA in relation to their assessment around, it was called a review, on the framework for assessing the biogenic CO2 emissions from stationary sources. In that, these 100 scientists responded to EPA about carbon dioxide emissions from biomass plants. They had four fundamentals. Fundamental number one: the carbon benefits of sustainable forestry biomass energy are well established. The long-term benefits of forest biomass energy are well established in science literature. As he goes on, in the long-term a sustainable forest management strategy aimed at maintaining or increasing forestry common stocks while producing an annual sustained yield of forestry fiber or energy from the forest will generate the largest sustained mitigation benefit. Fundamental number two: measurement of carbon benefits of biomass energy must consider the cumulative effect of carbon emissions over the long-term. Fundamental number three: an accurate comparison of forest biomass energy carbon impacts

with those of other energy sources require the use of consistent timeframes in comparisons. Number four: economic factors influence the carbon impacts of forest biomass. They went on in that one and said research demonstrates the demand for wood helps keep the land and forest and initiates investments in new and more productive forests, all of which have significant carbon benefits. Which really leads to why we need these kinds of investments so we can maintain the forest as we go forward.

There's been some comments around out here about the emissions from these particular facilities. Well, as some of you know, I served as the Environmental Manager for the Androscoggin Mill for 21 years. I got to know a lot about air emissions, so on a sheet, on your table in front of you, you have a sheet that shows the biomass test results at the bottom of it. You will actually see the license limits that are incurred and those license limits are established by both environmental and health protection. You need to meet those limits. If you don't you're in violation of the Clean Air Act and, literally, people can go to jail for it, along with huge fines. You can see that and I'll just pick the Stratton Plant, since I happen to be connected to that a little bit. Their particulate limit, they are within 7%. They are 93% below their limit. On nitrous oxide, they are 31% below. On carbon monoxide, 67%. On ammonia emissions, 44%. They also, as you read in this, said the re-energy plant in Stratton has been chosen by the EPA as one of the cleanest operating biomass energy production units in the United States in 2010. I also know that these facilities, over the last couple of years, have invested nearly \$10 million into their production and their efficiency of operation.

This is about more than the emissions that I said to you. This is truly about an industry that is trying to figure out, as my good colleague, Senator Cushing, explained in more eloquent terms than I have, that had been hit by a tsunamis. They are an industry that is struggling because of the closing of mills and they're trying to figure out how to operate. I have great confidence in the individuals that are in this room today, and look at the youth that's here. That really impresses me because they are young people that have gone into this business, whether it's through their families or their friends or through education. What's really important, what you may not realize, as a forester, in 1991 I started working as a research forester and I was challenged because budworm had hit. We were challenged to figure out how we were going to get by the budworm epidemic in 2010 because there would be a shortage of fiber. If it wasn't for the biomass market coming on at that time, the forest we see today would be extremely different because it gave the opportunity to rehabilitate sites. Today it helps us with the sustainable management of the forest because what can happen is you can go out and you can clean up the pieces that are undesirable, that will take over the forest, after a harvest takes place. They had the opportunity to do that. It also gives them a market to take care of some of those things that are not available. Mr. President, ladies and gentlemen of the Senate, this is a very important bill. This is a bridge for these guys to get by until two years from now when we can sort out what's going on out in forest products industry. It's been well stated by my colleagues in here. Senator Gratwick, I hope I tipped you over the top. Thank you very much, Mr. President.

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

Senator **BURNS**: Thank you, Mr. President. Ladies and gentlemen of the Senate, there's one thing I've learned, a very important lesson I've learned, in the last eight years in the Legislature is that citizen legislatures often make strange bedfellows. That's a good thing. I think that's why we're so proud of our citizen legislature because yesterday I was up here arguing against some of you folks. Today I'm on the same side. Why is that? Because most everyone in this Body, and I believe the other Body, is not tied to any one particular faction. We try our very best to discern and work through the problems and come up with the best solution, as we see it. Today I think we have a solution in front of us and I was just telling my good seatmate probably I'd be wise to say nothing more because there have been so many good things already said, including the good Senator Hill. I'm going to go against the advice. I tell people that come into my committee, I usually tell folks if it's already been said just say I agree and sit down. Here we go.

I'm going to talk just for a very brief minute about a family that I know and they're representative of the folks you see behind you in this Chamber. I grew up with a family who were farmers and loggers. You all know how old I am. They're still in the business. I hear from them on a regular basis. When they got out of school they continued on. They all went off, got their education, furthered their education in their particular interest, which was mostly to do with agriculture, and they continue to work in the community. Unfortunately, they are at a point right now where they're probably at a point where they may not be able to continue farming and foresting. They've been good stewards of the land. They've been good stewards of the forest, like all the other men and women that are involved in these industries in our state, but they are up against it right now. I hear from them on a regular basis. They've bought expensive equipment that you need to operate in the woods and to run your farms. They've invested a lot to keep the industry going and keep people working who work for them. They've contributed to the community. They sent their children to our schools. They buy locally. They're up in the morning at 4 o'clock, on the road. I can call them at 9 o'clock at night and sometimes they're not even back into the barn yet, they're still on the road. Sometimes they're home. That's what they do day in and day out because they are the backbone, I believe, some of the backbone of our state.

The industry is in trouble. We all know that. We've talked about it over and over again. I realize this bill came late, but it's not like the subject is new. We've been talking about it for quite a while now. They are in trouble. This bill offers some hope. It offers some solution. I don't know if it's perfect, if it's going to work, but to do nothing is not the answer. The logging industry in our state is in trouble. The biomass plants are part of the solution to that problem. It sounds like it's too late for my plant. My plant is already shut down for various reasons, because they were losing money, but there's a possibility that other plants can sustain their operations, and, if that's the case, my loggers from my community, they're going to have to drive further but at least they're going have a place to go with their product. Why is that important? Because 30%, thereabouts, of their product has to go into these biomass plants or else it's going to be left in the forest and we all know what that's going to result in.

I've heard the discussions about how many jobs are at stake. I don't know how many jobs, but certainly there's 1,000 jobs at stake. You multiply that to the spin-off jobs and you're talking about 4,000 or 5,000 jobs. We can't sustain that if those jobs are disrupted. I don't know if this is a temporary fix, but even a

temporary fix gives us the opportunity to retool; gives them the opportunity, the biomass plants, to get into the posture of where we have co-generation, which is what we should have had in the first place. That's going to help other industries. There are a couple of prospects that I've been hearing about since we've been discussing this that would extremely help our communities if we were using the co-generation off these plants to support other businesses. I guess I'm in the posture of where I feel that we have to step out and take a chance here. We can't allow these industries to fail. There may be that we are going through a transition here, but that needs to be a slow transition if that's the fact. Frankly, I don't think so. I think we're always going to have logging in this state, but this is the time where we need to step forward, as the men and women that they've sent here to represent them, to shore them up. I feel just as strongly about this as I do about the other bills that I voted on recently here in the Legislature, whether we're talking about solar power, we're talking about wind power, we're talking about the dairy industry, or we're talking about tax decrease for those that farm and those who are in the forest industry. Sometimes you have to tighten your belt and you have to do what is necessary to help people survive. I think this is that time. Obviously, there's no sense in me prolonging this any longer. You've all heard probably about all there is to say about this, but I do urge you, let's take a chance, let's take advantage of the good work that's been done by the Energy Committee and all of you and the men and women setting behind us to try to come up with something that's going to help us through this critical time. This is a tsunami. I urge you to vote in favor of the motion. Thank you, Mr. President and ladies and gentlemen.

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

Senator **ALFOND**: Thank you, Mr. President. Ladies and gentlemen of the Senate, I, too, will be brief. What I loved about what my good Senator from Washington just said is that we help our neighbors. We help each other. Just the other day we were talking about an education bill in this Senate, talking about helping the mill towns, and what did we do? We found a solution. We found a solution that some might also say was a bridge. It was a one year solution, but it was an important one for those communities and we did it together. We've talked a lot about legacy industries. Let me talk about some of those industries that, sadly, aren't as robust today. Textiles, shoes, we could go on and on and on. Are we going to add biomass? Today we have an option not to. We have an option to say we can take another path and try to give them an opportunity to figure out how this bridge is going to allow the market place, yes, the market place, these free enterprise businesses to take this bridge and figure out how do they use technologies to make them more competitive. I think that's something we should do.

Let's just get beyond what everyone else has said. Let us get to the actual amendment. This should make everyone feel okay with doing the right thing. In the summary, Part III says that after this goes to the PUC and they come out with all the different language and all the different contracts and puts it out to bid, what does Part III say in the summary? Provides that if the PUC concludes that the solicitation is not competitive no bidders may be selected. It is a no risk situation that we're doing here today. If there is money that Appropriations Committee can get out, it will get out and number three says if it's not competitive it won't go

anywhere. No taxpayer money is at risk today. None. What we're doing is providing an opportunity for people, the market place, to show up and give us some bids that are competitive. Mr. President, I think the decision today is difficult, but I think we've heard from a lot of people from all over the state, lots of geographies, urban and rural, saying we need to do the right thing and I hope that people will follow my light.

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

THE PRESIDENT: The pending question before the Senate is Passage to be Engrossed as Amended by Committee Amendment "A" (S-517) as Amended by Senate Amendment "B" (S-539) thereto. 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 (#690)

YEAS: Senators: ALFOND, BAKER, BURNS, CUSHING, CYRWAY, DAVIS, DESCHAMBAULT, DIAMOND, DILL, EDGECOMB, GERZOFISKY, HAMPER, HASKELL, HILL, LANGLEY, LIBBY, MCCORMICK, PATRICK, ROSEN, SAVIELLO, VOLK, WHITTEMORE, WILLETTE, WOODSOME, THE PRESIDENT - MICHAEL D. THIBODEAU

NAYS: Senators: BRAKEY, BREEN, COLLINS, GRATWICK, JOHNSON, KATZ, MASON, MIRAMANT, VALENTINO

EXCUSED: Senator: MILLETT

25 Senators having voted in the affirmative and 9 Senators having voted in the negative, with 1 Senator being excused, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-517) AS AMENDED BY SENATE AMENDMENT "B" (S-539) thereto.**

Sent down for concurrence.

Senate at Ease.

Senate called to order by the President.

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

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

COMMUNICATIONS

The Following Communication: S.C. 985

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

April 14, 2016
Honorable Michael D. Thibodeau, President of the Senate
Honorable Mark W. Eves, Speaker of the House
127th Legislature
State House
Augusta, Maine 04333

Dear President Thibodeau and Speaker Eves:

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

- L.D. 193 An Act To Authorize a General Fund Bond Issue for Bicycle and Pedestrian Projects
- L.D. 784 An Act To Authorize a Revenue Bond for a Student Loan Reduction Plan

This is notification of the Committee's action.

Sincerely,

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

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 986

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

April 15, 2016
Honorable Michael D. Thibodeau, President of the Senate
Honorable Mark W. Eves, Speaker of the House
127th Legislature
State House
Augusta, Maine 04333

Dear President Thibodeau and Speaker Eves:

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

L.D. 1653 An Act Implementing Pay Increases for Certain Law Enforcement Employees To Aid in Recruitment and Retention (EMERGENCY)

This is notification of the Committee's action.

Sincerely,

S/Sen. James M. Hamper
Senate Chair

S/Rep. Margaret R. Rotundo
House Chair

READ and ORDERED PLACED ON FILE.

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

COMMUNICATIONS

The Following Communication: S.C. 988

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

April 15, 2016

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 1684, "An Act To Implement Certain Recommendations of the Task Force on School Leadership."

Proper school leadership is vitally important, and I agree we need to have talented, qualified and well-trained principals at all Maine schools. This bill does not facilitate that objective, which is why I am returning it to you unsigned and vetoed.

This bill seeks to require the Department of Education to issue grants from the Fund for Efficient Delivery of Educational Services to support new regional leadership academies. At present, the Fund is empty for the duration of the biennium. In my proposed biennial budget, I asked the Legislature to appropriate \$5 million annually to the Fund. When this Legislature passed a budget over my veto, the Fund received only 15% of the amount, which was insufficient to fulfill Fund's intended mission. The Fund exists to find meaningful ways to regionalize services to reduce local costs in order to provide property tax relief to Maine communities. Given the ineffectiveness of the underfunded program, this Legislature agreed to move all of the funding to the Fund for Efficient Delivery of Services in order to use the funds for pressing needs of the State. Now, this bill seeks to issue grants

from a dry well. That is misleading to the Maine people and inappropriate.

There already exist programs that provide support for professional development, including the Leadership for Tomorrow's Schools through the University of Southern Maine, the Maine Principal's Association's Great Beginnings Program and its two-year mentoring program. Utilization of these professional development resources does not require the passage of a new law.

This law would also draw the Department of Education into the role of professional development for principals and other school leadership positions, a responsibility that properly belongs with a School Administrative Unit and the professional associations that support these employees. We see the teachers' union and principals' association in the halls of the Legislature nearly every day. The union that purports to support teachers (many of whom are forced to pay fees to the union whether they want to or not) spends time and resources in the State House advocating for a wide range of bills, many of which are unrelated to education. These are bills that inhibit economic growth and job creation in the State of Maine and do not benefit their members. I challenge these unions and associations to do something that truly benefits your members. Redirect your resources to professional development.

When we get serious about reducing the administrative costs in the State of Maine, putting more money into the classroom and building a public school infrastructure appropriately sized for our declining student population, many of the skilled school leaders who are now employed as superintendents may instead become school leaders.

While well intentioned, this bill will not alleviate the problem it seeks to address, and it will further confuse the role of the state in Maine's public education. I respectfully ask the members of the Legislature to sustain my veto.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The accompanying Bill:

An Act To Implement Certain Recommendations of the Task Force on School Leadership (EMERGENCY)
S.P. 691 L.D. 1684

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 (#691)

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

NAYS: Senators: BRAKEY, MCCORMICK, WILLETTE

EXCUSED: Senator: MILLETT

31 Senators having voted in the affirmative and 3 Senators having voted in the negative, with 1 Senator being excused, and 31 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 **OVERRIDEN** and the Bill become law notwithstanding the objections of the Governor.

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

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

PAPERS FROM THE HOUSE

Joint Resolution

The following Joint Resolution:

H.P. 1169

**JOINT RESOLUTION
RECOGNIZING THE WEEK OF MAY 2, 2016 AS TEACHER
APPRECIATION WEEK**

WHEREAS, Maine's future depends upon the provision of high-quality education to all students; and
WHEREAS, teachers mold future citizens through guidance and education; and
WHEREAS, teachers are among the most dedicated of public servants in the State; and
WHEREAS, it is important to raise public awareness of the contributions of teachers and to promote greater respect for and understanding of the teaching profession; 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 the week of May 2, 2016 as Teacher Appreciation Week and strongly encourage the citizens of the State to recognize the efforts of teachers in educating the children of their communities and to support teachers in their efforts.

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

READ and **ADOPTED**, in concurrence.

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

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act To Authorize a General Fund Bond Issue To Stimulate Investment in Innovation by Maine Businesses To Produce Nationally and Globally Competitive Products and Services"

H.P. 722 L.D. 1053

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-680)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-680)**.

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

READ ONCE.

Committee Amendment "A" (H-680) **READ** and **ADOPTED**, in concurrence.

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

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

ENACTORS

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

Bond Issue

An Act To Authorize a General Fund Bond Issue To Improve Highways, Bridges and Multimodal Facilities

S.P. 699 L.D. 1694
(C "A" S-534)

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 Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#692)

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

NAYS: Senators: BRAKEY, MASON

EXCUSED: Senator: MILLETT

This being a Bond Authorization Act, in accordance with the provisions of Section 14 of Article IX of the Constitution, having received the affirmative vote of 32 Members of the Senate, with 2 Senators having voted in the negative, and 32 being more than two-thirds of the Members present and voting, was **PASSED TO BE ENACTED** and, having been signed by the President, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

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

ENACTORS

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

Emergency Resolve

Resolve, To Require the Gathering of Information in Order To Develop a Plan To Expand the Infrastructure Capacity for State Forensic and Civil Mental Health Treatment

H.P. 1168 L.D. 1700

Comes From the House, **FAILED FINAL PASSAGE.**

This being an Emergency Measure and having received the affirmative vote of 18 Members of the Senate, with 16 Senators having voted in the negative, and 18 being less than two-thirds of the entire elected Membership of the Senate, **FAILED FINAL PASSAGE**, in concurrence.

Senate at Ease.

Senate called to order by the President.

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

ENACTORS

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

Emergency Measure

An Act To Simplify and Expand the Educational Opportunity Tax Credit

S.P. 678 L.D. 1657
(C "A" S-438; S "A" S-533
to S "A" S-509)

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

Acts

An Act To Protect Maine's Natural Resources Jobs by Exempting from Sales Tax Fuel Used in Commercial Farming, Fishing and Forestry

S.P. 579 L.D. 1481
(S "A" S-529 to C "A" S-385)

An Act To Conform Maine Law to the Requirements of the American Dental Association Commission on Dental Accreditation

H.P. 1037 L.D. 1514
(S "A" S-524 to C "A" H-593)

An Act To Prevent Opiate Abuse by Strengthening the Controlled Substances Prescription Monitoring Program

S.P. 671 L.D. 1646
(C "A" S-531)

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

Ordered sent down forthwith.

Off Record Remarks

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

Off Record Remarks

RECESSED until 4:30 in the afternoon.

After Recess

Senate called to order by the President.

ORDERS OF THE DAY

Out of order and under suspension of the Rules, the Chair laid before the Senate the following Tabled and Later Today Assigned matter:

Emergency Measure

An Act To Simplify and Expand the Educational Opportunity Tax Credit

S.P. 678 L.D. 1657
(C "A" S-438; S "A" S-533
to S "A" S-509)

Tabled - April 15, 2016, by Senator **MASON** of Androscoggin

Pending - **ENACTMENT**, in concurrence

(In Senate, April 14, 2016, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-438) AND SENATE AMENDMENT "A" (S-509) AS AMENDED BY SENATE AMENDMENT "A" (S-533)** thereto, in **NON-CONCURRENCE**.)

(In House, April 15, 2016, **PASSED TO BE ENACTED**.)

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

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

Senator **SAVIELLO:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I want to thank my good friend, Senator Alfond, who hasn't come in quite yet, for all his hard work to help this take a path. I'd also like to thank the gentleman on the second floor for his enthusiasm in supporting this bill. Very simply, this bill is for all the Merchant Marines, it's for my Dad, and it's for Mike. Thank you very much.

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#693)

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

NAYS: Senators: None

ABSENT: Senator: LIBBY

EXCUSED: Senators: DILL, MILLETT

This being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with no Senators having voted in the negative, and 32 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED**.

The President requested the Sergeant-At-Arms escort the Senator from Franklin, Senator **SAVIELLO**, 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 **THOMAS B. SAVIELLO** of Franklin County.

Having been signed by the President Pro Tempore, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

THE PRESIDENT PRO TEMPORE: It is my honor and privilege to introduce Deb Roberts, the mother of Mike Holland, and her husband, Robin Roberts. Would they please stand and accept the greetings of the 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 Franklin, Senator **SAVIELLO**, to his seat on the floor.

Senate called to order by the President.

Senate at Ease.

Senate called to order by the President.

Off Record Remarks

RECESSED until the sound of the bell.

After Recess

Senate called to order by the President.

ORDERS OF THE DAY

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

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

An Act To Ensure The Safety Of Home Birth
S.P. 248 L.D. 690
(C "A" S-484)

Placed on the Special Appropriations Table - April 8, 2016, by Senator **HAMPER** of Oxford

Pending - **ENACTMENT**, in concurrence

(In Senate, April 7, 2016, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-484).**)

(In House, April 7, 2016, **PASSED TO BE ENACTED.**)

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-484).**

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (S-484).

On further motion by same Senator, Senate Amendment "A" (S-514) to Committee Amendment "A" (S-484) **READ** and **ADOPTED.**

Committee Amendment "A" (S-484) as Amended by Senate Amendment "A" (S-514) thereto, **ADOPTED**, in **NON-CONCURRENCE.**

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-484) AS AMENDED BY SENATE AMENDMENT "A" (S-514) thereto, in **NON-CONCURRENCE.**

Ordered sent down for concurrence.

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

An Act To Improve The Evaluation Of Elementary And Secondary Schools

H.P. 853 L.D. 1253
(C "B" H-658)

Placed on the Special Appropriations Table - April 12, 2016, by Senator **HAMPER** of Oxford

Pending - **ENACTMENT**, in concurrence
(In Senate, April 11, 2016, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-658)**, in concurrence.)

(In House, April 12, 2016, **PASSED TO BE ENACTED.**)

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-658)**, in concurrence.

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "B" (H-658), in concurrence.

On motion by Senator **LANGLEY** of Hancock, Senate Amendment "A" (S-530) to Committee Amendment "B" (H-658) **READ.**

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

Senator **LANGLEY**: Thank you, Mr. President. Men and women of the Senate, this amendment does a couple of things. It makes some sort of technical corrections in the bill and also amends some language to further eliminate any potential fiscal notes in the future. Thank you.

On motion by Senator **LANGLEY** of Hancock, Senate Amendment "A" (S-530) to Committee Amendment "B" (H-658) **ADOPTED**.

Committee Amendment "B" (H-658) as Amended by Senate Amendment "A" (S-530) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-658) AS AMENDED BY SENATE AMENDMENT "A" (S-530) thereto, in NON-CONCURRENCE.

Ordered sent down for concurrence.

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

An Act To Exclude From Sales Tax Certain Sales By Civic, Religious And Fraternal Organizations

S.P. 651 L.D. 1613
(C "A" S-430)

Placed on the Special Appropriations Table - March 30, 2016, by Senator **HAMPER** of Oxford

Pending - **ENACTMENT**, in concurrence

(In Senate, March 24, 2016, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-430).**)

(In House, March 29, 2016, **PASSED TO BE ENACTED.**)

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-430).**

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (S-430).

On motion by Senator **KATZ** of Kennebec, Senate Amendment "A" (S-526) to Committee Amendment "A" (S-430) **READ**.

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

Senator **KATZ**: Thank you, Mr. President. Men and women of the Senate, this is the bill from the good Senator from Franklin, Senator Saviello, with respect to church suppers and other fundraisers by fraternal, civic, or religious organizations. This amendment, essentially, makes it clear what kinds of functions this bill is to apply and, therefore, strips any fiscal note. There is no fiscal cost to this bill. Thank you, Mr. President.

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

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

Senator **SAVIELLO**: Thank you, Mr. President. Ladies and gentlemen of the Senate, I'll just take a minute to thank the Taxation Committee, who tried to help sort this out, and I also want to thank Mike Allen and Rob Weaver from Maine RS for coming over and explaining to me what the fiscal note was and working with me to help change that appropriately. It's great thanks to that and because of that the various church ladies will not be calling you on the phone. Thank you very much, Mr. President.

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

THE PRESIDENT: The pending question before the Senate is the motion by the Senator from Kennebec, Senator Katz to Adopt Senate Amendment "A" (S-526) to Committee Amendment "A" (S-430). 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 (#694)

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

NAYS: Senators: None

EXCUSED: Senators: BRAKEY, DILL, MILLETT

32 Senators having voted in the affirmative and no Senator having voted in the negative, with 3 Senators being excused, the motion by Senator **KATZ** of Kennebec to **ADOPT** Senate Amendment "A" (S-526) to Committee Amendment "A" (S-430) **PREVAILED**.

Committee Amendment "A" (S-430) as Amended by Senate Amendment "A" (S-526) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-430) AS AMENDED BY SENATE AMENDMENT "A" (S-526) thereto, in **NON-CONCURRENCE**.

Ordered sent down for concurrence.

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

Resolve

Resolve, Compensating Susan Cloutier For Claims Against The State

H.P. 1142 L.D. 1671
(C "A" H-638)

Placed on the Special Appropriations Table - April 8, 2016, by Senator **HAMPER** of Oxford

Pending - **FINAL PASSAGE**, in concurrence

(In Senate, April 6, 2016, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-638)**, in concurrence.)

(In House, April 7, 2016, **FINALLY PASSED**.)

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Resolve was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-638)**, in concurrence.

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (H-638), in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-523) to Committee Amendment "A" (H-638) **READ** and **ADOPTED**.

Committee Amendment "A" (H-638) as Amended by Senate Amendment "A" (S-523) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-638) AS AMENDED BY SENATE AMENDMENT "A" (S-523) thereto, in **NON-CONCURRENCE**.

Ordered sent down for concurrence.

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

Resolve

Resolve, To Enhance The Administration Of The Child And Adult Care Food Program By Creating Clear Guidelines For Organizations And Streamlining The Application Process
S.P. 570 L.D. 1472
(C "A" S-411; S "A" S-445)

Placed on the Special Appropriations Table - April 8, 2016, by Senator **HAMPER** of Oxford

Pending - **FINAL PASSAGE**, in concurrence

(In Senate, April 7, 2016, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-411) AND SENATE AMENDMENT "A" (S-445)**.)

(In House, April 7, 2016, **FINALLY PASSED**.)

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

Ordered sent down forthwith.

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

An Act To Clarify Expenditures Regarding Androscoggin County
H.P. 1012 L.D. 1489
(C "A" H-551)

Placed on the Special Appropriations Table - March 23, 2016, by Senator **HAMPER** of Oxford

Pending - **ENACTMENT**, in concurrence

(In Senate, March 17, 2016, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-551)**, in concurrence.)

(In House, March 22, 2016, **PASSED TO BE ENACTED**.)

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

Ordered sent down forthwith.

Emergency Measure

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

An Act To Increase Sentences Imposed For The Illegal Importation Of Scheduled Drugs

S.P. 602 L.D. 1541
(C "A" S-403)

Placed on the Special Appropriations Table - April 1, 2016, by Senator **KATZ** of Kennebec

Pending - **ENACTMENT**, in concurrence

(In Senate, March 29, 2016, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-403).**)

(In House, March 31, 2016, **PASSED TO BE ENACTED.**)

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

Ordered sent down forthwith.

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

An Act To Resolve Inconsistencies In The Drug Laws

S.P. 609 L.D. 1554
(H "A" H-664 to C "B" S-418)

Placed on the Special Appropriations Table - April 13, 2016, by Senator **HAMPER** of Oxford

Pending - **ENACTMENT**, in concurrence

(In Senate, April 12, 2016, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (S-418) AS AMENDED BY HOUSE AMENDMENT "A" (H-664)** thereto, in concurrence.)

(In House, April 13, 2016, **PASSED TO BE ENACTED.**)

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

Ordered sent down forthwith.

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

An Act To Address Employee Recruitment And Retention Issues At State Mental Health Institutions

S.P. 670 L.D. 1645
(C "A" S-507)

Placed on the Special Appropriations Table - April 12, 2016, by Senator **HAMPER** of Oxford

Pending - **ENACTMENT**, in concurrence

(In Senate, April 11, 2016, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-507).**)

(In House, April 12, 2016, **PASSED TO BE ENACTED.**)

This being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with no Senator having voted in the negative, and 32 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and, having been signed by the President, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

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

An Act To Provide Relief For Significant Reductions In Municipal Property Fiscal Capacity

S.P. 705 L.D. 1699
(H "A" H-670; H "B" H-673)

Placed on the Special Appropriations Table - April 14, 2016, by Senator **HAMPER** of Oxford

Pending - **ENACTMENT**, in concurrence

(In Senate, April 14, 2016, **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENTS "A" (H-670) AND "B" (H-673)**, in concurrence.)

(In House, April 14, 2016, **PASSED TO BE ENACTED.**)

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

Ordered sent down forthwith.

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

On motion by Senator **CUSHING** of Penobscot, the Senate removed from the **SPECIAL STUDY TABLE** the following:

An Act To Implement the Recommendations of the Commission To Study the Public Reserved Lands Management Fund
H.P. 1106 L.D. 1629
(C "A" H-648)

Placed on the Special Study Table - April 12, 2016, by Senator **MASON** of Androscoggin

Pending - **ENACTMENT**, in concurrence

(In Senate, April 8, 2016, **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.)

(In House, April 12, 2016, **PASSED TO BE ENACTED**.)

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

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

Senator **SAVIELLO:** Thank you, Mr. President. Just so everybody knows, this bill is the result of the special commission we had that met this summer on public lands to figure out what's the best way to use the money within the public lands. A couple of recommendations we made is to maintain a good balance there in case tree harvesting falls off the table, which we think it might. It also gives them some ability to do some forest inventory, get some real handle on what's growing out on public lands, and it gives an allocation of monies to schools, recreation, and handicap accessibility. I hope you will support this motion. Thank you very much, Mr. President.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#695)

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

NAYS: Senators: None

EXCUSED: Senators: BRAKEY, DILL, MILLETT

32 Senators having voted in the affirmative and no Senator having voted in the negative, with 3 Senators being excused, was **PASSED TO BE ENACTED** and, having been signed by the President, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

On motion by Senator **CUSHING** of Penobscot, the Senate removed from the **SPECIAL STUDY TABLE** the following:

Resolve, Establishing the Commission To Study the Economic, Environmental and Energy Benefits of the Maine Biomass Industry

H.P. 1158 L.D. 1693
(C "A" H-662)

Placed on the Special Study Table - April 12, 2016, by Senator **CUSHING** of Penobscot

Pending - **FINAL PASSAGE**, in concurrence

(In Senate, April 11, 2016, **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.)

(In House, April 12, 2016, **FINALLY PASSED**.)

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

Ordered sent down forthwith.

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

PAPERS FROM THE HOUSE

Joint Order

The following Joint Order:

H.P. 1170

ORDERED, the House concurring, that Bill, "An Act To Attract Investment to Loring Commerce Centre," H.P. 1141, L.D. 1670, and all its accompanying papers, be recalled from the Governor's desk to the House.

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

READ and **PASSED**, in concurrence.

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

ENACTORS

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

Bond Issue

An Act To Authorize a General Fund Bond Issue To Stimulate Investment in Innovation by Maine Businesses To Produce Nationally and Globally Competitive Products and Services
H.P. 722 L.D. 1053
(C "A" H-680)

This being a Bond Authorization Act, in accordance with the provisions of Section 14 of Article IX of the Constitution, having received the affirmative vote of 28 Members of the Senate, with 4 Senators having voted in the negative, and 28 being more than two-thirds of the Members present and voting, was **PASSED TO BE ENACTED** and, having been signed by the President, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

REPORTS OF COMMITTEES

Senate

Divided Report

The Majority of the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act To Authorize a General Fund Bond Issue To Upgrade and Replace Infrastructure of the Maine Public Broadcasting Corporation"
S.P. 182 L.D. 453

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-537)**.

Signed:

Senators:

KATZ of Kennebec
VALENTINO of York

Representatives:

ROTUNDO of Lewiston
FREY of Bangor
GRANT of Gardiner
JORGENSEN of Portland
MARTIN of Eagle Lake
SANBORN of Gorham

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

Signed:

Senator:

HAMPER of Oxford

Representatives:

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

Reports **READ**.

On motion by Senator **MASON** of Androscoggin, Bill and accompanying papers **INDEFINITELY POSTPONED**.

Sent down for concurrence.

Divided Report

The Majority of the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act To Authorize a General Fund Bond Issue To Support Waterfront Development"
S.P. 92 L.D. 254

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-536)**.

Signed:

Senator:

VALENTINO of York

Representatives:

ROTUNDO of Lewiston
FREY of Bangor
GRANT of Gardiner
JORGENSEN of Portland
MARTIN of Eagle Lake
SANBORN of Gorham

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

Signed:

Senators:

HAMPER of Oxford
KATZ of Kennebec

Representatives:

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

Reports **READ**.

On motion by Senator **MASON** of Androscoggin, Bill and accompanying papers **INDEFINITELY POSTPONED**.

Sent down for concurrence.

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

Off Record Remarks

RECESSED until the sound of the bell.

After Recess

Senate called to order by the President.

ORDERS OF THE DAY

The Chair laid before the Senate the following Tabled and Later Assigned (4/8/16) matter:

SENATE REPORTS - from the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Improve the Integrity of Maine's Welfare Programs"

S.P. 384 L.D. 1097

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-481)** (7 members)

Minority - **Ought to Pass as Amended by Committee Amendment "B" (S-482)** (6 members)

Tabled - April 8, 2016, by Senator **MASON** of Androscoggin Pending - **ACCEPTANCE** of the Minority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "B" (S-482)** Report (Roll Call Requested)

(In Senate, April 7, 2016, on motion by Senator **BRAKEY** of Androscoggin, the Minority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "B" (S-482)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.)

(In Senate, April 8, 2016, on motion by Senator **PATRICK** of Oxford, **RECONSIDERED ACCEPTANCE** of the Minority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "B" (S-482)** Report.)

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

The Chair ordered a Division. No Senator having voted in the affirmative and 29 Senators having voted in the negative, **ACCEPTANCE** of the Minority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "B" (S-482)** Report **FAILED**.

The Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-481)** Report **ACCEPTED**.

READ ONCE.

Committee Amendment "A" (S-481) **READ**.

On motion by Senator **BAKER** of Sagadahoc, Senate Amendment "A" (S-542) to Committee Amendment "A" (S-481) **READ**.

THE PRESIDENT: The Chair recognizes the Senator from Sagadahoc, Senator Baker.

Senator **BAKER:** Thank you, Mr. President. I am pleased to present this important amendment. This amendment is a great starting point to commonsense reforms to Maine's welfare system. I want to thank my friend and colleague from Androscoggin, Senator Brakey, for his hard work on this amendment. It is unfortunate that he cannot be here tonight to offer the amendment himself. I am honored to present this document for consideration.

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 as a sponsor of this legislation and am very pleased to see we're at a point where it looks like, potentially, we can finally enact this very commonsense, but much needed, reform to improve the integrity of Maine's welfare programs. If I could, Mr. President, I'd just like to briefly summary what this bill and its amendment does. First, it bans the purchase with TANF funds of various items that we know, and we all agree, do not help low income families get their way out of poverty. This legislation bans the purchase of tobacco products, liquor, gambling activities, lotteries, bail, firearms and ammunition, vacation and travel services, adult entertainment, and tattoos. It further institutes a, I think, sensible, but tough, set of penalties for folks that are on assistance who knowingly violate the terms of this program. Finally, Mr. President, this legislation provides for additional fraud enforcement, fraud investigation, within the Attorney General's Office. We all know this has been a highly politicized issue, one that certainly gets a lot of attention, but Maine people has asked for pragmatic sensible reforms for Maine's welfare programs because, ultimately, Mr. President, over the last couple of years I think most Maine people have lost faith in the State's ability to properly manage our social safety net. I think the vast majority of Maine people would, without hesitation, offer a helping hand to those who need a hand up. Indeed, our social welfare programs in the State of Maine provide that for the vast majority of people for a limited period of time. We all know that there are bad apples in every bunch and it's unfortunate that those few cases of folks who knowing abuse their public benefits programs get a lot of attention in the media. We also acknowledge, Mr. President, that the vast majority of folks who do need a bit of a hand up need that for a limited period of time. Mr. President, I'm pleased that we're at a point where I think we can finally enact some sensible changes and I would ask you to follow my light. Thank you, Mr. President.

On motion by Senator **BAKER** of Sagadahoc, Senate Amendment "A" (S-542) to Committee Amendment "A" (S-481) **ADOPTED**.

Committee Amendment "A" (S-481) as Amended by Senate Amendment "A" (S-542) thereto, **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-481) AS AMENDED BY SENATE AMENDMENT "A" (S-542)** thereto.

Sent down for concurrence.

Off Record Remarks

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

Off Record Remarks

Senate at Ease.

Senate called to order by the President.

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

ENACTORS

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

Emergency Measure

An Act To Establish a Process for the Procurement of Biomass Resources

S.P. 689 L.D. 1676
(S "B" S-539 to C "A" S-517)

This being an Emergency Measure and having received the affirmative vote of 26 Members of the Senate, with 7 Senators having voted in the negative, and 26 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and, having been signed by the President, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

RECESSED until the sound of the bell.
After Recess

Senate called to order by the President.

ORDERS OF THE DAY

The Chair laid before the Senate the following Tabled and Later Assigned (4/14/16) matter:

Bill "An Act To Increase the Safety of Social Workers"
H.P. 1022 L.D. 1499
(C "A" H-605)

Tabled - April 14, 2016, by Senator **MASON** of Androscoggin

Pending - **CONSIDERATION**

(In Senate, March 31, 2016, **PASSED TO BE ENACTED**, in concurrence.)

(In House, April 13, 2016, **VETO OVERRIDEN** and the Bill **PASSED TO BE ENACTED**, notwithstanding the objections of the Governor.)

(In Senate, April 14, 2016, Veto Communication (H.C. 527) **READ** and **ORDERED PLACED ON FILE**.)

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#696)

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

NAYS: Senators: EDGECOMB, MCCORMICK, WILLETTE

EXCUSED: Senators: BRAKEY, MILLETT

30 Senators having voted in the affirmative and 3 Senators having voted in the negative, with 2 Senators being excused, and 30 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 **OVERRIDEN** and the Bill become law notwithstanding the objections of the Governor.

On motion by Senator **MASON** of Androscoggin, the Senate removed from the **SPECIAL STUDY TABLE** the following:

Emergency Resolve

Resolve, To Create the Task Force on Public-private Partnerships To Support Public Education

H.P. 1143 L.D. 1675
(C "A" H-628)

Placed on the Special Study Table - April 6, 2016, by Senator **MASON** of Androscoggin

Pending - **FINAL PASSAGE**, in concurrence

(In Senate, April 4, 2016, **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.)

(In House, April 5, 2016, **FINALLY PASSED**.)

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-628)**, in concurrence.

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (H-628), in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-541) to Committee Amendment "A" (H-628) **READ** and **ADOPTED**.

Committee Amendment "A" (H-628) as Amended by Senate Amendment "A" (S-541) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-628) AS AMENDED BY SENATE AMENDMENT "A" (S-541) thereto, in **NON-CONCURRENCE**.

Ordered sent down for concurrence.

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

RECESSED until the sound of the bell.

After Recess

Senate called to order by the President.

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

COMMUNICATIONS

The Following Communication: H.C. 537

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

April 15, 2016

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

Dear Honorable Members of the 127th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 1677, "Resolve, Directing the Department of Administrative and Financial Services and the Maine Public Employees Retirement System To Identify Retirees Whose Retirement Benefit Calculations Were Adversely Affected by Certain Pay Freezes and To Calculate Costs Associated with Authorizing Those Retirees To Include Such Lost Wages in Retirement Benefit Calculations."

This bill does not actually accomplish anything, and I worry that it intends to increase the State's unfunded pension liabilities. The resolve directs staff at the Department of Administration and Financial Services and Maine Public Employees Retirement System to gather information and perform calculations, but abdicates responsibility for policy decisions until the 128th Legislature, which may or may not act based on the information collected. I do not consent to the Legislature creating more work for the staff of these agencies, especially when this work may not result in any action.

Worse yet, if this bill did result in action, it would simply add to the State's unfunded pension liabilities that we have been actively working to reduce. I do not agree with across-the-board pay freezes; however, adding to our liabilities would be taking the State's financial health in the wrong direction at a time when we are working hard to improve our credit worthiness.

For these reasons, I return this bill to you unsigned and vetoed. I urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage
Governor

READ and **ORDERED PLACED ON FILE**.

The accompanying Resolve:

Resolve, Directing the Department of Administrative and Financial Services and the Maine Public Employees Retirement System To Identify Retirees Whose Retirement Benefit Calculations Were Adversely Affected by Certain Pay Freezes and To Calculate Costs Associated with Authorizing Those Retirees To Include Such Lost Wages in Retirement Benefit Calculations
H.P. 1144 L.D. 1677

Comes from the House, 145 members having voted in the affirmative and none in the negative, the veto of the Governor was Overridden and it was the vote of the House that the Bill become law notwithstanding the objections of the Governor.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#697)

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

NAYS: Senators: None

EXCUSED: Senators: BRAKEY, MILLETT

33 Senators having voted in the affirmative and no Senator having voted in the negative, with 2 Senators being excused, and 33 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

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 Make Certain Necessary Supplemental Appropriations and Allocations"
H.P. 703 L.D. 1020

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-681)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-681)**.

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

READ ONCE.

Committee Amendment "A" (H-681) **READ** and **ADOPTED**, in concurrence.

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

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

PAPERS FROM THE HOUSE

Non-Concurrent Matter

Bill "An Act To Attract Investment to Loring Commerce Centre"
H.P. 1141 L.D. 1670
(C "A" H-634)

In Senate, April 12, 2016, **PASSED TO BE ENACTED**, in concurrence.

Comes from the House, **RECALLED** from Governor's Desk, pursuant to Joint Order (H.P. 1170). **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-634) AS AMENDED BY HOUSE AMENDMENT "A" (H-682)** thereto, in **NON-CONCURRENCE**.

Senator **MASON** of Androscoggin moved the Senate **INSIST**.

Same Senator requested and received leave of the Senate to withdraw his motion to motion to **INSIST**.

On further motion by same Senator, the Senate **RECEDED** and **CONCURRED**.

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

ENACTORS

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

Acts

An Act To Ensure the Safety of Home Birth
S.P. 248 L.D. 690
(S "A" S-514 to C "A" S-484)

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.

An Act To Improve the Integrity of Maine's Welfare Programs
S.P. 384 L.D. 1097
(S "A" S-542 to C "A" S-481)

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 (#698)

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

NAYS: Senators: None

EXCUSED: Senators: BRAKEY, MILLETT

33 Senators having voted in the affirmative and no Senator having voted in the negative, with 2 Senators being excused, was **PASSED TO BE ENACTED** and, having been signed by the President, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

Resolve

Resolve, Compensating Susan Cloutier for Claims against the State

H.P. 1142 L.D. 1671
(S "A" S-523 to C "A" H-638)

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

Ordered sent down forthwith.

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

Senate at Ease.

Senate called to order by the President.

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

ENACTORS

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

Emergency Resolve

Resolve, To Create the Task Force on Public-private Partnerships To Support Public Education

H.P. 1143 L.D. 1675
(S "A" S-541 to C "A" H-628)

This being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with no Senator having voted in the negative, and 32 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** and, having been signed by the President, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

Act

An Act To Improve the Evaluation of Elementary and Secondary Schools

H.P. 853 L.D. 1253
(S "A" S-530 to C "B" H-658)

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.

ORDERS OF THE DAY

Senator **VALENTINO** of York moved the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

April 15, 2016

An Act To Improve the Health of Maine Citizens and the Economy of Maine by Providing Affordable Market-based Coverage Options to Low-income Uninsured Citizens

S.P. 226 L.D. 633
(C "A" S-487)

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

Dear Secretary Priest:

Placed on the Special Appropriations Table - April 14, 2016, by Senator **HAMPER** of Oxford

Senate Paper 691, Legislative Document 1684, "An Act To Implement Certain Recommendations of the Task Force on School Leadership," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

Pending - **ENACTMENT**, in concurrence

94 voted in favor and 50 against, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

(In Senate, April 12, 2016, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-487).**)

Sincerely,

(In House, April 13, 2016, **PASSED TO BE ENACTED.**)

S/Robert B. Hunt
Clerk of the House

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.

READ and ORDERED PLACED ON FILE.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#699)

RECESSED until the sound of the bell.

YEAS: Senators: ALFOND, BREEN, DAVIS, DESCHAMBAULT, DIAMOND, DILL, GERZOFSKY, GRATWICK, HASKELL, HILL, JOHNSON, LIBBY, MIRAMANT, PATRICK, SAVIELLO, VALENTINO

After Recess

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

Senate called to order by the President.

EXCUSED: Senators: BRAKEY, MILLETT

The following proceedings were conducted after 12:01a.m., Saturday, April 16, 2016.

16 Senators having voted in the affirmative and 17 Senators having voted in the negative, with 2 Senators being excused, the motion by Senator **VALENTINO** of York to remove L.D. 633 from the **SPECIAL APPROPRIATIONS TABLE FAILED.**

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

PAPERS FROM THE HOUSE

Non-Concurrent Matter

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

Bill "An Act To Exempt from Sales Tax Meals Sold by Nonprofit Organizations"

COMMUNICATIONS

S.P. 651 L.D. 1613
(S "A" S-526 to C "A" S-430)

The Following Communication: H.C. 538

In House, March 29, 2016, **PASSED TO BE ENACTED.**

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

In Senate, April 15, 2016, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-430) AS AMENDED BY SENATE AMENDMENT "A" (S-526)** thereto, in **NON-CONCURRENCE**.

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

On motion by Senator **KATZ** of Kennebec, the Senate **RECEDED** from whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-430) AS AMENDED BY SENATE AMENDMENT "A" (S-526)** thereto.

On further motion by same Senator, the Senate **RECEDED** from whereby it **ADOPTED COMMITTEE AMENDMENT "A" (S-430) AS AMENDED BY SENATE AMENDMENT "A" (S-526)** thereto.

On further motion by same Senator, the Senate **RECEDED** from whereby it **ADOPTED SENATE AMENDMENT "A" (S-526)** and **INDEFINITELY POSTPONED** same.

On further motion by same Senator, Senate Amendment "B" (S-544) to Committee Amendment "A" (S-430) **READ**.

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

Senator **KATZ:** Thank you, Mr. President. Men and women of the Senate, this is the sales and meals tax by non-profit organizations bill and this slight further correction of an amendment will make the law much more clear. Thank you, Mr. President.

On motion by Senator **KATZ** of Kennebec, Senate Amendment "B" (S-544) to Committee Amendment "A" (S-430) **ADOPTED**.

Committee Amendment "A" (S-430) as Amended by Senate Amendment "B" (S-544) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-430) AS AMENDED BY SENATE AMENDMENT "B" (S-544) thereto, in **NON-CONCURRENCE**.

Sent down for concurrence.

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

ORDERS

Joint Order

On motion by Senator **MASON** of Androscoggin, the following Joint Order:

S.P. 706

ORDERED, the House concurring, that when the House and Senate adjourn they do so until the call of the President of the Senate and the Speaker of the House, respectively, when there is a need to conduct business, or consider possible objections of the Governor.

READ and PASSED.

Sent down for concurrence.

RECESSED until the sound of the bell.

After Recess

Senate called to order by the President.

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

RECESSED until the sound of the bell.

After Recess

Senate called to order by the President.

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

ENACTORS

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

Act

An Act To Modernize Maine's Solar Power Policy and Encourage Economic Development

H.P. 1120 L.D. 1649
(S "A" S-522 to C "A" H-666)

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.

Senate at Ease.

Senate called to order by the President.

ORDERS OF THE DAY

The Chair laid before the Senate the following Tabled and Later Assigned (4/6/16) matter:

Bill "An Act To Provide Funding to the Maine Budget Stabilization Fund" (EMERGENCY)

S.P. 647 L.D. 1606
(S "A" S-467 to C "A" S-464)

Tabled - April 6, 2016, by Senator **MASON** of Androscoggin

Pending - **FURTHER CONSIDERATION**

(In Senate, April 5, 2016, on motion by Senator **HAMPER** of Oxford, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-464)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-464) AS AMENDED BY SENATE AMENDMENT "A" (S-467)** thereto, in concurrence.)

(In House, April 5, 2016, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-464)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-464) AS AMENDED BY SENATE AMENDMENT "A" (S-467) AND HOUSE AMENDMENT "C" (H-643)** thereto, in **NON-CONCURRENCE**.)

On motion by Senator **ALFOND** of Cumberland, the Senate **RECEDED** from whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-464) AS AMENDED BY SENATE AMENDMENT "A" (S-467)** thereto.

On further motion by same Senator, the Senate **RECEDED** from whereby it **ADOPTED COMMITTEE AMENDMENT "A" (S-464) AS AMENDED BY SENATE AMENDMENT "A" (S-467)**.

On further motion by same Senator, the Senate **RECEDED** from whereby it **ADOPTED SENATE AMENDMENT "A" (S-467) TO COMMITTEE AMENDMENT "A" (S-464)** and **INDEFINITELY POSTPONED** same.

On further motion by same Senator, the Senate **RECEDED** from whereby it **ADOPTED COMMITTEE AMENDMENT "A" (S-464)** and **INDEFINITELY POSTPONED** same.

On further motion by same Senator, Senate Amendment "A" (S-545) **READ** and **ADOPTED**.

PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-545), in **NON-CONCURRENCE**.

Sent down for concurrence.

RECESSED until the sound of the bell.

After Recess

Senate called to order by the President.

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

RECESSED until the sound of the bell.

After Recess

Senate called to order by the President.

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

ENACTORS

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

Emergency Measure

An Act To Provide Supplemental Deallocation for the Department of the Secretary of State and Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2016 and June 30, 2017

H.P. 703 L.D. 1020
(C "A" H-681)

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

Ordered sent down forthwith.

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

ENACTORS

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

Act

An Act To Attract Investment to Loring Commerce Centre
H.P. 1141 L.D. 1670
(H "A" H-682 to C "A" H-634)

Off Record Remarks

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

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

Ordered sent down forthwith.

On motion by Senator **MASON** of Androscoggin, **ADJOURNED**, pursuant to the Joint Order, until the call of the President of the Senate, in memory of and lasting tribute to George Nixon Clark of Oakfield.

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

PAPERS FROM THE HOUSE

Joint Order

The following Joint Order:

H.P. 1171

ORDERED, the Senate concurring, that pursuant to the Maine Revised Statutes, Title 3, section 2 the House and Senate shall extend the date for adjournment for one legislative day.

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

READ and **PASSED**, in concurrence.

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

ENACTORS

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

Emergency Measure

An Act To Provide Funding to the Maine Budget Stabilization Fund and To Make Additional Supplemental Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2016 and June 30, 2017

S.P. 647 L.D. 1606
(S "A" S-545)

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 **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.