MAINE STATE LEGISLATURE

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Senate Legislative Record

One Hundred and Twenty-Fifth Legislature

State of Maine

Daily Edition

Second Regular Session January 4, 2012 to May 31, 2012

Pages 1594 - 2357

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

Doctor of the day, Dr. William Atlee, MD of Augusta.

In Senate Chamber

3	III Seriale Chamber
Senate called	Tuesday March 20, 2012
	Senate called to order by President Kevin L. Raye of Washington
PAPERS	County.
ŀ	
Bill "An Act Requiring Com Density Information to Pat	Prayer by Pastor Cathy Cantin of Bradley Memorial United Methodist Church in Fryeburg Harbor.
,,	PASTOR CANTIN : Would you pray with me. Before the busyness of this day begins, Holy One, let us come before Your
Presented by Representat Cosponsored by Senator I Representatives: CAIN of RANKIN of Hiram, ROSEN Cumberland. Approved for introduction pursuant to Joint Rule 205	throne to rest for just a moment, to collectively gather our thoughts, and begin the day with a fresh spirit for You. Allow us to pause at Your knee and know Your peace and Your guidance. Allow us to drink in Your grace, absorb Your strength, and be filled with Your direction for the job before each one gathered here. The day before us is long and the work is never easy, but we take courage that, by Your spirit and Your holy word, You call us to come to You, we who are weary and burdened, to You,
Committee on INSURANC suggested and ordered pr	precious one, who will grant us rest. You, in Your holy wisdom, offer Your yoke as we learn from You, that You are gentle and
Comes from the House, R HEALTH AND HUMAN S	humble in heart and we will find rest for our souls. You promise, O God, that Your yoke is easy and Your burden is light. We thank You, Heavenly One, that You are there to lead us through
REFERRED to the Comm SERVICES and ordered p	this maze of rules and laws, debates and discussions, before us. Help us to know that we, as the chosen, who have been entrusted with this important work of making decisions, decisions that will affect the very citizens of this grant state of Maine, we who labor here, do not have to shoulder this task alone, but You, O Holy
Pui	One, will be our guide and our mentor. We pray that You instill in us Your wisdom, compassion, sensitivity, and the ability to
Department of Profe	discern Your will in all that is before us today. We pray that You wash each in that philos, that brotherly/sisterly love, as we leave
Representative RICHARD Department of Profession pursuant to the Maine Revasked leave to report that Legislative Review of Port Accountability, a Major Suprofessional and Financia	outside the Chamber doors our bias, judgmental ways, and personal issues so that we, Your chosen ones, can be clear to do the work of Your people. Grant us the ability to love our neighbors as we love ourselves. Lead us, O Blessed One, as we perform the tasks placed before us this day. We pray all this in Your gracious name. Amen.
Be REFERRED to the Cor FINANCIAL SERVICES a Rule 218.	Pledge of Allegiance led by Senator Thomas H. Martin, Jr. of Kennebec County.
Comes from the House wi and the Resolve REFERR	Reading of the Journal of Monday, March 19, 2012.

Off Record Remarks
Senate at Ease.
Senate called to order by the President.

FROM THE HOUSE

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munication of Mammographic Breast ents"

H.P. 1394 L.D. 1886

ive HAYES of Buckfield. ANGLEY of Hancock and Orono, CUSHING of Hampden, I of Bucksport, STRANG BURGESS of

by a majority of the Legislative Council

E AND FINANCIAL SERVICES nted.

EFERRED to the Committee on ERVICES.

ttee on HEALTH AND HUMAN rinted, in concurrence.

suant to Statute ssional and Financial Regulation

SON submitted the Report of the nal and Financial Regulation, rised Statutes, Title 5, section 8072 the accompanying Resolve, Regarding ons of Chapter 850: Health Plan bstantive Rule of the Department of Regulation (EMERGENCY) H.P. 1396 L.D. 1893

nmittee on INSURANCE AND nd ordered printed pursuant to Joint

th the Report READ and ACCEPTED ED to the Committee on INSURANCE CIAL SERVICES and ordered printed pursuant to Joint Rule 218.

Report READ and ACCEPTED, in concurrence.

REFERRED to the Committee on **INSURANCE AND FINANCIAL SERVICES** and ordered printed pursuant to Joint Rule 218, in concurrence.

Joint Resolution

The following Joint Resolution:

H.P. 1397

JOINT RESOLUTION MEMORIALIZING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO REVIEW PORTIONS OF THE NATIONAL DEFENSE AUTHORIZATION ACT

WE, your Memorialists, the Members of the One Hundred and Twenty-fifth Legislature of the State of Maine now assembled in the Second Regular Session, most respectfully present and petition the President of the United States and the United States Congress as follows:

WHEREAS, the United States Congress passed the National Defense Authorization Act for fiscal year 2012 on December 15, 2011, and the President of the United States signed the Act into law on December 31, 2011; and

WHEREAS, the Act directs the Armed Forces of the United States to detain any person who is captured in the course of hostilities authorized by the federal Authorization for Use of Military Force Against Terrorists and who is determined to be a member of or part of al-Qaeda or an associated force that acts in coordination with or pursuant to the direction of al-Qaeda and to have participated in the course of planning or carrying out an attack against the United States or its coalition partners; and

WHEREAS, the disagreements and uncertainty in interpretation of the law has raised significant concerns about due process for United States citizens; and

WHEREAS, the prospect of the indefinite detention of United States citizens violates, without due process of law, basic rights enshrined in the United States Constitution, such as the right to seek a writ of habeas corpus, the right to petition for a redress of grievances, the right to be free from unreasonable searches and seizures and the right to counsel; and

WHEREAS, it is crucial to national security that funding contained in the National Defense Authorization Act for the Department of Defense and members of the military and their dependents remain intact; and

WHEREAS, the members of this Legislature have taken an oath to uphold the United States Constitution and the Constitution of Maine; now, therefore, be it

RESOLVED: That We, your Memorialists, most respectfully urge and request that the President of the United States and the United States Congress amend the National Defense Authorization Act to clarify that any provisions contained within will not deprive United States citizens of the rights of due process; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable Barack H. Obama, President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives and to each Member of the Maine Congressional Delegation.

Comes from the House, READ and ADOPTED.

READ and **ADOPTED**, in concurrence.

Off Record Remarks

COMMUNICATIONS

The Following Communication:

S.C. 776

STATE OF MAINE OFFICE OF THE GOVERNOR

March 16, 2012

The Honorable Kevin Raye President of the Senate 3 State House Station Augusta, Maine 04333

Dear President Raye:

This is to inform you that, pursuant to Title 3 M.R.S.A., §154, I am withdrawing my nomination of Richelle R. Wallace for appointment as a member of the Board of Trustees of Dirigo Health.

This nomination is currently pending before the Joint Standing Committee on Insurance and Financial Services.

Thank you for your assistance in this matter.

Sincerely,

S/Paul R. LePage Governor

READ and ORDERED PLACED ON FILE.

The Following Communication:

S.C. 777

STATE OF MAINE OFFICE OF THE GOVERNOR

March 16, 2012

LEGISLATIVE RECORD - SENATE, TUESDAY, MARCH 20, 2012

The Honorable Kevin Raye President of the Senate 3 State House Station Augusta, Maine 04333

Dear President Raye:

This is to inform you that I am today nominating Thomas A. Urquhart of Falmouth for reappointment to the Maine Outdoor Heritage Fund Board.

Pursuant to Title 12, MRSA §10308, this reappointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Environment and Natural Resources.

Sincerely,

S/Paul R. LePage Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 778

STATE OF MAINE OFFICE OF THE GOVERNOR

March 16, 2012

The Honorable Xevin Raye President of the Senate 3 State House Station Augusta, Maine 04333

Dear President Paye:

This is to inform you that I am today nominating Jack W. Witham of Arrowsic for appointment to the Maine Outdoor Heritage Fund Board.

Pursuant to Title 12, MRSA §10308, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Environment and Natural Resources.

Sincerely,

S/Paul R. LePage Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 779

STATE OF MAINE OFFICE OF THE GOVERNOR March 16, 2012

The Honorable Kevin Raye President of the Senate 3 State House Station Augusta, Maine 04333

Dear President Raye:

This is to inform you that I am today nominating Katharine Rand of Portland for appointment to the Maine Labor Relations Board.

Pursuant to Title 26, MRSA §968, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Labor, Commerce, Research and Economic Development.

Sincerely,

S/Paul R. LePage Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 780

STATE OF MAINE
OFFICE OF THE GOVERNOR

March 16, 2012

The Honorable Kevin Raye President of the Senate 3 State House Station Augusta, Maine 04333

Dear President Raye:

This is to inform you that I am today nominating Peter Dawson of Hallowell for reappointment to the Maine Labor Relations Board.

Pursuant to Title 26, MRSA §968, this reappointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Labor, Commerce, Research and Economic Development.

Sincerely,

S/Paul R. LePage Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 781

STATE OF MAINE
OFFICE OF THE GOVERNOR

March 16, 2012

The Honorable Kevin Raye President of the Senate 3 State House Station Augusta, Maine 04333

Dear President Raye:

This is to inform you that I am today nominating Ronald Green Jr. of Plymouth for appointment to the Workers' Compensation Board.

Pursuant to Title 39-A, MRSA §151, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Labor, Commerce, Research and Economic Development.

Sincerely,

S/Paul R. LePage Governor

READ and ORDERED PLACED ON FILE.

The Following Communication:

S.C. 782

STATE OF MAINE OFFICE OF THE GOVERNOR

March 16, 2012

The Honorable Kevin Raye President of the Senate 3 State House Station Augusta, Maine 04333

Dear President Raye:

This is to inform you that I am today nominating Robert Tyler of St. David Ridge, New Brunswick for reappointment to the Washington County Development Authority.

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

Sincerely,

S/Paul R. LePage Governor

READ and ORDERED PLACED ON FILE.

ORDERS

Joint Resolution

On motion by Senator CRAVEN of Androscoggin (Cosponsored by Senators: ALFOND of Cumberland, BARTLETT of Cumberland, BRANNIGAN of Cumberland, COLLINS of York, COURTNEY of York, DIAMOND of Cumberland, DILL of Cumberland, FARNHAM of Penobscot, GERZOFSKY of Cumberland, GOODALL of Sagadahoc, HASTINGS of Oxford. HILL of York, HOBBINS of York, JACKSON of Aroostook, JOHNSON of Lincoln, KATZ of Kennebec, LANGLEY of Hancock, MARTIN of Kennebec, MASON of Androscoggin, McCORMICK of Kennebec, PATRICK of Oxford, PLOWMAN of Penobscot, President RAYE of Washington, RECTOR of Knox, ROSEN of Hancock, SAVIELLO of Franklin, SCHNEIDER of Penobscot, SHERMAN of Aroostook, SNOWE-MELLO of Androscoggin, SULLIVAN of York, THIBODEAU of Waldo, THOMAS of Somerset, WHITTEMORE of Somerset, WOODBURY of Cumberland, Representatives: AYOTTE of Caswell, BEAUDOIN of Biddeford, BEAULIEU of Auburn, BEAVERS of South Berwick, BECK of Waterville, BELIVEAU of Kittery, BENNETT of Kennebunk, BERRY of Bowdoinham, BICKFORD of Auburn, BLACK of Wilton, BLODGETT of Augusta, BOLAND of Sanford, BOLDUC of Auburn, BRIGGS of Mexico, BRYANT of Windham, BURNS of Whiting, CAIN of Orono, CAREY of Lewiston. CASAVANT of Biddeford, CEBRA of Naples, CELLI of Brewer, CHAPMAN of Brooksville, CHASE of Wells, CHIPMAN of Portland, CLARK of Millinocket, CLARK of Easton, CLARKE of Bath, CORNELL du HOUX of Brunswick, COTTA of China, CRAY of Palmyra, CROCKETT of Bethel, CURTIS of Madison, CUSHING of Hampden, DAMON of Bangor, DAVIS of Sangerville, DILL of Old Town, DION of Portland, DOW of Waldoboro, DRISCOLL of Westbrook, DUCHESNE of Hudson, DUNPHY of Embden, EBERLE of South Portland, EDGECOMB of Caribou, ESPLING of New Gloucester, EVES of North Berwick, FITTS of Pittsfield, FITZPATRICK of Houlton, FLEMINGS of Bar Harbor, FLOOD of Winthrop, FOSSEL of Alna, FOSTER of Augusta, FREDETTE of Newport, GIFFORD of Lincoln, GILBERT of Jav. GILLWAY of Searsport, GOODE of Bangor, GRAHAM of North Yarmouth, GUERIN of Glenburn, HAMPER of Oxford, HANLEY of Gardiner, HARLOW of Portland, HARMON of Palermo, HARVELL of Farmington, HASKELL of Portland, HAYES of Buckfield, HERBIG of Belfast, HINCK of Portland, HOGAN of Old Orchard Beach, HUNT of Buxton, INNES of Yarmouth, JOHNSON of Eddington, JOHNSON of Greenville, KAENRATH of South Portland, KENT of Woolwich, KESCHL of Belgrade, KNAPP of Gorham, KNIGHT of Livermore Falls, KRUGER of Thomaston, KUMIEGA of Deer Isle, LAJOIE of Lewiston, LIBBY of Waterboro, LONG of Sherman, LONGSTAFF of Waterville, LOVEJOY of Portland, LUCHINI of Ellsworth, MacDONALD of Boothbay, MAKER of Calais, MALABY of Hancock, MALONEY of Augusta, MARTIN of Eagle Lake, MAZUREK of Rockland, McCABE of Skowhegan, McCLELLAN of Raymond, McFADDEN of Dennysville, McKANE of Newcastle, MITCHELL of the Penobscot Nation, MONAGHAN-DERRIG of Cape Elizabeth, MORISSETTE of Winslow, MORRISON of South Portland, MOULTON of York, NASS of Acton, NELSON of Falmouth, NEWENDYKE of Litchfield, Speaker NUTTING of Oakland, O'BRIEN of Lincolnville, O'CONNOR of Berwick, OLSEN of Phippsburg, PARKER of Veazie, PARRY of Arundel, PEOPLES of Westbrook, PETERSON of Rumford, PICCHIOTTI of Fairfield, PILON of Saco, PLUMMER of Windham, PRESCOTT of Topsham, PRIEST of Brunswick, RANKIN of Hiram, RICHARDSON of Carmel, RICHARDSON of Warren, RIOUX of

Winterport, ROCHELO of Biddeford, ROSEN of Bucksport, ROTUNDO of Lewiston, RUSSELL of Portland, SANBORN of Gorham, SANDERSON of Chelsea, SARTY of Denmark, SHAW of Standish, SIROCKI of Scarborough, SLAGGER of the Houlton Band of Maliseet Indians, SOCTOMAH of the Passamaquoddy Tribe, STEVENS of Bangor, STRANG BURGESS of Cumberland, STUCKEY of Portland, THERIAULT of Madawaska, TILTON of Harrington, TIMBERLAKE of Turner, TREAT of Hallowell, TURNER of Burlington, TUTTLE of Sanford, VALENTINO of Saco, VOLK of Scarborough, WAGNER of Lewiston, WALLACE of Dexter, WATERHOUSE of Bridgton, WEAVER of York, WEBSTER of Freeport, WELSH of Rockport, WILLETTE of Mapleton, WILLETTE of Presque Isle, WINSOR of Norway, WOOD of Sabattus), the following Joint Resolution:

S.P. 670

JOINT RESOLUTION IN HONOR OF WOMEN'S HISTORY MONTH AND IN RECOGNITION OF THE CONTRIBUTIONS THAT WOMEN MAKE TO MAINE AND TO THE UNITED STATES

WHEREAS, American women of every race, class and ethnic background have made historic contributions to the growth and strength of our nation in countless recorded and unrecorded ways, especially in the areas of political and social change; and

WHEREAS, the United States boasts a rich history of women whose vast and courageous achievements speak to the sense of excellence and potential shared by all Americans; and

WHEREAS, our country would not have attained its greatness without the strength, bravery, insight and persistence of the women who have come before us; and

WHEREAS, American women have played, and continue to play, critical economic, cultural, political and social roles in every sphere of the life of the nation by constituting a significant portion of the labor force working inside and outside of the home and in professions from educator to astronaut; and

WHEREAS, women have played a major role in the defense of our nation, both on and off the battlefield; and

WHEREAS, American women have been leaders, not only in securing their own rights of suffrage and equal opportunity but also in the abolitionist movement, the emancipation movement, the industrial labor movement, the civil rights movement and other movements that create a more fair and just society for all; and

WHEREAS, women not only have played critical economic, cultural and social roles in our society but also have permanently changed the face of American government and politics; and

WHEREAS, Maine has a rich and vibrant history of women in leadership, including former Senator Margaret Chase Smith, perhaps best known for her contribution to the well-being of the United States and its people with her consistent stand for the condemnation of bigotry and injustice wherever she found them; and

WHEREAS, Senator Margaret Chase Smith was the first woman from Maine to serve in the United States Congress, the first

woman in the nation elected to both houses of the United States Congress and the first woman to be placed in nomination for the presidency at a major party's convention; and

WHEREAS, Maine currently has some of the strongest women leaders in the nation, including Senator Olympia J. Snowe, the first woman to serve in both houses of a state legislature and both houses of the United States Congress, and Senator Susan Collins, the first woman to run for Maine Governor from a major party; and

WHEREAS, within our state judicial system, Chief Justice Leigh I. Saufley is Maine's first woman Chief Justice of the Supreme Judicial Court; and

WHEREAS, we must take every action possible to promote women in leadership so that we can achieve fair representation in our State Government, including recognizing Maine women's contributions to our state history: and

WHEREAS, in recognition of the contributions of women, the United States Congress has passed a resolution each year since 1987 designating the month of March as "Women's History Month"; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-fifth Legislature now assembled in the Second Regular Session, on behalf of the people we represent, take this opportunity to recognize March 2012 as Women's History Month in Maine; and be it further

RESOLVED: That We encourage the residents of this State to observe Women's History Month by participating in programs, ceremonies and activities to foster an awareness of and appreciation for the contributions made by women that have benefited and improved society.

READ.

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

Senator **CRAVEN**: Thank you Mr. President. Men and women of the Senate, March is Women's History Month. It's International Women's History Month, actually. Each year the National Women's History Project selects a team that highlights achievements by distinguished women in specific fields from medicine and the environment to art and politics. The 2012 theme, "Women's Education - Women's Empowerment", pays tribute to the pioneering teachers and advocates who help women and other groups gain access to advanced learning. Honorees include Emma Hart Willard, a higher education pioneer; Charlotte Forten Grimke, an educator and advocate for the education of African Americans; Annie Sullivan, a disability education architect known for her work with Helen Keller; Gracia Molina de Pick, a feminist educational reformer; and Brenda Flyswithhawks, an American Indian educator.

International Women's Day, a global celebration of the economic, political, and social achievements of women, took place for the first time in March 1911. Many countries around the world celebrate holidays with demonstrations, educational initiatives, and customs, such as presenting women with gifts and

flowers. I really wish to initiate that here and would love to have gifts and flowers for all of us women. The United Nations has sponsored International Women's Day since 1975. When adopting the resolution on the observation of International Women's Day, the United Nation's General Assembly cited the following reasons; to recognize the fact that securing peace and social progress is the full enjoyment of human rights and fundamental freedoms require the active participation, equality, and development of women and to acknowledge the contributions of women to the strengthening of the international peace and security.

In recent weeks, on the national level, women have been, I think, dishonored and disparaged from trying to take their healthcare services away, and to calling them names when they have the courage to stand up and to speak up about their convictions. I'm not going to do a lot of preaching about that, but I would invite everybody to think of their mothers, their spouses, their sisters, their daughters, their granddaughters, their best friends, any friends, people that they work with, and young women in our community who deserve our complete honor and our complete respect for what they do and the fact that they are, indeed, created in God's image. I hope that on a grassroots level we all stand up to honor women in our society who have just been so very, very instrumental in creating our society, our educational fields, and everything that we have. Thank you, Mr. President.

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

Senator BARTLETT: Thank you Mr. President. I, too, support this Resolution. It recognizes the outstanding contributions of women to our state. I wanted to add a few other women to the list of those who have been noted in the Resolution who I think deserve a special mention today. One of those is former President of this Body, Libby Mitchell, who has had the honor of serving as the first woman Speaker of the House and then became the first woman in the country to serve as a Presiding Officer of both branches of the Legislature. We also had the good fortune in Maine recently of electing Janet Mills as our Attorney General. She is the first woman to serve in that post and did an extraordinary job. My congresswoman, Chellie Pingree, who is the first Democratic woman to be elected to Congress. Those are a few of the people who have inspired me along the way and I wanted to be sure to honor them. I also wanted to offer a brief note about Margaret Chase Smith. My mother was always a very strong influence on me. Her first job out of high school, she graduated from Oxford Hills High School and went through their business program, was to go to Washington and work for Margaret Chase Smith, which was a great honor for her and a great honor for our family. In that time, Margaret Chase Smith liked to hire folks right out of high school because she wanted to train them herself. She wanted to make sure that they did things the way she thought they ought to be done. She was very, very involved and active with her staff. She always took great pride in the fact of sending money back that she was allocated for her staff and her offices because she took pride in being frugal. She found out that my mother could sew and decided that she would take advantage of that as well. My mother recalls making a dress for her, making a slipcover for one of her couches, and, in fact, even shopping for clothing for her. She says today that she has no idea how she had the audacity to do it at that time, but certainly it was a thrill of her life, and sent her down a path of

having a very distinguished career as a legal secretary here in the state of Maine. Thank you, Mr. President.

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

Senator SCHNEIDER: Thank you Mr. President. Men and women of the Senate, I would also like to stand and thank all the women who came before me, who made it possible for me to be here today. Without people fighting for equality, fighting for women to vote, and all the different struggles that women have gone through, I would not be standing here today. I also want to thank my mother for being such a strong role model for me, making me feel secure in myself, and with the knowledge that I could achieve anything I pet my mind to. I also want to just point out, as we go forward, that we have a long way to go as women in achieving equality. I remember very vividly, when I was listening on the Maine Public Broadcast network, about how many years it would take for women to achieve gender equality in Congress. It was astounding at the current pace that we are going. It was in the many hundreds of years for women who are Caucasian to achieve gender equality, and it would be something like 700 or 900 years before of color would achieve gender equality in Congress. We continue to struggle with equal pay for equal work. For example, I believe we only make, as women, something like 75¢ on the dollar to men for the very same work that they achieve. We continue to be discriminated against. As we move forward, I hope we will all fight for gender equality and fight for equality when it comes to monetary payment for the work that we all do going forward. We have a long way to go. We have certainly come a great distance, but I think today can highlight that we are very much a part of this society and we should be treated equally. Thank you very much, Mr. President.

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

Senator PLOWMAN: Thank you Mr. President. Men and women of the Senate, I, too, rise in support of this Joint Resolution. When I think of women who are getting things done, I still go back to my grandparents and my grandmothers because they did the everyday stuff without knowing that they had a sisterhood, without knowing that someone would be out there making huge changes. They did it every single day and they instilled in their children, men and women, a sense of what was right and what was wrong. As we go forward, I know that I have helped instill that in my daughter who, in her travels, decided to go school in the South. I cannot tell you the distress that I hear in her voice when she calls to tell me how a friend of hers has been beaten up and the police officer says, "I've seen worse," or when one of her Black roommates is not allowed to go to a fraternity house because she's Black. As we stand here in the Maine State Senate, please know how lucky we are, as women, to have the respect of our peers and the respect of our families, and know that we are not done yet, even on the little things that we don't talk about. Right now we talk about equal pay and we talk about Congress. We talk about being elected when there are young women, right now, still trying to get someone to pay attention because their boyfriend beat them up or because they are not the right color. We have a lot of work to do and it starts with taking the lessons that we've learned and passing them down to our daughters and our sons and insuring that we do continue because, even with the big

things that are out there, we still have so many little things left to do to make life good for so many young women who are coming along. Thank you, Mr. President.

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

Senator **DILL**: Thank you Mr. President. Men and women of the Senate, I rise also in support of this Joint Resolution and as a tribute to a woman who I greatly admire and who spoke at the 4th U.N. Conference on Women, Hilary Rodham Clinton, who said to the world in 1995, "What we are learning around the world is that if women are healthy and educated their families will flourish. If woman are free from violence, their families will flourish. If women have a chance to work and earn as full and equal partners in society, their families will flourish. When families flourish, communities and nations do as well. That is why every woman, every man, every child, every family, and every nation on this planet does have a stake in the discussion that takes place here." With that, I thank you very much.

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

Senator SULLIVAN: Thank you Mr. President. I also rise in support of this Resolution. As a teenager in high school, I was taken aside and told, "Now, with your grades", I was in that time what was called college prep courses, "Would you like to be a nurse or a teacher?" Those were my two choices. I'm old, but I don't think I'm that old. To be given two choices because I was in college prep. The reason why I was given those two choices was because it was assumed I would get married, have children, and if anything happened to my husband I could always either go into nursing or teaching. I would confess today that I would not have taken that path, but at the time I didn't realize I had a voice. I could have said, "I don't want to do either. I want something different." I never fulfilled that dream. it bothers me. Today I don't want that to happen to any of the kids. The 7th graders that I taught should never be given a choice between one profession or the other simply because of their gender. I was fortunate. I had two older brothers growing up. If you want to find out how you would live in a world full of men, grow up and be the baby sister of two older brothers who continue to this day to be pains most of the time. They taught me a lot about surviving. They taught me a lot about standing up for myself. I owe much of my success to my two brothers. It sort of goes against, "Behind every good man there is a woman pushing him." I would have to say one other thing, I would not be able to do this job without the support of men. My husband has been terrific to me. Men, as you sit here hearing all these things about women, you need to know that we make you look good. I would dare any man in this Chamber to stand up and say differently right now, on the record. As I look at the young women visiting us today and as I look at the women now in our hallways, we have come a long ways, baby, but we have not come far enough. We need to continue to work, relish the past, and continue to work to the future. Thank you very much, Mr. President.

THE PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Snowe-Mello.

Senator SNOWE-MELLO: Thank you Mr. President. I also stand today in support of this Resolution. I'm thinking back to my grandmother. My grandmother, who Ella Steinbauch. She came over from Germany when my mother was just a little girl. Ella was guite the woman. She didn't think about being immigrant from Germany. She was a very, very strong woman. Ella immediately decided, upon coming to this country, that they were going to learn English. She was really the breadwinner of the family way back, and this was in the 1920's. My grandmother, who I called Modgie, was quite something. She would often have to leave home and travel to other states to do nursing while my grandfather stayed home with my mother. He also worked, he worked in a mill. My grandmother really was a great role model for my mother. When my Mom married and had children, she taught us all to believe in ourselves and not to let anyone say that you can't do anything. My Dad said, because I had a problem physically, just like the good Senator from York would say, "You can only be a teacher or can only be a nurse." My mother would say, "You can do anything you want to do." Even though my mother didn't work, that was her choice. She taught my sister and I to really believe in ourselves and that we could do anything. Looking forward to today, I am very blessed that I have a wonderful husband who had a very strong mother. His mother taught my husband, Brian, to be very respectful of women. Because of him, he has encouraged me to continue on with my occupation. I also say to the good Senator from York, Senator Sullivan, I'm so glad that you did become a teacher because I think your children were very blessed to have you. I think that women have really advanced through the years. Look how many executives that we have in this country, top notch executives who are women. I think we have to be very proud and very comforted. We have come a long way, baby. Thank you.

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

Senator **BRANNIGAN**: Thank you Mr. President. Men and women of the Senate, women's history is a history of struggle. Sorry, but they don't need gifts and they don't need flowers. They need equity and they need justice. If you want to study the power of the woman's movement, look to the temperance movement. You don't have to agree with the outcome. It wasn't good overall. The power of women in those late 1800's and the early part of the last century, the 1900's, was overwhelming. The power of women, who couldn't even vote, had great influence on how the temperance laws came into effect. Of course Maine was a leader, I'm sorry to say. It blended in with the Civil Rights movement in those days and eventually their ability to vote. I was interested in this in a book called <u>Last Call</u>. Inequity, I'm sorry if I offended anybody and they left. Thank you very much, Mr. President.

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

Senator **HILL**: Thank you Mr. President. Ladies and gentlemen of the Senate, I rise in support of the Resolution. I also am in accord with everyone that has been referenced to so far. I would just like to remind you that you don't have to look far beyond this room to find women to honor. I would ask the males in the room, my male peers, to join me in honoring Senator Craven, Senator

Dill, Senator Farnham, Senator Plowman, Senator Schneider, Senator Snowe-Mello, and Senator Sullivan. Thank you.

THE PRESIDENT: The Chair would add the name of Senator Hill. The Chair recognizes the Senator from Cumberland, Senator Gerzofsky.

Senator **GERZOFSKY**: Thank you Mr. President. Ladies and gentlemen of the Senate, a little history is due. Back in the late 1970's and early 1980's there was a movement called the ERA, the Equal Rights Amendment, that came through the country to change the Constitution. It didn't fulfill its dream of two-thirds of the states, but Maine was a state that not only the people voted for it, but so did the Legislature. There happen to be a couple of legislators sitting here today that actually voted for that. I remember when we passed it here in the Senate. I was on staff. It was done with quite a lot of fanfare and emotion. We had several women serving here at the time. I dare say maybe more than we have now. It was a very big day in the history of equal rights for women and the people of Maine have always believed in equal rights for all and here in the Senate it's the same, and in the House. Thank you, Mr. President.

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

Senator JOHNSON: Thank you Mr. President. Ladies and gentlemen of the Senate, I would like to add two noteworthy women. First, Frances Perkins who, in a position not foremost of power but a voice of a great deal of influence through her work with others, achieved great things in worker conditions, safety, and Social Security, which so many of our elderly rely on to keep them from destitution in their old age, were enacted because of her work behind the scenes in this country. I remark that much of the work of women has been behind the scenes and not given the recognition that it should have. In my own life, a women that had made a difference, besides my mother who taught me a lot about being a good person and believing in ethics and the golden rule, and she also showed me that acceptance and love make a huge difference in a person's life, was an English teacher I had in Bangor High School, who had spent some time with her husband, who was a doctor, before it was generally open for that sort of travel, in China. Actually on one occasion she spoke to us, in her class with just the young folks, about how we should not take the liberties that we have for granted because she had seen how people lived in less free societies. I think that women do need flowers, but they need it because we appreciate what they do for us. They need more than flowers, because they deserve our respect and equal justice as well. Thank you.

On motion b	ov Senator	CRAVEN	of Androscoggin.	ADOPTED.
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Sent down f	for concurrence.	
	Off Record Remarks	Monthmu
	Senate at Fase	

Senate called to order by the President.

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

REPORTS OF COMMITTEES

House

Ought to Pass Pursuant to Statute

The Committee on AGRICULTURE, CONSERVATION AND FORESTRY on Bill "An Act To Implement the Recommendations of the Joint Standing Committee on Agriculture, Conservation and Forestry under the State Government Evaluation Act"

H.P. 1395 L.D. 1892

Reported that the same **Ought to Pass**, pursuant to the Maine Revised Statutes, Title 3, section 955, subsection 4.

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

Report READ and ACCEPTED, in concurrence.

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

Ought to Pass As Amended

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Assist Maine Schools To Obtain Federal Funds for Medically Necessary Services"

H.P. 739 L.D. 1003

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-788)**.

Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-788).

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

READ ONCE.

Committee Amendment "A" (H-788) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **ENERGY**, **UTILITIES AND TECHNOLOGY** on Resolve, Regarding Legislative Review of Portions of Chapter 316: Long-Term Contracting and Resource Adequacy, a Major Substantive Rule of the Public Utilities Commission (EMERGENCY)

H.P. 1314 L.D. 1789

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-790).

Comes from the House with the Report READ and ACCEPTED and the Resolve PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-790).

Report READ and ACCEPTED, in concurrence.

READ ONCE.

Committee Amendment "A" (H-790) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **ENERGY**, **UTILITIES AND TECHNOLOGY** on Resolve, Regarding Legislative Review of Portions of Chapter 421: Safety and Operation Standards for Liquefied Petroleum Gas (LPG) Distribution Systems, a Major Substantive Rule of the Public Utilities Commission (EMERGENCY)

H.P. 1317 L.D. 1792

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-787)**.

Comes from the House with the Report READ and ACCEPTED and the Resolve PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-787).

Report READ and ACCEPTED, in concurrence.

READ ONCE.

Committee Amendment "A" (H-787) **READ** and **ADOPTED**, in concurrence.

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

The Committee on LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT on Bill "An Act To Prevent the Theft and Illegal Sale of Copper and Other Metals" (EMERGENCY)

H.P. 1260 L.D. 1708

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-791)**.

Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-791).

Report READ and ACCEPTED, in concurrence.

READ ONCE.

Committee Amendment "A" (H-791) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **TAXATION** on Bill "An Act To Amend the Tax Laws"

H.P. 1290 L.D. 1749

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-792).

Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-792).

Report READ and ACCEPTED, in concurrence.

READ ONCE.

Committee Amendment "A" (H-792) **READ** and **ADOPTED**, in concurrence.

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

Senate

Ought to Pass

Senator RECTOR for the Committee on LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT on Bill "An Act To Amend the Laws Governing the Governor's Training Initiative Program"

S.P. 639 L.D. 1844

Reported that the same Ought to Pass.

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

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

Ordered sent down forthwith for concurrence.

Ought to Pass As Amended

Senator LANGLEY for the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Encourage Parental Involvement in Education"

S.P. 609 L.D. 1770

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-448).

Report READ and ACCEPTED.

READ ONCE.

Committee Amendment "A" (S-448) READ and ADOPTED.

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

Ordered sent down forthwith for concurrence.

Senator RECTOR for the Committee on LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT on Bill "An Act To Implement Recommendations on Reinventing Government"

S.P. 444 L.D. 1437

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-447).

Report READ and ACCEPTED.

READ ONCE.

Committee Amendment "A" (S-447) READ and ADOPTED.

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

Ordered sent down forthwith for concurrence.

Senator SNOWE-MELLO for the Committee on **MARINE RESOURCES** on Bill "An Act To Establish the Seafood Export Certification Program" (EMERGENCY)

S.P. 553 L.D. 1654

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-449).

Report READ and ACCEPTED.

READ ONCE.

Committee Amendment "A" (S-449) READ and ADOPTED.

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

Ordered sent down forthwith for concurrence.

Senator COLLINS for the Committee on **TRANSPORTATION** on Bill "An Act To Restore Maine's Secondary Roads"

S.P. 421 L.D. 1367

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-452).

Report READ and ACCEPTED.

READ ONCE.

Committee Amendment "A" (S-452) READ and ADOPTED.

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

Ordered sent down forthwith for concurrence.

SECOND READERS

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

House As Amended

Bill "An Act Regarding Insurance Adjusters and Reporting Requirements for Insurance Companies"

H.P. 1305 L.D. 1773 (C "A" H-735)

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

ENACTORS

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

Emergency Measure

An Act To Improve the Department of Environmental Protection's Annual Waste Discharge License Fee System

H.P. 1302 L.D. 1768 (C "A" H-771)

This being an Emergency Measure and having received the affirmative vote of 35 Members of the Senate, with no Senators having voted in the negative, and 35 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.

Emergency Resolve

Resolve, Regarding Legislative Review of Portions of Chapter 64: Maine School Facilities Program and School Revolving Renovation Fund, a Major Substantive Rule of the Department of Education and the Maine Municipal Bond Bank

H.P. 1313 L.D. 1788 (S "A" S-436 to C "A" H-741)

This being an Emergency Measure and having received the affirmative vote of 35 Members of the Senate, with no Senators having voted in the negative, and 35 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.

Emergency Resolve

Resolve, Regarding Legislative Review of Portions of Chapter 378: Variance Criteria for the Excavation of Rock, Borrow, Topsoil, Clay or Silt and Performance Standards for the Storage of Petroleum Products, a Major Substantive Rule of the Department of Environmental Protection

H.P. 1320 L.D. 1794

This being an Emergency Measure and having received the affirmative vote of 35 Members of the Senate, with no Senators having voted in the negative, and 35 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.

Emergency Resolve

Resolve, Regarding Legislative Review of Portions of Chapter 305: Permit by Rule, a Major Substantive Rule of the Department of Environmental Protection

H.P. 1323 L.D. 1797

This being an Emergency Measure and having received the affirmative vote of 35 Members of the Senate, with no Senators having voted in the negative, and 35 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.

Emergency Resolve

Resolve, Regarding Legislative Review of Chapter 140: Public Charter Schools, a Major Substantive Rule of the Department of Education

H.P. 1308 L.D. 1783 (C "A" H-759)

Comes From the House, FAILED FINAL PASSAGE.

On motion by Senator **LANGLEY** of Hancock, **TABLED** until Later in Today's Session, pending **FINAL PASSAGE**, in **NON-CONCURRENCE**.

Acts

An Act To Clarify and Streamline Foreclosure Proceedings H.P. 128 L.D. 145 (S "A" S-426 to C "B" H-721)

An Act To Stabilize Solid Waste Management Funding H.P. 937 L.D. 1278

(C "A" H-776)

An Act To Make Certain Juvenile Case Records Confidential H.P. 1203 L.D. 1597 (C "A" H-779)

An Act To Clarify the Court's Authority To Grant Credit Given for Jail Time toward Payment of Fines

H.P. 1204 L.D. 1598 (C "A" H-760)

An Act To Address Research and Teaching in Maine's Institutions of Higher Education by Amending the Laws Governing the Purchase of Goods and Services by the State Involving Institutions of Higher Education

S.P. 541 L.D. 1631 (C "A" S-428)

An Act To Amend the Law Governing Abatements of Property Taxes for Infirmity or Poverty and the Administration of the Circuitbreaker Program

H.P. 1245 L.D. 1693 (C "A" H-754)

An Act To Amend the Motor Vehicle Laws

H.P. 1262 L.D. 1710 (C "A" H-763)

An Act To Require Carbon Monoxide Detectors in Additional Residential Occupancies

H.P. 1286 L.D. 1744 (C "A" H-761)

An Act Concerning Technical Changes to the Tax Laws H.P. 1293 L.D. 1752 (C "A" H-767)

An Act Regarding the Matching Funds Provisions of the Maine Clean Election Act	The Chair laid before the Senate the following Tabled and Later (3/19/12) Assigned matter:
S.P. 612 L.D. 1774 (H "C" H-780)	Emergency
Senate at Ease.	An Act To Amend and Clarify the Public Charter School Law S.P. 607 L.D. 1762 (C "A" S-422)
	,
Senate called to order by the President.	Tabled - March 19, 2012, by Senator LANGLEY of Hancock
	Pending - ENACTMENT, in NON-CONCURRENCE
PASSED TO BE ENACTED and having been signed by the President were presented by the Secretary to the Governor for his approval.	(In Senate, March 13, 2012, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-422).)
	(In House, March 15, 2012, FAILED ENACTMENT.)
Ordered sent down forthwith.	On motion by Senator LANGLEY of Hancock, the Senate SUSPENDED THE RULES .
An Act To Reduce Deer Predation H.P. 298 L.D. 372 (C "C" H-769)	On further motion by same Senator, the Senate RECONSIDERED whereby the Bill was PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-422).
On motion by Senator ROSEN of Hancock, placed on the SPECIAL APPROPRIATIONS TABLE, pending ENACTMENT, in concurrence.	On further motion by same Senator, the Senate SUSPENDED THE RULES .
An Act To Amend Education Laws H.P. 1284 L.D. 1742	On further motion by same Senator, the Senate RECONSIDERED whereby it ADOPTED Committee Amendment "A" (S-422).
(C "A" H-757)	On further motion by same Senator, Senate Amendment "A" (S-451) to Committee Amendment "A" (S-422) READ .
On motion by Senator ROSEN of Hancock, placed on the SPECIAL APPROPRIATIONS TABLE , pending ENACTMENT , in concurrence.	THE PRESIDENT : The Chair recognizes the Senator from Hancock, Senator Langley.
Resolve	Senator LANGLEY : Thank you Mr. President. Men and women of the Senate, this amendment strips the Emergency Preamble off the bill and puts it up for a straight vote. Thank you.
Resolve, To Create a License Plate To Recognize the 2014 World Acadian Congress H.P. 1220 L.D. 1611 (S "A" S-437 to C "A" H-742)	On motion by Senator LANGLEY of Hancock, Senate Amendment "A" (S-451) to Committee Amendment "A" (S-422) ADOPTED .
On motion by Senator COLLINS of York, placed on the SPECIAL HIGHWAY TABLE, pending FINAL PASSAGE, in concurrence.	Committee Amendment "A" (S-422) as Amended by Senate Amendment "A" (S-451) thereto, ADOPTED , in NON-CONCURRENCE .
ORDERS OF THE DAY	PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-422) AS AMENDED BY SENATE AMENDMENT "A" (S-451) thereto, in NON-CONCURRENCE.
Unfinished Business	Ordered sent down forthwith for concurrence.
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.	Out of order and under suspension of the Rules, the Senate considered the following:

SENATE PAPERS

Bill "An Act To Restore Departmental Management over Costs of

State-paid Child Care	" S.P. 671 L.D. 1894
Presented by Senator (GOVERNOR'S BILL)	McCORMICK of Kennebec.
Committee on HEALT ordered printed.	TH AND HUMAN SERVICES suggested and
On motion by Senator to the Committee on LECONOMIC DEVELO	McCORMICK of Kennebec, REFERRED LABOR, COMMERCE, RESEARCH AND DPMENT.
Sent down for concurr	rence.
All matters thus acted concurrence.	upon were ordered sent down forthwith for
Senator LANGLEY of to address the Senate	f Hancock was granted unanimous consent e off the Record.
	t of Penobscot was granted unanimous e Senate off the Record.
	f Cumberland was granted unanimous e Senate off the Record.
Senator HOBBINS of address the Senate of	York was granted unanimous consent to ff the Record.
manus in vital in a single distribution of the s	Off Record Remarks
	of Penobscot was granted unanimous e Senate off the Record.
Senator HILL of York the Senate off the Red	was granted unanimous consent to address

Senator ROSEN of Hancock was granted unanimous consent to

address the Senate off the Record.

On motion by Senator **COURTNEY** of York, **ADJOURNED**, until Wednesday, March 21, 2012, at 10:00 in the morning, in memory of and lasting tribute to Hattie Bickmore of South Portland and Suzanne Bowman of Kittery.