

MAINE STATE LEGISLATURE

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Legislative Record
House of Representatives
One Hundred and Twenty-Sixth Legislature
State of Maine

Daily Edition

First Regular Session

beginning December 5, 2012

beginning at page H-1

ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE
FIRST REGULAR SESSION
13th Legislative Day
Thursday, February 14, 2013

The House met according to adjournment and was called to order by the Speaker.

Prayer by Reverend Susan Crane, Henderson Memorial Baptist Church, Farmington.

National Anthem by Julie Krouse, Gardiner.

Pledge of Allegiance.

Doctor of the day, Heather Sharkey, D.O., Brunswick.

The Journal of Tuesday, February 12, 2013 was read and approved.

SENATE PAPERS

The following Joint Order: (S.P. 31)

ORDERED, the House concurring, that by March 1, 2014, the Joint Standing Committee on Criminal Justice and Public Safety, after consultation with the Joint Standing Committee on Judiciary and the Joint Standing Committee on Appropriations and Financial Affairs, shall submit legislation to the Second Regular Session of the 126th Legislature establishing the Criminal Code Revision Commission, for the purpose of reviewing, revising, unifying, recodifying and consolidating Maine's criminal laws, including, but not limited to, the Maine Criminal Code. The commission shall:

1. Examine all sections of the Maine Criminal Code and all criminal statutes not contained in the Maine Criminal Code;

2. Evaluate the operation of the Maine Criminal Code in an effort to revise the Maine Criminal Code as necessary to ensure clarity, consistency, generalization in defining prohibited conduct, proportionality of the penalties and punishments to the offense and equity in sentencing. The commission shall recommend amendments to the Maine Criminal Code based on the evaluation and amendments to those Maine criminal statutes not contained in the Maine Criminal Code; and

3. Examine any other aspects of Maine's criminal laws, including substantive, procedural and administrative matters, that the commission determines relevant.

The legislation must provide that the Criminal Code Revision Commission may accept federal and other grants to carry out its responsibilities.

Came from the Senate, **READ** and **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY**.

READ and **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** in concurrence.

Bill "An Act To Eliminate the Child Support Collecting Fee Charged to a Person Who Has Never Received Assistance under a State Program"

(S.P. 154) (L.D. 374)

Committee on **JUDICIARY** suggested and ordered printed.

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

REFERRED to the Committee on **HEALTH AND HUMAN SERVICES** in concurrence.

Bill "An Act To Prohibit the Use of Eminent Domain in Certain Public-Private Partnerships"

(S.P. 54) (L.D. 165)

Came from the Senate, **REFERRED** to the Committee on **JUDICIARY** and ordered printed.

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

Bill "An Act To Prohibit Prisoners from Filing Protection from Harassment Complaints against Corrections Personnel"

(S.P. 132) (L.D. 352)

Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** suggested and ordered printed.

Came from the Senate, **REFERRED** to the Committee on **JUDICIARY** and ordered printed.

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

COMMUNICATIONS

The Following Communication: (H.C. 71)

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

February 11, 2013

Honorable Mark W. Eves

Speaker of the House

2 State House Station

Augusta, Maine 04333

Dear Speaker Eves:

This is to inform you that I am today nominating James A. Clair of China Village for appointment to the Loring Development Authority of Maine.

Pursuant to Title 5, MRSA §13080-B, 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: (H.C. 72)

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

February 11, 2013

Honorable Mark W. Eves

Speaker of the House

2 State House Station

Augusta, Maine 04333

Dear Speaker Eves:

This is to inform you that I am today nominating Daniel R. LaPointe of Van Buren for reappointment to the Loring Development Authority of Maine.

Pursuant to Title 5, MRSA §13080-B, 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: (H.C. 73)

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

February 11, 2013

Honorable Mark W. Eves

Speaker of the House

2 State House Station

Augusta, Maine 04333

Dear Speaker Eves:

This is to inform you that I am today nominating Andy Charles of South Portland 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: (H.C. 74)

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

February 11, 2013

Honorable Mark W. Eves

Speaker of the House

2 State House Station

Augusta, Maine 04333

Dear Speaker Eves:

This is to inform you that I am today nominating Richelle R. Wallace of Auburn 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.

**PETITIONS, BILLS AND RESOLVES REQUIRING
REFERENCE**

The following Bills, Resolves and Resolution were received, and upon the recommendation of the Committee on Reference of Bills were **REFERRED** to the following Committees, ordered printed and sent for concurrence:

AGRICULTURE, CONSERVATION AND FORESTRY

Bill "An Act To Prohibit the Unauthorized Harvesting of Wild Mushrooms and Fiddleheads"

(H.P. 293) (L.D. 421)

Sponsored by Representative BLACK of Wilton.

Cosponsored by Senator SHERMAN of Aroostook and Representatives: CRAFTS of Lisbon, CRAY of Palmyra,

GIFFORD of Lincoln, JONES of Freedom, KUMIEGA of Deer Isle, LONG of Sherman, NOON of Sanford, TIMBERLAKE of Turner.

Bill "An Act To Eliminate Certain Data Collection Requirements of the Forest Health and Monitoring Program of the Division of Forestry"

(H.P. 307) (L.D. 457)

Sponsored by Representative GIFFORD of Lincoln.

Cosponsored by Senator SHERMAN of Aroostook and Representatives: BLACK of Wilton, CRAY of Palmyra, DILL of Old Town, SAUCIER of Presque Isle, Senator: JACKSON of Aroostook.

Submitted by the Department of Agriculture, Conservation and Forestry pursuant to Joint Rule 204.

Bill "An Act To Increase Food Sovereignty in Local Communities"

(H.P. 325) (L.D. 475)

Sponsored by Representative HICKMAN of Winthrop.

Cosponsored by Representatives: JONES of Freedom, LIBBY of Waterboro.

Resolve, Directing the Department of Agriculture, Conservation and Forestry To Develop a Policy To Reduce Food Waste in All State-funded Institutions

(H.P. 326) (L.D. 476)

Sponsored by Representative HICKMAN of Winthrop.

Cosponsored by Representatives: EVANGELOS of Friendship, GRAHAM of North Yarmouth, GUERIN of Glenburn, JORGENSEN of Portland, KUMIEGA of Deer Isle, POULIOT of Augusta, WILSON of Augusta, Senator: WHITTEMORE of Somerset.

Bill "An Act To Revise the Animal Welfare Laws"

(H.P. 334) (L.D. 484)

Sponsored by Representative GIFFORD of Lincoln.

Cosponsored by Senator BOYLE of Cumberland and Representatives: BLACK of Wilton, JONES of Freedom, NOON of Sanford, Senator: SHERMAN of Aroostook.

Submitted by the Department of Agriculture, Conservation and Forestry pursuant to Joint Rule 204.

CRIMINAL JUSTICE AND PUBLIC SAFETY

Bill "An Act To Protect Farm Animals from Noise from the Discharge of Fireworks or Explosives"

(H.P. 306) (L.D. 456)

Sponsored by Representative DICKERSON of Rockland.

Cosponsored by Senator MAZUREK of Knox and Representatives: BERRY of Bowdoinham, CHAPMAN of Brooksville, GATTINE of Westbrook, McCABE of Skowhegan, MONAGHAN-DERRIG of Cape Elizabeth, PLANTE of Berwick.

Bill "An Act To Require a Local Permit for the Use of Fireworks"

(H.P. 328) (L.D. 478)

Sponsored by Representative PLANTE of Berwick.

Cosponsored by Representatives: LAJOIE of Lewiston, MARKS of Pittston, Senator: GERZOFKY of Cumberland.

EDUCATION AND CULTURAL AFFAIRS

Bill "An Act To Implement the Recommendations of the Task Force on Franco-Americans"

(H.P. 294) (L.D. 422)

Sponsored by Representative FREDETTE of Newport.

Cosponsored by Senator KATZ of Kennebec and Representatives: AYOTTE of Caswell, BEAULIEU of Auburn, CASAVANT of Biddeford, DION of Portland, GILBERT of Jay,

McCLELLAN of Raymond, WILLETTE of Mapleton, Senator: LANGLEY of Hancock.

Bill "An Act To Dedicate Funds for Emergency Back-up Power for Schools"

(H.P. 312) (L.D. 462)

Sponsored by Representative GILLWAY of Searsport.

Cosponsored by Senator COLLINS of York and Representatives: BROOKS of Winterport, HERBIG of Belfast, JOHNSON of Greenville, PEASE of Morrill, WOOD of Sabattus.

Bill "An Act To Change Compensation for Career and Technical Education Region Cooperative Board Meeting Attendance"

(H.P. 314) (L.D. 464)

Sponsored by Representative CHAPMAN of Brooksville.

Bill "An Act To Provide an Honorary Diploma to Veterans"

(H.P. 316) (L.D. 466)

Sponsored by Representative CHIPMAN of Portland.

Cosponsored by Senator TUTTLE of York and Representatives: BEAULIEU of Auburn, CASAVANT of Biddeford, LUCHINI of Ellsworth, MacDONALD of Boothbay, RUSSELL of Portland, VEROW of Brewer, Senators: MAZUREK of Knox, MILLETT of Cumberland.

Bill "An Act To Amend the Laws Governing Virtual Public Charter Schools"

(H.P. 331) (L.D. 481)

Sponsored by Representative MacDONALD of Boothbay.

Cosponsored by Representatives: COOPER of Yarmouth, DEVIN of Newcastle, DICKERSON of Rockland, GRANT of Gardiner, KRUGER of Thomaston, MASTRACCIO of Sanford, MORIARTY of Cumberland.

Bill "An Act To Amend and Clarify Certain Education Laws"

(H.P. 335) (L.D. 485)

Sponsored by Representative JOHNSON of Greenville.

Cosponsored by Senator LANGLEY of Hancock and Representative: MAKER of Calais.

Submitted by the Department of Education pursuant to Joint Rule 204.

ENVIRONMENT AND NATURAL RESOURCES

Bill "An Act To Prohibit the Sale of Gasoline That Contains Ethanol as an Additive at a Level Greater than 10 Percent by Volume"

(H.P. 303) (L.D. 453)

Sponsored by Representative LONG of Sherman.

Cosponsored by Senator SAVIELLO of Franklin and Representatives: AYOTTE of Caswell, BLACK of Wilton, COOPER of Yarmouth, CRAY of Palmyra, GIFFORD of Lincoln, HARLOW of Portland, REED of Carmel, TIMBERLAKE of Turner. Submitted by the Department of Environmental Protection pursuant to Joint Rule 204.

Bill "An Act Regarding Working Waterfront Projects"

(H.P. 320) (L.D. 470)

Sponsored by Representative WELSH of Rockport.

Cosponsored by Senator MAZUREK of Knox. Submitted by the Department of Environmental Protection pursuant to Joint Rule 204.

HEALTH AND HUMAN SERVICES

Bill "An Act To Protect Newborn Infants by Requiring Birthing Facilities To Screen for Congenital Heart Disease Using Pulse Oximetry" (EMERGENCY)

(H.P. 310) (L.D. 460)

Sponsored by Representative BECK of Waterville.

Cosponsored by Senator CRAVEN of Androscoggin and Representatives: AYOTTE of Caswell, BERRY of Bowdoinham, Speaker EVES of North Berwick, POULIOT of Augusta, Senator: LACHOWICZ of Kennebec.

Bill "An Act To Prohibit the Sale and Purchase of Human Fetal Tissue"

(H.P. 313) (L.D. 463)

Sponsored by Representative AYOTTE of Caswell.

Cosponsored by Senator JACKSON of Aroostook and Representatives: DAVIS of Sangerville, ESPLING of New Gloucester, THERIAULT of Madawaska, Senators: COLLINS of York, HAMPER of Oxford, MAZUREK of Knox, THIBODEAU of Waldo, THOMAS of Somerset.

Bill "An Act To Protect Public Health at Public Institutions of Higher Education"

(H.P. 318) (L.D. 468)

Sponsored by Representative CHIPMAN of Portland.

Cosponsored by Senator CRAVEN of Androscoggin and Representatives: BERRY of Bowdoinham, FARNSWORTH of Portland, GRAHAM of North Yarmouth, JOHNSON of Greenville, MacDONALD of Boothbay, Senators: GRATWICK of Penobscot, LANGLEY of Hancock, MILLETT of Cumberland.

Bill "An Act To Establish Fees under the Maine Medical Use of Marijuana Act"

(H.P. 330) (L.D. 480)

Sponsored by Representative SANDERSON of Chelsea.

Cosponsored by Senator HAMPER of Oxford and Representatives: FARNSWORTH of Portland, GATTINE of Westbrook, HARVELL of Farmington, MALABY of Hancock, PETERSON of Rumford, SIROCKI of Scarborough, WILSON of Augusta, Senator: PLUMMER of Cumberland.

Resolve, To Establish MaineCare Eligibility for Young Adults Who Were Formerly in Foster Care

(H.P. 337) (L.D. 487)

Sponsored by Representative DORNEY of Norridgewock.

Cosponsored by Representative CASSIDY of Lubec.

Bill "An Act To Improve Access to Home-based and Community-based Care in the MaineCare Program"

(H.P. 338) (L.D. 488)

Sponsored by Representative CHENETTE of Saco.

Cosponsored by Senator LACHOWICZ of Kennebec and Representatives: CASSIDY of Lubec, HOBBS of Saco, PLANTE of Berwick, Senator: VALENTINO of York.

INLAND FISHERIES AND WILDLIFE

Bill "An Act Regarding the Driving of Deer"

(H.P. 295) (L.D. 423)

Sponsored by Representative ESPLING of New Gloucester. (BY REQUEST)

Bill "An Act To Increase Agent Fees for Registration of Certain Recreational Vehicles"

(H.P. 317) (L.D. 467)

Sponsored by Representative CASAVANT of Biddeford.

Cosponsored by Representatives: CHIPMAN of Portland, DeCHANT of Bath, HARLOW of Portland, ROCHELO of Biddeford, Senator: DUTREMBLE of York.

Bill "An Act To Expand Wild Turkey Hunting"

(H.P. 327) (L.D. 477)

Sponsored by Representative HICKMAN of Winthrop.

Cosponsored by Representatives: JONES of Freedom, MARKS of Pittston, RUSSELL of Portland.

INSURANCE AND FINANCIAL SERVICES

Bill "An Act Concerning Hurricane Deductibles"
(H.P. 302) (L.D. 452)

Sponsored by Representative MORRISON of South Portland.
Cosponsored by Senator WHITTEMORE of Somerset and
Representatives: COOPER of Yarmouth, DICKERSON of
Rockland, DOAK of Columbia Falls, MONAGHAN-DERRIG of
Cape Elizabeth, RYKERSON of Kittery.
Submitted by the Department of Professional and Financial
Regulation pursuant to Joint Rule 204.

Bill "An Act Relating to Health Care Provider Liability Claims
Reports"
(H.P. 304) (L.D. 454)

Sponsored by Representative BECK of Waterville.
Cosponsored by Senator CLEVELAND of Androscoggin and
Representative: MONAGHAN-DERRIG of Cape Elizabeth,
Senator: WHITTEMORE of Somerset.
Submitted by the Department of Professional and Financial
Regulation pursuant to Joint Rule 204.

JUDICIARY

Bill "An Act To Amend the Short Form Deeds Act"
(H.P. 296) (L.D. 424)

Sponsored by Representative CROCKETT of Bethel.
Cosponsored by Senator GOODALL of Sagadahoc and
Representatives: FREDETTE of Newport, HOBBS of Saco,
WILLETTE of Mapleton, Senators: KATZ of Kennebec,
VALENTINO of York.

Bill "An Act To Change the Membership of the Family Law
Advisory Commission"
(H.P. 297) (L.D. 425)

Sponsored by Representative HAYES of Buckfield.
Bill "An Act Regarding Comparative Negligence"
(H.P. 308) (L.D. 458)

Sponsored by Representative BECK of Waterville.
Cosponsored by Senator LACHOWICZ of Kennebec and
Representatives: BERRY of Bowdoinham, DeCHANT of Bath,
HICKMAN of Winthrop, MONAGHAN-DERRIG of Cape
Elizabeth.

**LABOR, COMMERCE, RESEARCH AND ECONOMIC
DEVELOPMENT**

Bill "An Act To Enforce Wage Laws by Preventing
Misclassification of Employees"
(H.P. 290) (L.D. 418)

Sponsored by Representative RUSSELL of Portland.
Cosponsored by Representatives: GILBERT of Jay, GOODE of
Bangor.

Bill "An Act To Provide for the Continuity of a Veterinary
Practice Subsequent to the Death or Incapacitation of the Owner"
(H.P. 298) (L.D. 426)

Sponsored by Representative HERBIG of Belfast.
Cosponsored by Senator PATRICK of Oxford and
Representatives: CAMPBELL of Newfield, GILBERT of Jay,
HAMANN of South Portland, MASON of Topsham, VOLK of
Scarborough, WINCHENBACH of Waldoboro.

Bill "An Act To Allow Businesses with More than 5,000
Square Feet of Interior Customer Selling Space To Open on
Easter Day, Thanksgiving Day and Christmas Day"
(H.P. 311) (L.D. 461)

Sponsored by Representative GILLWAY of Searsport.

Cosponsored by Senator COLLINS of York and Representatives:
BROOKS of Winterport, GOODE of Bangor, JOHNSON of
Eddington, WINCHENBACH of Waldoboro.

MARINE RESOURCES

Bill "An Act To Cap Certain Marine Resources Licenses
Issued by the Passamaquoddy Tribe"
(H.P. 301) (L.D. 451)

Sponsored by Representative KUMIEGA of Deer Isle.
Cosponsored by Representative: WEAVER of York.
Submitted by the Department of Marine Resources pursuant to
Joint Rule 204.

Bill "An Act To Allow the Commissioner of Marine Resources
To Investigate Price Fixing of Lobster" (EMERGENCY)
(H.P. 319) (L.D. 469)

Sponsored by Representative EVANGELOS of Friendship.
Cosponsored by Senator MAZUREK of Knox and
Representatives: CASAVANT of Biddeford, CHIPMAN of
Portland, DeCHANT of Bath, DICKERSON of Rockland,
JORGENSEN of Portland, KRUGER of Thomaston,
MONAGHAN-DERRIG of Cape Elizabeth, PLANTE of Berwick.

Bill "An Act To Improve the Quality of the Data Used in the
Management of Maine's Fisheries"
(H.P. 332) (L.D. 482)

Sponsored by Representative MacDONALD of Boothbay.
Cosponsored by Senator: LANGLEY of Hancock.
Submitted by the Department of Marine Resources pursuant to
Joint Rule 204.

Bill "An Act To Provide for the Effective Marketing and
Promotion of Maine Lobster"
(H.P. 336) (L.D. 486)

Sponsored by Representative KRUGER of Thomaston.
Cosponsored by Senator: LANGLEY of Hancock.
Submitted by the Department of Marine Resources pursuant to
Joint Rule 204.

STATE AND LOCAL GOVERNMENT

Bill "An Act To Improve Access to Public Land Records"
(H.P. 315) (L.D. 465)

Sponsored by Representative MORIARTY of Cumberland.
Cosponsored by Representatives: HAYES of Buckfield, NELSON
of Falmouth.

Bill "An Act To Require Edible Landscaping in a Portion of
Capitol Park"
(H.P. 324) (L.D. 474)

Sponsored by Representative HICKMAN of Winthrop.
Cosponsored by Representatives: DAUGHTRY of Brunswick,
EVANGELOS of Friendship, JONES of Freedom, KUMIEGA of
Deer Isle, KUSIAK of Fairfield, MAREAN of Hollis, POULIOT of
Augusta, TURNER of Burlington.

RESOLUTION, Proposing an Amendment to the Constitution
of Maine To Increase the Lengths of Terms of Members of the
Legislature
(H.P. 339) (L.D. 489)

Sponsored by Representative SCHNECK of Bangor.
Cosponsored by Representatives: COOPER of Yarmouth, DILL
of Old Town, KNIGHT of Livermore Falls, KORNFIELD of
Bangor, LONGSTAFF of Waterville, SAUCIER of Presque Isle,
VEROW of Brewer, Senator: YOUNGBLOOD of Penobscot.

TAXATION

Bill "An Act To Authorize Options for Local Revenue Enhancement"

(H.P. 299) (L.D. 427)

Sponsored by Representative MacDONALD of Old Orchard Beach.

Cosponsored by Senator VALENTINO of York and Representative: VOLK of Scarborough.

Bill "An Act To Increase the State Earned Income Credit"

(H.P. 305) (L.D. 455)

Sponsored by Representative STUCKEY of Portland.

Cosponsored by Senator JACKSON of Aroostook and Representatives: BERRY of Bowdoinham, GATTINE of Westbrook, GILBERT of Jay, SANBORN of Gorham, Senator: President ALFOND of Cumberland.

TRANSPORTATION

Bill "An Act To Allow Properly Lifted Vehicles To Operate"

(H.P. 322) (L.D. 472)

Sponsored by Representative GILLWAY of Searsport.

Resolve, To Widen the Shoulders of Highways

(H.P. 323) (L.D. 473)

Sponsored by Representative THERIAULT of Madawaska.

Cosponsored by Senator JACKSON of Aroostook and Representatives: AYOTTE of Caswell, CLARK of Easton, McELWEE of Caribou, NADEAU of Fort Kent, SAUCIER of Presque Isle, TURNER of Burlington, WILLETTE of Mapleton, Senator: VALENTINO of York.

Bill "An Act To Require Center Line Markings on All State and State Aid Highways"

(H.P. 329) (L.D. 479)

Sponsored by Representative TURNER of Burlington.

Cosponsored by Senator CAIN of Penobscot and Representatives: CHENETTE of Saco, FREDETTE of Newport, GIFFORD of Lincoln, KESCHL of Belgrade, MAKER of Calais, PLANTE of Berwick, SIROCKI of Scarborough, WILLETTE of Mapleton.

Bill "An Act To Promote Small Businesses by Enhancing the Use of On-premises Signs"

(H.P. 333) (L.D. 483)

Sponsored by Representative KESCHL of Belgrade.

Cosponsored by Senator SAVIELLO of Franklin and Representatives: CHASE of Wells, CLARK of Easton, DUNPHY of Embden, FREDETTE of Newport, NUTTING of Oakland, WINSOR of Norway.

VETERANS AND LEGAL AFFAIRS

Bill "An Act To License Betting on Football Score Pools"

(H.P. 300) (L.D. 428)

Sponsored by Representative MacDONALD of Old Orchard Beach.

Cosponsored by Representatives: CHENETTE of Saco, JACKSON of Oxford, JOHNSON of Greenville, WEAVER of York.

Bill "An Act To Amend the Law Concerning a Landlord's Right To Inspect Property"

(H.P. 309) (L.D. 459)

Sponsored by Representative CASAVANT of Biddeford.

Cosponsored by Representatives: CHENETTE of Saco, DeCHANT of Bath, HARLOW of Portland, ROCHELO of Biddeford, Senator: DUTREMBLE of York.

Bill "An Act To Preserve and Ensure Equitable Funding of Maine's Commercial Racetracks"

(H.P. 321) (L.D. 471)

Sponsored by Representative PARRY of Arundel.

Committee on **VETERANS AND LEGAL AFFAIRS** suggested.

On motion of Representative LUCHINI of Ellsworth, **TABLED** pending **REFERENCE** and later today assigned.

Pursuant to Statute

Family Law Advisory Commission

Representative PRIEST for the **Family Law Advisory Commission** pursuant to the Maine Revised Statutes, Title 19-A, section 354, subsection 2 asks leave to report that the accompanying Resolve, Directing the Family Law Advisory Commission To Study and Report on the Uniform Parentage Act and Other Similar Laws and Proposals

(H.P. 291) (L.D. 419)

Be **REFERRED** to the Committee on **JUDICIARY** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **JUDICIARY** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH**.

ORDERS

On motion of Representative RANKIN of Hiram, the following House Order: (H.O. 11)

ORDERED, that Representative Dale J. Crafts of Lisbon be excused February 7 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Joyce A. Fitzpatrick of Houlton be excused February 7 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Jane P. Pringle of Windham be excused January 15 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Stanley Byron Short, Jr. of Pittsfield be excused January 17, 22 and 24 for personal reasons.

READ and **PASSED**.

SPECIAL SENTIMENT CALENDAR

In accordance with House Rule 519 and Joint Rule 213, the following item:

In Memory of:

Norman M. Cyr, of Madawaska, former Fire Chief of the Madawaska Fire Department and prominent member of his community. Mr. Cyr served 43 years with the Madawaska Fire Department. He was a lifetime member of the Maine Fire Chiefs' Association, a trustee of Madawaska Water District and vice president of the Madawaska Historical Society. He will be greatly missed and long remembered by his loving wife, Linda, his family and his many neighbors and friends;

(HLS 44)

Presented by Representative THERIAULT of Madawaska.

Cosponsored by Senator JACKSON of Aroostook.

On **OBJECTION** of Representative **THERIAULT** of Madawaska, was **REMOVED** from the Special Sentiment Calendar.

READ.

The **SPEAKER**: The Chair recognizes the Representative from Madawaska, Representative Theriault.

Representative **THERIAULT**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise to pay tribute to a friend, a community leader and a role model for many in our area. Norm Cyr had a great presence in northern Maine and was a dedicated family man. Norm was born and raised in the Saint John Valley and gave back to the community that he so loved. Having served, as was stated previously, four decades with the Madawaska Fire Department, 30 some years as chief, also the vice president of the Historical Society. He was the chair of the Cyr family reunion that was held last year during the Acadian Festival in Madawaska. He was the president of the Maine Regional Council of World Acadian Congress of 2014, and, as was stated, a trustee of Madawaska Water District. He loved the culture of the valley and his Acadian ancestors and wanted to keep that story alive. Norman, as we speak, they are conducting his funeral at this time in the church in Saint David, which is a national historical landmark and is one that the Acadians landed on, the Saint John riverbanks, in the years of 1800. Madawaska is named as a town settled by Acadians. Norm really wanted to keep that story alive and he has. He will be missed by many in the town and in the community in northern Maine and his fellow firefighters. He especially will be missed by his wife, his daughter and grandchildren. Thank you, Mr. Speaker.

Subsequently, the Sentiment was **ADOPTED** and sent for concurrence.

REPORTS OF COMMITTEE

**Refer to the Committee on Judiciary
Pursuant to Statute**

Representative **PRIEST** for the **Joint Standing Committee on Judiciary** on Bill "An Act To Implement the Recommendations of the Right To Know Advisory Committee Concerning Public Records Exceptions"

(H.P. 292) (L.D. 420)

Reporting that it be **REFERRED** to the Committee on **JUDICIARY** pursuant to the Maine Revised Statutes, Title 1, section 411, subsection 6, paragraph G.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **JUDICIARY**.

Sent for concurrence.

Change of Committee

Report of the Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Preserve Lender Equity in the Foreclosure Process"

(S.P. 46) (L.D. 125)

Reporting that it be **REFERRED** to the Committee on **JUDICIARY**.

Came from the Senate with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **JUDICIARY**.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **JUDICIARY** in concurrence.

Representative **DILL** from the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Resolve, Regarding Legislative Review of Portions of Chapter 4: Rules of Practice, a Major Substantive Rule of the Department of Agriculture, Conservation and Forestry (EMERGENCY)

(H.P. 32) (L.D. 37)

Reporting that it be **REFERRED** to the Committee on **JUDICIARY**.

Report was **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **JUDICIARY**.

Sent for concurrence.

CONSENT CALENDAR

First Day

In accordance with House Rule 519, the following items appeared on the Consent Calendar for the First Day:

(H.P. 4) (L.D. 2) Resolve, Regarding Legislative Review of Portions of Chapter 252: Rules Governing Certification of Seed Potatoes in the State of Maine, a Major Substantive Rule of the Department of Agriculture, Conservation and Forestry (EMERGENCY) Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass**

(H.P. 24) (L.D. 26) Bill "An Act To Authorize the Commissioner of Inland Fisheries and Wildlife To Change a Fishing Season Opening Date Statewide" Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass**

There being no objections, the above items were ordered to appear on the Consent Calendar tomorrow under the listing of Second Day.

The following items were taken up out of order by unanimous consent:

UNFINISHED BUSINESS

The following matter, in the consideration of which the House was engaged at the time of adjournment Tuesday, February 12, 2013, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

Bill "An Act To Ensure Parity in the Collective Bargaining Process among State Institutions of Higher Education"

(H.P. 202) (L.D. 293)

- In House, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on February 7, 2013.

- In Senate, **REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** in **NON-CONCURRENCE**.

TABLED - February 12, 2013 (Till Later Today) by Representative **ROTUNDO** of Lewiston.

PENDING - **FURTHER CONSIDERATION**.

Subsequently, the House voted to **RECEDE AND CONCUR**.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH**.

SENATE PAPERS

The following Joint Order: (S.P. 162)

ORDERED, the House concurring, that when the House and Senate adjourn they do so until Tuesday, February 19, 2013, at 10:00 in the morning.

Came from the Senate, **READ** and **PASSED**.

READ and **PASSED** in concurrence.

Bill "An Act To Ensure That All Voters Are Able To Vote in Regional School Unit Budget Elections"

(S.P. 159) (L.D. 417)

Bill "An Act To Improve Maine's Charter School Laws"

(S.P. 171) (L.D. 439)

Resolve, To Ensure the Continued Accessibility and Affordability of a High School Equivalency Exam for Maine Residents (EMERGENCY)

(S.P. 174) (L.D. 442)

Came from the Senate, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.

REFERRED to the Committee on **EDUCATION AND CULTURAL AFFAIRS** in concurrence.

Resolve, Directing the Public Utilities Commission To Develop a Plan To Reform Water Regulation

(S.P. 173) (L.D. 441)

Came from the Senate, **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed.

REFERRED to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** in concurrence.

Bill "An Act To Amend the Gifting of Land Exemption under the Subdivision Laws"

(S.P. 164) (L.D. 432)

Came from the Senate, **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and ordered printed.

REFERRED to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** in concurrence.

Bill "An Act To Provide a Safe Working Environment for Home Care Workers"

(S.P. 166) (L.D. 434)

Bill "An Act To Increase Patient Choice in Health Care Facilities and Health Care Settings"

(S.P. 179) (L.D. 447)

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

REFERRED to the Committee on **HEALTH AND HUMAN SERVICES** in concurrence.

Bill "An Act To Authorize the State Employee Health Commission's Preferred Provider Program"

(S.P. 180) (L.D. 448)

Came from the Senate, **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES** and ordered printed.

REFERRED to the Committee on **INSURANCE AND FINANCIAL SERVICES** in concurrence.

Bill "An Act To Require a Warrant To Obtain the Location Information of a Cell Phone or Other Electronic Device"

(S.P. 157) (L.D. 415)

Bill "An Act To Permit Real Estate Agents To Assist Property Owners in Obtaining Relief in the Mortgage Foreclosure Process"

(S.P. 182) (L.D. 450)

Came from the Senate, **REFERRED** to the Committee on **JUDICIARY** and ordered printed.

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

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Limit a Governor's Pension to Governors Who Have Served 2 Full Terms

(S.P. 183) (L.D. 490)

Came from the Senate, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

REFERRED to the Committee on **STATE AND LOCAL GOVERNMENT** in concurrence.

Bill "An Act To Allow Complainants in Disciplinary Actions To Attend Informal Conferences Held by the State Board of Nursing in Executive Session"

(S.P. 158) (L.D. 416)

Bill "An Act To Amend the Laws Governing the Work Permit Process for Minors and To Conform the Laws Governing Allowable Places of Work for Minors to Federal Law" (EMERGENCY)

(S.P. 163) (L.D. 431)

Bill "An Act To Amend the Maine Workers' Compensation Act of 1992 To Provide Benefits to Seriously Injured Workers"

(S.P. 175) (L.D. 443)

Bill "An Act To Improve Workers' Compensation Coverage for All Injured Workers"

(S.P. 176) (L.D. 444)

Bill "An Act To Improve Efficiencies in Dental Offices"

(S.P. 177) (L.D. 445)

Bill "An Act To Ensure Consumer Choice in the Purchase of Prescription Drugs" (EMERGENCY)

(S.P. 181) (L.D. 449)

Came from the Senate, **REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed.

REFERRED to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** in concurrence.

Bill "An Act To Amend the Laws Regarding Who May Appeal a Reconsideration Decision to the Maine Board of Tax Appeals"

(S.P. 161) (L.D. 430)

Resolve, To Require the State Tax Assessor To Develop Agreements with Online Retailers for the Collection of Sales and Use Tax

(S.P. 167) (L.D. 435)

Bill "An Act To Raise the Maximum 529 Plan Contribution Tax Deduction"

(S.P. 168) (L.D. 436)

Bill "An Act To Support Community Health Centers through Tax Credits for Dentists and Primary Care Professionals Practicing in Underserved Areas"

(S.P. 172) (L.D. 440)

Bill "An Act To Increase Reimbursement to Municipalities under the Maine Tree Growth Tax Law"

(S.P. 185) (L.D. 492)

Came from the Senate, **REFERRED** to the Committee on **TAXATION** and ordered printed.

REFERRED to the Committee on **TAXATION** in concurrence.

Bill "An Act To Authorize a GARVEE Bond for the Repair of Deficient Arterial State Highways and Bridges"

(S.P. 160) (L.D. 429)

Bill "An Act To Expand the Types of Vehicles on Which a Sportsman Registration Plate May Be Displayed"

(S.P. 170) (L.D. 438)

Resolve, Directing the Department of Transportation To Develop a Less Corrosive Road Deicing Strategy

(S.P. 178) (L.D. 446)

Came from the Senate, **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed.

REFERRED to the Committee on **TRANSPORTATION** in concurrence.

Bill "An Act To Provide Parity in Funding to the Maine Maritime Academy from Gaming"

(S.P. 165) (L.D. 433)

Came from the Senate, **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS** and ordered printed.

REFERRED to the Committee on **VETERANS AND LEGAL AFFAIRS** in concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH**.

On motion of Representative THERIAULT of Madawaska, the House adjourned at 11:02 a.m., until 10:00 a.m., Tuesday, February 19, 2013 pursuant to the Joint Order (S.P. 162) and in honor and lasting tribute to Norman M. Cyr, of Madawaska.