

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
19th Legislative Day
Thursday, March 7, 2013

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

Prayer by Reverend Jean-Pierre Tshamala, North Deering Alliance Church, Portland.

National Anthem by Elizabeth Elkington, Kennebunkport.

Pledge of Allegiance.

Doctor of the day, Dylan McKenney, M.D., Portland.

At this point, a message came from the Senate borne by Senator GOODALL of Sagadahoc of that Body, proposing a Joint Convention of both branches of the Legislature to be held in the Hall of the House at 10:45 in the morning for the purpose of extending to Honorable John Fitzsimmons, President of the Maine Community College System, Honorable William J. Brennan, President of the Maine Maritime Academy, and Honorable James H. Page, Chancellor of the University of Maine System an invitation to attend the Joint Convention and to make such communication as pleases them.

Thereupon the House voted to concur in the proposal for a Joint Convention to be held at 10:30 in the morning and the Speaker appointed Representative BERRY of Bowdoinham to convey this message to the Senate.

The Journal of Tuesday, March 5, 2013 was read and approved.

Subsequently, Representative BERRY of Bowdoinham reported that he had delivered the message with which he was charged.

SENATE PAPERS

Bill "An Act To Return Local Revenue Sharing to Full Funding" (EMERGENCY)

(S.P. 262) (L.D. 713)

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

On motion of Representative BERRY of Bowdoinham, **TABLED** pending **REFERENCE** in concurrence and later today assigned.

Non-Concurrent Matter

Bill "An Act To Protect Maine Food Consumers' Right To Know about Genetically Engineered Food and Seed Stock"

(H.P. 490) (L.D. 718)

REFERRED to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** in the House on February 26, 2013.

Came from the Senate **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** in **NON-CONCURRENCE**.

The House voted to **RECEDE AND CONCUR**.

COMMUNICATIONS

The Following Communication: (H.P. 626)
CITY OF SANFORD, MAINE
OFFICE OF THE CITY MANAGER
919 MAIN STREET
SANFORD, MAINE 04073
RESOLVE

February 19, 2013

RESOLVE, To express the Sanford City Council's objections to the Governor's proposed Biennial Budget which calls for the elimination of numerous broad-based taxation revenues previously dedicated by the State for municipal use to lower the burden on property taxation in the overall service level provisions mandated by the State and also as determined by Sanford voters under Home Rule Authority.

WHEREAS, State Administration has proposed a significant reduction in the distribution of revenue generated only by State taxation and previously determined in Law by the State legislature as necessary to reduce the property tax burden of the Residents of Maine; and

WHEREAS, the State Legislature pursuant to Title 30-A §5681 1 B finds To stabilize the municipal property tax burden and to aid in financing all municipal services, it is necessary to provide funds from the broad-based taxes of State Government that the elimination of the State Revenue Sharing funds to Sanford would result in a loss of \$2,660,622 in the next Fiscal Year representing a \$1.91 on property taxation and violate the intent of current Law; and

WHEREAS, the Biennial Budget proposes to redirect commercial vehicle excise tax from municipal maintenance of roads to the State's maintenance of roads and such action will reduce Sanford's resources for road maintenance by over \$123,390 in the next Fiscal Year or \$0.09 on property taxation; and

WHEREAS, the State Legislature pursuant to Title 36 §683 has granted a Homestead Exemption of \$10,000 to all qualified Maine Residents to lower property tax burden, a benefit of \$193.20 to such Sanford Residents, and that the Biennial Budget seeks to eliminate this State granted benefit to all but qualified Residents over 65 years of age, a loss of \$393,645 to Sanford from broad-based non-property taxation; and

WHEREAS, the State Legislature pursuant to Title 36 Chapter 907 has provided for a property tax and rent refund program based upon economic need and the current Biennial Budget proposes to eliminate the prior determination of necessity to all qualifying Maine Residents except those over 65 years of age; and

WHEREAS, the State Legislature set forth under Title 36 Chapter 915 that business equipment property tax should be paid to municipalities at 100% and then reimbursed to the business by the State and that the Biennial Budget now proposes to eliminate this benefit by exempting the business equipment from taxation and then reducing the State reimbursement of such tax to 60% in the first year to 50% in the second year to municipalities causing a shift of property tax burden from business equipment to real estate in the magnitude of \$150,696 in Sanford or \$0.11; and

WHEREAS, if the currently proposed Biennial Budget is passed the City of Sanford will see the reduction of previously dedicated broad-based State taxation for the purpose of reducing the burden on property taxation as determined within current State Law by prior Legislatures of over \$3,328,353; and

WHEREAS, to replace the proposed State withdrawal of municipal revenue sharing and broad-based taxation the City of Sanford would need to increase property taxation by over \$2.39 per \$1,000 of valuation, representing an average property tax

increase of \$529.96 on a \$160,000 home with Homestead, a 12.36% increase in FY 14 before consideration of any other budgetary constraints imposed by the continuing economic downturn and escalating costs of operations; and

WHEREAS, the Sanford School Department is also proposed to receive reduced funding within the next Biennial State Budget and the impacts listed do not account for the yet determined additional burden; and

WHEREAS, the Sanford City Council finds that municipal and school operations have been significantly reduced, capital expenditures are not keeping pace with depreciation and need, staff and services have already been reduced to minimum levels acceptable by Residents, collaborative and shared services have been incorporated into current operations, and that it is NOT feasible to further reduce expenditures sufficiently to account for the State's withdrawal of the distributions from broad-based taxation without further increasing the tax burden upon all property tax payers;

NOW, THEREFORE, BE IT RESOLVED BY THE SANFORD CITY COUNCIL that the Sanford City Council hereby declares their opposition to the Governor's proposed Biennial Budget as the elimination of and withdrawal of the revenue so determined by current Law as necessary and appropriate to reduce the Property Tax Burden of Maine Residents will cause a disproportionate and detrimental shift of net taxation placing current municipal service provisions in jeopardy; and

BE IT FINALLY RESOLVED that the Sanford City Council seeks participation and engagement with the State Legislators to identify and implement fair and equitable solutions to the overall burden upon all State and Local Taxation as it pertains to the welfare, service provisions, and economic future of all Maine Residents.

Read and Adopted by a Vote of the Sanford City Council in meeting assembled:

February 19, 2013

Municipal Officers

S/Mayor Maura A. Herlihy

S/Deputy Mayor Joseph R. Hanslip

S/Councilor Alan R. Walsh

S/Councilor Bradford J. Littlefield

S/Councilor Richard L. Wilkins

S/Councilor Ken Burgess

S/Councilor Fred W. Smith

READ and REFERRED to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS.**

Sent for concurrence.

The Following Communication: (H.C. 89)

**STATE OF MAINE
126TH MAINE LEGISLATURE**

January 30, 2013

John Fitzsimmons, President

Maine Community College System

131 State House Station

Augusta, Maine 04333

Dear President Fitzsimmons:

We are pleased to invite you to address a Joint Session of the 126th Maine Legislature on Thursday, March 7, 2013 at 11:00 a.m. concerning the State of the Maine Community College System and any other matters that you may care to bring to our attention.

On the same day, following your address, William J. Brennan, President of the Maine Maritime Academy and James Page,

Chancellor of the University of Maine System will be addressing the Joint Convention.

We look forward to seeing you then.

Sincerely,

S/Justin L. Alfond

President of the Senate

S/Mark W. Eves

Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 90)

MAINE COMMUNITY COLLEGE SYSTEM

OFFICE OF THE PRESIDENT

323 STATE STREET

AUGUSTA, MAINE 04330-7131

February 4, 2013

Honorable Justin L. Alfond

President of the Senate

3 State House Station

Augusta, Maine 04333

Honorable Mark W. Eves

Speaker of the House

2 State House Station

Augusta, Maine 04333

Dear President Alfond and Speaker Eves:

Thank you for your invitation to address the Joint Convention of the 126th Maine Legislature on Thursday, March 7, 2013, regarding the state of the Maine Community College System. We are deeply appreciative of this opportunity and I look forward to sharing our accomplishments and goals for the future with you.

Sincerely yours,

S/John Fitzsimmons

President

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 91)

STATE OF MAINE

126TH MAINE LEGISLATURE

January 30, 2013

William J. Brennan, President

Maine Maritime Academy

Box C-03

Castine, Maine 04420

Dear President Brennan:

We are pleased to invite you to address a Joint Session of the 126th Maine Legislature on Thursday, March 7, 2013 at 11:00 a.m. concerning the State of the Maine Maritime Academy and any other matters that you may care to bring to our attention. You will address the Joint Convention directly following John Fitzsimmons, President of the Maine Community College System.

On the same day, following your address, James Page, Chancellor of the University of Maine System will be addressing the Joint Convention.

We look forward to seeing you then.

Sincerely,

S/Justin L. Alfond

President of the Senate

S/Mark W. Eves

Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 92)

**MAINE MARITIME ACADEMY
OFFICE OF THE PRESIDENT
CASTINE, MAINE 04420**

February 14, 2013
Honorable Justin L. Alfond
President of the Senate
3 State House Station
Augusta, Maine 04333
Honorable Mark W. Eves
Speaker of the House
2 State House Station
Augusta, Maine 04333

Dear President Alfond and Speaker Eves:

It would be my pleasure to address a Joint Session of the 126th Maine Legislature on March 7, 2013. I look forward to the opportunity to discuss the status of Higher Education in Maine and here at Maine Maritime Academy.

Sincerely,
S/Dr. William J. Brennan
President

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 93)

**STATE OF MAINE
126TH MAINE LEGISLATURE**

January 30, 2013
James H. Page, Chancellor
University of Maine System
16 Central Street
Bangor, Maine 04401
Dear Chancellor Page:

We are pleased to invite you to address a Joint Session of the 126th Maine Legislature on Thursday, March 7, 2013 at 11:00 a.m. concerning the State of the University of Maine System and any other matters that you may care to bring to our attention. You will address the Joint Convention following John Fitzsimmons, President of the Maine Community College System and William Brennan, President of the Maine Maritime Academy. We look forward to seeing you then.

Sincerely,
S/Justin L. Alfond
President of the Senate
S/Mark W. Eves
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 94)

**MAINE'S PUBLIC UNIVERSITIES
UNIVERSITY OF MAINE SYSTEM
OFFICE OF THE CHANCELLOR
16 CENTRAL STREET
BANGOR, MAINE 04401-5106**

February 5, 2013
Honorable Justin L. Alfond
President of the Senate
3 State House Station
Augusta, Maine 04333
Honorable Mark W. Eves
Speaker of the House
2 State House Station
Augusta, Maine 04333

Dear President Alfond and Speaker Eves:

Thank you for your invitation to address a Joint Session of the 126th Maine Legislature on Thursday, March 7, 2013 at 11:00 a.m. concerning the State of the University of Maine System. I accept with great pleasure and look forward to the opportunity to share with you my thoughts on the role and future of the University of Maine System.

These are challenging times. I deeply appreciate the support provided by the Legislature as we work together to build a brighter future for the people of Maine.

Sincerely,
S/James H. Page, Ph.D.
Chancellor

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 96)

**SOMERSET COURT HOUSE
41 COURT STREET
SKOWHEGAN, MAINE 04976**

February 27, 2013

To: Maine Legislature

From: Somerset County Commissioners

Re: County Nomination to the Maine Land Use Planning Commission

The Somerset County Commissioners voted 4-1 (Commissioner Trafton abstained), on February 20, 2013 to nominate Lloyd Keith Trafton, whose legal residence is 3918 US Route 201, West Forks, Maine 04985 to serve as a member of the Maine Land Use Planning Commission.

Sincerely yours,

Somerset County Commissioners

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 97)

**MAINE STATE LEGISLATURE
OFFICE OF THE EXECUTIVE DIRECTOR
LEGISLATIVE COUNCIL**

March 5, 2013

Honorable Mark W. Eves
Speaker of the House
2 State House Station
Augusta, Maine 04333

Dear Speaker Eves:

I am notifying you that, pursuant to 12 MRSA §683-A, I have forwarded to the Joint Standing Committee on Agriculture, Conservation and Forestry the following nomination made to the Maine Land Use Planning Commission by the Somerset County Commissioners:

Lloyd Keith Trafton of West Forks

Pursuant to 12 MRSA §683-A, this appointment is subject to confirmation by the Maine Senate after review by the committee having jurisdiction over conservation matters.

Sincerely,

S/David E. Boulter

Executive Director of the Legislative Council

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 95)

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

(HLS 3)

March 7, 2013

Honorable Mark W. Eves
Speaker of the House
2 State House Station
Augusta, Maine 04333

Dear Speaker Eves:

Pursuant to Joint Rule 310, the following Joint Standing Committees have voted unanimously to report the following bills out "Ought Not to Pass:"

Education and Cultural Affairs

L.D. 93 An Act To Require Public Secondary Schools To Offer a Course in Gun Safety and Handling

Energy, Utilities and Technology

L.D. 114 An Act To Amend the Charter of the Portland Water District

Health and Human Services

L.D. 132 Resolve, To Provide Organic Infant Formula through the Maine Women, Infants and Children Program

L.D. 164 An Act To Provide MaineCare Reimbursement for Pastoral Counselors

L.D. 181 Resolve, To Require Hospitals To Provide Information Regarding Testing for Krabbe Disease for Parents of Infants

Inland Fisheries and Wildlife

L.D. 41 An Act To Allow a Person 65 Years of Age or Older To Fish with Bait in any Inland Water

L.D. 43 An Act To Ban the Use of Nondegradable Hooks for Fishing

State and Local Government

L.D. 183 An Act To Exempt Municipalities That Do Not Hold Annual Meetings from Required Publication of an Annual Report

L.D. 210 An Act To Require That Forms, Pamphlets and Other Documents Be Designed To Permit the Continued Use of the Materials

Veterans and Legal Affairs

L.D. 54 An Act To Expand Access to Absentee Ballots

L.D. 185 An Act To Increase the Discount Rate on Alcoholic Beverages Sold by Agency Liquor Stores

The sponsors and cosponsors have been notified of the Committee's action.

Sincerely,

S/Millicent M. MacFarland
Clerk of House

READ and with accompanying papers ORDERED PLACED ON FILE.

The following item was 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, March 5, 2013, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

Expression of Legislative Sentiment Recognizing the Mount Blue High School Football Team

TABLED - January 8, 2013 (Till Later Today) by Representative HARVELL of Farmington.

PENDING - **PASSAGE.**

The SPEAKER: The Chair recognizes the Representative from Farmington, Representative Harvell.

Representative **HARVELL**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, the 2012 Class B State Champions. Go Mount Blue.

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

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

The following Bills and Resolves 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 Enhance the Development and Implementation of Integrated Pest Management Programs"

(H.P. 627) (L.D. 903)

Sponsored by Representative CRAY of Palmyra.

Cosponsored by Senator JACKSON of Aroostook and Representatives: BLACK of Wilton, McCABE of Skowhegan, NOON of Sanford, SAUCIER of Presque Isle, TIMBERLAKE of Turner.

APPROPRIATIONS AND FINANCIAL AFFAIRS

Bill "An Act To Clarify When Bonds May Be Issued"

(H.P. 628) (L.D. 904)

Sponsored by Representative CAREY of Lewiston.

Cosponsored by Representative COOPER of Yarmouth, Senator TUTTLE of York and Representatives: CHIPMAN of Portland, Speaker EVES of North Berwick, KESCHL of Belgrade, KNIGHT of Livermore Falls, McCABE of Skowhegan, ROTUNDO of Lewiston, Senators: CAIN of Penobscot, MASON of Androscoggin.

Bill "An Act To Authorize a General Fund Bond Issue for Riverfront Community Development"

(H.P. 649) (L.D. 925)

Sponsored by Representative LIBBY of Lewiston.

Cosponsored by Senator CLEVELAND of Androscoggin and Representatives: BEAR of the Houlton Band of Maliseet Indians, BEAUDOIN of Biddeford, BEAULIEU of Auburn, BEAVERS of South Berwick, BECK of Waterville, BERRY of Bowdoinham, BOLAND of Sanford, BOLDUC of Auburn, BRIGGS of Mexico, BROOKS of Winterport, CAMPBELL of Newfield, CAREY of Lewiston, CHENETTE of Saco, COTTA of China, CROCKETT of Bethel, DAUGHTRY of Brunswick, DeCHANT of Bath, DILL of Old Town, DORNEY of Norridgewock, Speaker EVES of North Berwick, FOWLE of Vassalboro, FREY of Bangor, GIDEON of Freeport, GILBERT of Jay, GOODE of Bangor, GRANT of Gardiner, HAYES of Buckfield, HOBBS of Saco, JONES of Freedom, KAENRATH of South Portland, KNIGHT of Livermore Falls, KORNFIELD of Bangor, KUSIAK of Fairfield, LAJOIE of Lewiston, LONGSTAFF of Waterville, MacDONALD of Boothbay, McCABE of Skowhegan, McELWEE of Caribou, MITCHELL of the Penobscot Nation, MONAGHAN-DERRIG of Cape Elizabeth, NADEAU of Winslow, NOON of Sanford, PLANTE of Berwick, POULIOT of Augusta, ROCHELO of Biddeford, ROTUNDO of Lewiston, RUSSELL of Portland, RYKERSON of Kittery, SAUCIER of Presque Isle, SCHNECK of Bangor, SOCTOMAH of

the Passamaquoddy Tribe, STANLEY of Medway, THERIAULT of Madawaska, TIPPING-SPITZ of Orono, TREAT of Hallowell, VEROW of Brewer, WERTS of Auburn, WILSON of Augusta, Senators: President ALFOND of Cumberland, CAIN of Penobscot, DUTREMBLE of York, GERZOFKY of Cumberland, GOODALL of Sagadahoc, GRATWICK of Penobscot, HILL of York, JACKSON of Aroostook, JOHNSON of Lincoln, KATZ of Kennebec, LACHOWICZ of Kennebec, PATRICK of Oxford, SAVIELLO of Franklin, TUTTLE of York, VALENTINO of York, YOUNGBLOOD of Penobscot.

CRIMINAL JUSTICE AND PUBLIC SAFETY

Bill "An Act To Increase the Penalty for an Adult Who Provides Alcohol to a Minor Involved in a Fatal Accident"

(H.P. 650) (L.D. 926)

Sponsored by Representative CROCKETT of Bethel.

Cosponsored by Senator HAMPER of Oxford and Representatives: DAVIS of Sangerville, JACKSON of Oxford, WINSOR of Norway.

EDUCATION AND CULTURAL AFFAIRS

Resolve, Directing the Department of Education To Develop School Building Security Plans

(H.P. 629) (L.D. 905)

Sponsored by Representative BRIGGS of Mexico.

Cosponsored by Senator MILLETT of Cumberland and Representatives: DION of Portland, FREY of Bangor, JOHNSON of Greenville, McCLELLAN of Raymond, Senators: President ALFOND of Cumberland, LANGLEY of Hancock, PATRICK of Oxford, TUTTLE of York.

Bill "An Act To Permit a School Administrative Unit Discretion Concerning Participation of Students from Charter Schools in School Extracurricular and Interscholastic Activities"

(H.P. 630) (L.D. 906)

Sponsored by Representative MOONEN of Portland.

Cosponsored by Senator MILLETT of Cumberland and Representative: DAUGHTRY of Brunswick.

ENERGY, UTILITIES AND TECHNOLOGY

Bill "An Act To Provide Customers with Itemized Bills"

(H.P. 617) (L.D. 894)

Sponsored by Representative MONAGHAN-DERRIG of Cape Elizabeth.

Cosponsored by Senator VALENTINO of York and Representatives: GRAHAM of North Yarmouth, MORRISON of South Portland, PLANTE of Berwick, THERIAULT of Madawaska.

Bill "An Act To Further Energy Independence for the State"

(H.P. 651) (L.D. 927)

Sponsored by Representative McGOWAN of York.

Cosponsored by Representatives: DEVIN of Newcastle, MOONEN of Portland, NOON of Sanford, SHORT of Pittsfield, TIPPING-SPITZ of Orono.

ENVIRONMENT AND NATURAL RESOURCES

Bill "An Act To Encourage Recycling"

(H.P. 631) (L.D. 907)

Sponsored by Representative STANLEY of Medway.

Cosponsored by Senator: JACKSON of Aroostook.

HEALTH AND HUMAN SERVICES

Bill "An Act To Establish the Volunteer Advocate Program"

(H.P. 620) (L.D. 897)

Sponsored by Representative WILLETTE of Mapleton.

Cosponsored by Senator JACKSON of Aroostook and Representatives: CLARK of Easton, FARNSWORTH of Portland, SANDERSON of Chelsea, SIROCKI of Scarborough.

Bill "An Act To Limit MaineCare Reimbursement for Suboxone and Methadone Treatment"

(H.P. 632) (L.D. 908)

Sponsored by Representative DICKERSON of Rockland.

Cosponsored by Senator MAZUREK of Knox and Representatives: BEAVERS of South Berwick, EVANGELOS of Friendship, HARVELL of Farmington, SANDERSON of Chelsea, SIROCKI of Scarborough, VILLA of Harrison.

Resolve, To Establish MaineCare Eligibility for Parents Participating in Reunification Activities

(H.P. 633) (L.D. 909)

Sponsored by Representative HAMANN of South Portland.

Cosponsored by Senator MILLETT of Cumberland and Representatives: CASSIDY of Lubec, GATTINE of Westbrook, GRAHAM of North Yarmouth, MOONEN of Portland, SANBORN of Gorham, STUCKEY of Portland.

Bill "An Act To Improve MaineCare Nursing Home Reimbursement To Preserve Access and Promote Quality"

(H.P. 652) (L.D. 928)

Sponsored by Representative MALABY of Hancock.

Cosponsored by Representatives: DUNPHY of Embden, SANDERSON of Chelsea, SIROCKI of Scarborough, STUCKEY of Portland.

Bill "An Act To Amend the Requirements for the Reporting of New Hires" (EMERGENCY)

(H.P. 653) (L.D. 929)

Sponsored by Representative MALABY of Hancock.

Cosponsored by Senator HAMPER of Oxford and Representatives: DUNPHY of Embden, LIBBY of Waterboro, SANDERSON of Chelsea, SIROCKI of Scarborough.

INLAND FISHERIES AND WILDLIFE

Resolve, Directing the Department of Inland Fisheries and Wildlife To Amend Its Rules Regarding Required Setback Distances for Beaver Traps

(H.P. 618) (L.D. 895)

Sponsored by Representative WILLETTE of Mapleton.

Cosponsored by Representatives: CRAFTS of Lisbon, DAVIS of Sangerville, ESPLING of New Gloucester, Senators: JACKSON of Aroostook, SHERMAN of Aroostook.

Bill "An Act To Allow Fox Hunting at Night"

(H.P. 619) (L.D. 896)

Sponsored by Representative WILLETTE of Mapleton.

Cosponsored by Senator JACKSON of Aroostook and Senator: SHERMAN of Aroostook.

Resolve, Directing the Department of Inland Fisheries and Wildlife To Study and Make Recommendations Regarding the Bear Hunting Season

(H.P. 634) (L.D. 910)

Sponsored by Representative SHAW of Standish.

Bill "An Act To Increase Revenue for the ATV Recreational Management Fund"

(H.P. 635) (L.D. 911)

Sponsored by Representative BRIGGS of Mexico.

Cosponsored by Senator PATRICK of Oxford and Representatives: CRAFTS of Lisbon, CROCKETT of Bethel, DAVIS of Sangerville, DION of Portland, McCABE of Skowhegan,

SHAW of Standish, Senators: HASKELL of Cumberland, JACKSON of Aroostook.

Bill "An Act To Subject a Motorboat with a Certificate of Number from Another Jurisdiction to the Annual Registration Fee" (H.P. 654) (L.D. 930)

Sponsored by Representative NADEAU of Winslow.
Cosponsored by Senator COLLINS of York and Representatives: CASSIDY of Lubec, CHENETTE of Saco, DION of Portland, FOWLE of Vassalboro, LONGSTAFF of Waterville, PEASE of Morrill, SCHNECK of Bangor, TURNER of Burlington.

Bill "An Act To Prevent Fish Kills and To Allow for Recreational Use of Sebago Lake" (H.P. 655) (L.D. 931)

Sponsored by Representative SHAW of Standish.
Cosponsored by Senator PLUMMER of Cumberland and Representatives: KINNEY of Limington, MAREAN of Hollis, McCLELLAN of Raymond, POWERS of Naples, TYLER of Windham, VOLK of Scarborough, Senators: HAMPER of Oxford, KATZ of Kennebec.

Bill "An Act To Promote Fishing by Youth" (H.P. 656) (L.D. 932)

Sponsored by Representative PEASE of Morrill.
Cosponsored by Senator THIBODEAU of Waldo and Representatives: CHENETTE of Saco, FOWLE of Vassalboro, McCABE of Skowhegan, NADEAU of Fort Kent, NADEAU of Winslow, WELSH of Rockport, WOOD of Sabattus, Senator: COLLINS of York.

JUDICIARY

Bill "An Act To Provide Another Alternative to the Civil Order of Arrest Process" (H.P. 636) (L.D. 912)

Sponsored by Representative NELSON of Falmouth.
Cosponsored by Senator KATZ of Kennebec and Representatives: DION of Portland, HOBBS of Saco, MORIARTY of Cumberland, NUTTING of Oakland, PRIEST of Brunswick, Senators: BOYLE of Cumberland, HASKELL of Cumberland, HILL of York.

Bill "An Act To Promote Excursion Passes by Amending the Law Governing Expiration Dates on Gift Obligations and Stored-value Cards Redeemable with Multiple Sellers" (EMERGENCY) (H.P. 637) (L.D. 913)

Sponsored by Representative MALABY of Hancock.
Cosponsored by Representatives: DUNPHY of Embden, LIBBY of Waterboro, SANDERSON of Chelsea, SIROCKI of Scarborough.

LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT

Bill "An Act To Certify Nuclear Medicine Technologists in Computed Tomography" (H.P. 638) (L.D. 914)

Sponsored by Representative KINNEY of Limington.
Cosponsored by Senator COLLINS of York and Representatives: BEAULIEU of Auburn, LONGSTAFF of Waterville, SHAW of Standish, TYLER of Windham, Senators: HAMPER of Oxford, TUTTLE of York.

Bill "An Act To Establish a Separate Regulatory Board for Dental Hygienists" (H.P. 657) (L.D. 933)

Sponsored by Representative SIROCKI of Scarborough.
Cosponsored by Representatives: GUERIN of Glenburn, LIBBY of Waterboro, MALABY of Hancock, MASTRACCIO of Sanford,

McELWEE of Caribou, PARRY of Arundel, PETERSON of Rumford, SANDERSON of Chelsea.

Bill "An Act To Amend the Laws on Extended Warranties for Used Cars To Make Terms of Coverage Transparent" (H.P. 658) (L.D. 934)

Sponsored by Representative WILSON of Augusta.
Cosponsored by Senator: KATZ of Kennebec.

MARINE RESOURCES

Bill "An Act To Require Labeling of Genetically Engineered Marine Organisms" (H.P. 621) (L.D. 898)

Sponsored by Representative CHAPMAN of Brooksville.
Bill "An Act Providing for a Noncommercial, Nondomiciled Resident Lobster and Crab Fishing License" (H.P. 622) (L.D. 899)

Sponsored by Representative CHAPMAN of Brooksville.
Bill "An Act To Permit the Harvest of Sea Cucumbers as Bycatch of Sea Urchin Dragging and To Allow Areas To Be Closed to Sea Cucumber Dragging" (H.P. 659) (L.D. 935)

Sponsored by Representative KUMIEGA of Deer Isle.
Cosponsored by Representative: SAXTON of Harpswell.

STATE AND LOCAL GOVERNMENT

Bill "An Act Regarding the Disclosure of Certain Records in Criminal Matters" (H.P. 623) (L.D. 900)

Sponsored by Representative DION of Portland.
Cosponsored by Senator KATZ of Kennebec and Representative: PLANTE of Berwick.
Submitted by the Department of the Attorney General pursuant to Joint Rule 204.

TAXATION

Bill "An Act To Modify the Mining Excise Tax" (H.P. 624) (L.D. 901)

Sponsored by Representative CHAPMAN of Brooksville.
Bill "An Act To Expand the Sales Tax Exemption for Certain Public Libraries To Include Sales by Those Libraries or Their Supporting Organizations" (H.P. 639) (L.D. 915)

Sponsored by Representative TIPPING-SPITZ of Orono.
Cosponsored by Senator CAIN of Penobscot and Representatives: BENNETT of Kennebunk, BROOKS of Winterport, FREY of Bangor, GOODE of Bangor, LIBBY of Lewiston, Senators: HASKELL of Cumberland, THOMAS of Somerset.

Bill "An Act To Promote Investment in Maine's Communications Network and Natural Gas Network" (H.P. 640) (L.D. 916)

Sponsored by Representative BROOKS of Winterport.
Cosponsored by Senator HASKELL of Cumberland and Representatives: BENNETT of Kennebunk, FARNSWORTH of Portland, GOODE of Bangor, KNIGHT of Livermore Falls, LIBBY of Lewiston, STANLEY of Medway, TIPPING-SPITZ of Orono.

Bill "An Act To Authorize Municipalities To Impose Service Charges on Tax-exempt Property Owned by Certain Nonprofit Organizations" (H.P. 660) (L.D. 936)

Sponsored by Representative CHASE of Wells.

Cosponsored by Senator THIBODEAU of Waldo and Representatives: GOODE of Bangor, HARVELL of Farmington, KESCHL of Belgrade, KNIGHT of Livermore Falls, SHAW of Standish, WOOD of Sabattus.

TRANSPORTATION

Bill "An Act To Waive Tolls on the Maine Turnpike for Certain Disabled Maine Veterans"

(H.P. 641) (L.D. 917)

Sponsored by Representative AYOTTE of Caswell.

Cosponsored by Senator JACKSON of Aroostook and Representatives: COTTA of China, CRAFTS of Lisbon, DAVIS of Sangerville, DOAK of Columbia Falls, LONG of Sherman, TIMBERLAKE of Turner, Senators: SHERMAN of Aroostook, THOMAS of Somerset.

Bill "An Act To Remove the Provision That a Motorcycle Operator May Prove a Motorcycle Muffler Does Not Exceed Specific Noise Standards"

(H.P. 642) (L.D. 918)

Sponsored by Representative GILBERT of Jay.

Cosponsored by Senator SAVIELLO of Franklin and Representatives: JONES of Freedom, KNIGHT of Livermore Falls, LIBBY of Lewiston, WILLETTE of Mapleton, Senator: MAZUREK of Knox.

Bill "An Act Concerning the Monetary Amount of Damage That Defines a Reportable Motor Vehicle Accident"

(H.P. 643) (L.D. 919)

Sponsored by Representative SHAW of Standish.

Cosponsored by Representatives: CHIPMAN of Portland, GILBERT of Jay, JONES of Freedom.

Bill "An Act To Prohibit Herbicide Spraying on Abandoned Railroad Lines"

(H.P. 644) (L.D. 920)

Sponsored by Representative McLEAN of Gorham.

Cosponsored by Senator BOYLE of Cumberland and Representatives: HICKMAN of Winthrop, LIBBY of Lewiston, PRINGLE of Windham.

Bill "An Act To Amend the Laws Governing Disability Parking Spaces"

(H.P. 661) (L.D. 937)

Sponsored by Representative AYOTTE of Caswell.

Cosponsored by Senator JACKSON of Aroostook and Representatives: CRAFTS of Lisbon, DAVIS of Sangerville, GIFFORD of Lincoln, LONG of Sherman, TIMBERLAKE of Turner, Senators: HAMPER of Oxford, SHERMAN of Aroostook, THOMAS of Somerset.

VETERANS AND LEGAL AFFAIRS

Resolve, Directing the Commission on Governmental Ethics and Election Practices To Improve Public Access to Campaign Finance Information

(H.P. 645) (L.D. 921)

Sponsored by Representative HARLOW of Portland.

Cosponsored by Representatives: BOLAND of Sanford, BRIGGS of Mexico, CHAPMAN of Brooksville, DICKERSON of Rockland, NELSON of Falmouth.

Bill "An Act To Eliminate the Requirement That an Address Be Provided in Disclaimers on Political Radio Advertisements"

(H.P. 646) (L.D. 922)

Sponsored by Representative MOONEN of Portland.

Cosponsored by Representative: RUSSELL of Portland.

Bill "An Act To Require Write-in Candidates To Be Listed on the Ballot Tabulation Report"

(H.P. 647) (L.D. 923)

Sponsored by Representative BROOKS of Winterport.

Cosponsored by Senator GRATWICK of Penobscot and Representatives: FARNSWORTH of Portland, FREY of Bangor, GOODE of Bangor, KNIGHT of Livermore Falls, TIPPING-SPITZ of Orono, Senator: HASKELL of Cumberland.

Bill "An Act To Prevent a Conflict of Interest of the Secretary of State"

(H.P. 648) (L.D. 924)

Sponsored by Representative CAREY of Lewiston.

Cosponsored by Representative RUSSELL of Portland, Senator TUTTLE of York and Representatives: BEAULIEU of Auburn, CHIPMAN of Portland, CROCKETT of Bethel, GRAHAM of North Yarmouth, LONGSTAFF of Waterville, SAUCIER of Presque Isle, SCHNECK of Bangor, Senator: PATRICK of Oxford.

Bill "An Act To Update the Laws Relating to the Tri-state Lotto and the Payment of Prizes to Minors"

(H.P. 662) (L.D. 938)

Sponsored by Representative LUCHINI of Ellsworth.

Cosponsored by Representative MASON of Topsham.

Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.

Pursuant to Statute

Department of Environmental Protection

Representative WELSH for the **Department of Environmental Protection** pursuant to the Maine Revised Statutes, Title 5, section 8072 asks leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 882: Designation of Bisphenol A as a Priority Chemical and Regulation of Bisphenol A in Children's Products, a Major Substantive Rule of the Department of Environmental Protection (EMERGENCY)

(H.P. 625) (L.D. 902)

Be **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** 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. 14)

ORDERED, that Representative Katherine W. Cassidy of Lubec be excused February 28 for personal reasons.

READ and **PASSED**.

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

the members of the Bangor High School Girls Indoor Track and Field Team, of Bangor, on their winning the 2013 Class A State Championship. We extend our congratulations and best wishes to the members of the team on their achievement;

(HLS 70)

Presented by Representative KORNFIELD of Bangor. Cosponsored by Representative GOODE of Bangor, Senator GRATWICK of Penobscot, Representative SCHNECK of Bangor, Representative FREY of Bangor, Representative REED of Carmel.

On **OBJECTION** of Representative KORNFIELD of Bangor, was **REMOVED** from the Special Sentiment Calendar.

READ.

On motion of the same Representative, **TABLED** pending **PASSAGE** and later today assigned.

REPORTS OF COMMITTEE

Divided Report

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought Not to Pass** on Bill "An Act To Protect a Private Memorial Placed in a Public Right-of-way"

(H.P. 35) (L.D. 40)

Signed:

Senators:

- GERZOFISKY of Cumberland
- DUTREMBLE of York
- PLUMMER of Cumberland

Representatives:

- DION of Portland
- CASAVANT of Biddeford
- KAENRATH of South Portland
- LAJOIE of Lewiston
- MARKS of Pittston
- PEASE of Morrill
- PLANTE of Berwick
- TYLER of Windham
- WILSON of Augusta

Minority Report of the same Committee reporting **Ought to Pass** on same Bill.

Signed:

Representative:

- LONG of Sherman

READ.

Representative DION of Portland moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

The **SPEAKER**: The Chair recognizes the Representative from Wells, Representative Chase.

Representative **CHASE**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I am speaking in opposition to the motion before us and would ask that you would vote nay on the Ought Not to Pass. On a late mid-September night in 2010, Austin Dykes, 15, of Wells, and Christian Lumenello, 16, of Ogunquit, were killed in a horrific automobile accident on Tatnic Road in Wells. As is the case for some families and friends whose loved ones die along a roadway, crosses were set up by the families for each of the boys at the

site of the crash. Every family and friend grieves differently and a cross is not always erected at the site of a fatal accident. But for those who do choose to recognize the place where their loved one died by placing a cross, it is doubly painful if someone steals it or destroys it, and that is the pain that Celena Dykes, the mother of young Austin, experienced when the cross placed for Austin along that Tatnic Road was stolen. Celena, who had wanted to eventually bring home the cross that many of Austin's friends had signed, went to the police after the fact and was told that there was no law against the taking of a cross in a public right-of-way. Celena requested this bill in memory of her son and the hope that another family would have a legal remedy for the theft or destruction of a memorial placed at the site of a loved one, at the loss of a loved one.

I understand that few things are committed to be placed in the public right-of-way of a road. This bill did not ask to expand that. While placing a cross in a public right-of-way may not be legal, it is an accepted tradition of grief that has been allowed. All this bill requested was to establish a penalty for deliberately destroying or stealing private memorials placed at the site of a death of a loved one for one year from the death of that loved one. The tragedy of a family losing a loved one in a car accident is tough enough for them to handle, but to also put them through the pain of having that memorial they have placed to express that grief stolen or destroyed with no penalty is unacceptable. For all of you who can hear my voice today, I ask that you please respect and leave alone a memorial placed on the side of the road and recognize it for what it is, a grieving family's acknowledgement of a death of a loved one and a reminder to all of us who are lucky enough to still have our loved ones to go home and hug them. On behalf of Mrs. Dykes and other families in Maine who may face a similar tragedy, I respectfully ask all of you to vote down the prevailing motion and then pass this bill. Thank you, Mr. Speaker, and I would ask for a roll call.

The same Representative **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought Not to Pass** Report.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The **SPEAKER**: A roll call has been ordered. The pending question before the House is Acceptance of the Majority **Ought Not to Pass** Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 6

YEA - Ayotte, Beaudoin, Berry, Briggs, Brooks, Campbell J, Campbell R, Casavant, Cassidy, Chapman, Chipman, Cotta, Daughtry, DeChant, Devin, Dickerson, Dill, Dion, Doak, Dorney, Dunphy, Espling, Evangelos, Farnsworth, Fowle, Gattine, Goode, Graham, Grant, Guerin, Hamann, Hayes, Herbig, Hickman, Hobbins, Hubbell, Jorgensen, Kaenrath, Kent, Kornfield, Kruger, Kumiega, Kusiak, Lajoie, Libby A, Libby N, Longstaff, Luchini, MacDonald W, Marks, Mason, Mastraccio, McCabe, McGowan, McLean, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau C, Nelson, Noon, Nutting, Pease, Peoples, Plante, Powers, Priest, Pringle, Rankin, Rochelo, Rotundo, Rykerson, Sanborn, Saucier, Schneck, Shaw, Short, Stanley, Stuckey, Theriault, Tipping-Spitz, Treat, Tyler, Villa, Welsh, Werts, Willette, Wilson, Winsor, Mr. Speaker.

NAY - Beaulieu, Beavers, Beck, Bennett, Black, Boland, Bolduc, Chase, Clark, Cooper, Crafts, Cray, Crockett, Davis, Fitzpatrick, Fredette, Gideon, Gifford, Gilbert, Gillway, Harlow, Harvell, Jackson, Johnson D, Johnson P, Jones, Keschl, Kinney, Knight, Lockman, Long, MacDonald S, Maker, Malaby, Marean, McClellan, McElwee, Newendyke, Parry, Peavey Haskell, Pouliot, Reed, Sanderson, Sirocki, Timberlake, Turner, Verow, Volk, Weaver, Winchenbach, Wood.

ABSENT - Carey, Chenette, Duprey, Frey, Nadeau A, Peterson, Russell, Saxton, Wallace.

Yes, 91; No, 51; Absent, 9; Excused, 0.

91 having voted in the affirmative and 51 voted in the negative, with 9 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and 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. 132) (L.D. 157) Bill "An Act To Modify Administration of the Fund Insurance Review Board" Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass**

(H.P. 159) (L.D. 198) Bill "An Act To Clarify Physicians' Delegation of Medical Care" Committee on **HEALTH AND HUMAN SERVICES** 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.

CONSENT CALENDAR

Second Day

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

(S.P. 12) (L.D. 20) Bill "An Act To Fully Fund the Homemaker Services Program"

(H.P. 199) (L.D. 290) Bill "An Act To Eliminate the Forest Certification Incentive Cost-share Fund"

(H.P. 274) (L.D. 399) Bill "An Act To Change the Name of the Department of Audit"

No objections having been noted at the end of the Second Legislative Day, the Senate Paper was **PASSED TO BE ENGROSSED** in concurrence and the House Papers were **PASSED TO BE ENGROSSED** and sent for concurrence.

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

UNFINISHED BUSINESS

The following matters, in the consideration of which the House was engaged at the time of adjournment Tuesday, March 5, 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 Provide Protection to a Condominium Association When a Condominium Is Foreclosed On"

(H.P. 558) (L.D. 807)

(Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** suggested)

TABLED - March 5, 2013 (Till Later Today) by Representative HERBIG of Belfast.

PENDING - **REFERENCE**.

Subsequently, on motion of Representative HERBIG of Belfast, the Bill was **REFERRED** to the Committee on **JUDICIARY**, ordered printed and sent for concurrence.

Bill "An Act To Clarify When a Manufactured Home Becomes Residential Real Property"

(H.P. 605) (L.D. 854)

(Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** suggested)

TABLED - March 5, 2013 (Till Later Today) by Representative HERBIG of Belfast.

PENDING - **REFERENCE**.

Subsequently, on motion of Representative HERBIG of Belfast, the Bill was **REFERRED** to the Committee on **JUDICIARY**, ordered printed and sent for concurrence.

Bill "An Act To Examine Fees Charged by Municipalities Concerning Outdoor-related Activities"

(H.P. 608) (L.D. 857)

(Committee on **STATE AND LOCAL GOVERNMENT** suggested)

TABLED - March 5, 2013 (Till Later Today) by Representative GRAHAM of North Yarmouth.

PENDING - **REFERENCE**.

Subsequently, on motion of Representative GRAHAM of North Yarmouth, the Bill was **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE**, ordered printed and sent for concurrence.

Resolve, Regarding Legislative Review of Portions of Chapter 2: Rules Concerning the Processing of Applications and Other Administrative Matters, a Major Substantive Rule of the Department of Environmental Protection (EMERGENCY)

(H.P. 612) (L.D. 861)

(Committee on **ENVIRONMENT AND NATURAL RESOURCES** suggested)

TABLED - March 5, 2013 (Till Later Today) by Representative WELSH of Rockport.

PENDING - **REFERENCE**.

Subsequently, on motion of Representative WELSH of Rockport, the Resolve was **REFERRED** to the Committee on **JUDICIARY**, ordered printed and sent for concurrence.

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

At this point, the Senate came and a Joint Convention was formed.

In Convention

The President of the Senate, the Honorable Justin L. Alford in the Chair.

The Convention was called to order by the Chair.

On motion by Senator GOODALL of Sagadahoc, it was **ORDERED**, that a Committee be appointed to wait upon the Honorable John Fitzsimmons, President of the Maine Community College System, the Honorable James Page, Chancellor of the University of Maine System, the Honorable Dr. William J. Brennan, President of the Maine Maritime Academy, the Campus Presidents and their Boards of Trustees to inform them that the two branches of the Legislature are in Convention assembled, ready to receive such communications as pleases them.

The Order was **READ** and **PASSED**.

The Chair appointed the following:

The Senator from Cumberland, Senator Millett

The Senator from Lincoln, Senator Johnson

The Senator from Hancock, Senator Langley
The Representative from Boothbay, Representative MacDonald
The Representative from Falmouth, Representative Nelson
The Representative from Hiram, Representative Rankin
The Representative from Brunswick, Representative Daughtry
The Representative from Bar Harbor, Representative Hubbell
The Representative from Bangor, Representative Kornfield
The Representative from Greenville, Representative Johnson
The Representative from Calais, Representative Maker
The Representative from Raymond, Representative McClellan
The Representative from Augusta, Representative Pouliot
The Representative from the Passamaquoddy Tribe, Representative Sotomah

Subsequently, Senator MILLETT from Cumberland, for the Committee, reported that the Honorable John Fitzsimmons, President of the Maine Community College System, the Honorable James Page, Chancellor of the University of Maine System, and the Honorable Dr. William J. Brennan, President of the Maine Maritime Academy, would attend forthwith.

The Chair welcomed to the Convention the Honorable John Fitzsimmons, President of the Maine Community College System, the Honorable James Page, Chancellor of the University of Maine System, the Honorable Dr. William J. Brennan, President of the Maine Maritime Academy, the Campus Presidents, the Boards of Trustees and guests.

The Chair recognized in the House Gallery representing the Maine Community College System Board of Trustees: Robert Clark, of Fort Fairfield, Vice Chair of the Board of Trustees; Steven Howe of Ogunquit; Dennis King of Freeport; David Gonyea; David MacMahon of Poland; and Daniel Wathen of Augusta. The Chair also recognized in the House Gallery the Presidents of the Maine Community College System: Dr. Scott Knapp, President of Central Maine Community College and Interim President of York County Community College; Dr. Lawrence Barrett, President of Eastern Maine Community College; Dr. Barbara Woodlee, President of Kennebec Valley Community College; Mr. Timothy Crowley, President of Northern Maine Community College; Dr. Ronald Cantor, President of Southern Maine Community College; and Dr. William Cassidy, President of Washington County Community College. The Chair also recognized in the House Gallery representing the University of Maine System Board of Trustees: Honorable Stephen Bowen, Commissioner of Education; Sam Collins; Norm Fournier; Jim Erwin; Tyler Hadyniak; Mark Gardner; Michelle Hood; Greg Johnson; Marge Medd; Victoria Murphy; Bonnie Newsom; and Karl Turner. The Chair then recognized in the House Gallery Presidents of the University of Maine System: Dr. Paul Ferguson, University of Maine; Dr. Theo Kalikow, University of Southern Maine; Dr. Kate Foster, University of Maine at Farmington; Dr. Allyson Handley, University of Maine at Augusta; Dr. Linda Schott, University of Maine at Presque Isle; Wilson Hess, University of Maine at Fort Kent; and Dr. Cindy Huggins, University of Maine at Machias.

The Chair then requested the Honorable John Fitzsimmons, President of the Maine Community College System, to please step forward and address the Joint Convention.

President **FITZSIMMONS**: Well, good morning and thank you for that kind reception. President Alford, Speaker Eves, honorable members of the 126th Maine Legislature, Chancellor Page, President Brennan, and friends of higher education, I am honored to come before you this morning to bring you a message from our students, employees, and Trustees.

I realize that 40% of you are new to the legislature, and your familiarity with the Maine Community College System may be limited. I hope starting today to introduce you to a system that has a track record of success and the potential to do even more to prepare Maine for the future.

Our seven-college system can trace its origins to 1946 when Governor Hildreth created the first Vocational Technical Institute right here in Augusta. In 1989 we became technical colleges to fully recognize our role as higher education institutions, and in 2003, we were converted to community colleges, offering both occupational and transfer programs.

This fall we will celebrate the tenth anniversary of our transition to community colleges. Those ten years our enrollment has increased by 83% from 10,000 to 18,500 students. That's 8,500 more Maine people enrolled in college, preparing to be police officers and firefighters in your towns, acquiring the skills to care for your family members in local hospitals and health care facilities, to get electricity flowing again when the power lines are down, and to repair your cars and your computers, and to construct your new homes and offices.

The hallmark of our 67-year history has been our ability to adapt to the workforce needs of an ever-changing economy while never losing sight of the need to provide high quality education at an affordable price. I have had the privilege of serving as the system president for the past 23 years. My belief in the power and potential of our community colleges to transform individual lives and our state's economy has never been higher.

And I must tell you that I love the community colleges. I love the mission, I love the students we serve, and I have a deep respect for the people who choose to work within our system. For those who are listening around the state who work in our system, I thank you every day for what you do for Maine students and for our economy. This may be a bumpy time in our history, but there are more and exciting days ahead. Thank you for all that you do for our system.

There are four words that embody the spirit of our seven colleges, and they are pride, commitment, dedication, and resourcefulness.

Pride. We are proud that our student body represents the hard working people of Maine, who sacrifice greatly to follow their dream of earning a college credential. The average age of our students is 27. For nearly all of them, returning to school means financial pressures, trepidation about becoming a student again, and facing the challenges of juggling family, work, and college. Their hope of being a full participant in the American dream rests with their innate talent and drive and having access to an education that will link them to high-skill/high-wage jobs in Maine. I take great pride in knowing that 93% of our graduates find employment or continue their education.

Commitment. We are committed to our role as the low-cost provider of a quality education. We have lived up to that commitment – even in tough times – and have frozen our tuition 8 out of the past 14 years. At \$2,580 a year in tuition, ours is the lowest of any institution in New England. Even so, 82% of our full-time students qualify for financial aid. They are hard working citizens of Maine who are dependent on having a college option they and their families can afford.

Dedication. Our dedicated faculty, staff and administrators are consummate professionals who take great pride in the

students we serve. Our students are not faceless numbers in a lecture hall, but individuals who inspire us to work harder and be better. It is our privilege to share in their journey. Their success reminds us every day that our chosen profession has meaning.

Resourcefulness. Over the last four years our enrollment has grown by 25% while our state appropriation has increased by a little over 2%. Through the resourcefulness of our employees and partnerships with the private sector, we have found ways to continue to serve more students. Our new foundation has also played a critical role in that effort. In two and a half years, it has raised \$23 million to support our colleges and our students. Highlighted by a gift of \$10.8 million from the Harold Alfond Foundation to establish a new satellite campus with Kennebec Valley Community College in Hinckley and that has the potential to serve an additional 2,000 students. I'd like to extend a special thanks to the foundation Chair Governor John McKernan, to the Vice Chair Lisa Gorman, and to board members Elaine Rosen, Rich Peterson, Dan Wathen and Beth Shorr. The generous donations made by the private sector are a powerful indication of their belief in the fundamental importance of our colleges to the future of our state.

Pride. Commitment. Dedication. Resourcefulness.

These are the words that are the cornerstone on which we have built this system. They will be the guiding principles by which we will unleash the full power and potential of the community colleges in the future.

Challenges ahead. I know everyone in this chamber understands the importance of a college education, and you want every Mainer who aspires to earn a degree to have that opportunity. What has changed in our lifetimes is that college used to be for the few; it is now a must for the many.

A recent report from Georgetown University found that 63% of the job openings in our nation between 2010 and 2020 will require postsecondary education. That same report showed that since 1980 the skills gap has grown wider each year. By 2020, it will approach 3 million jobs. That's 3 million jobs that could go begging because we lack the skilled workers to fill them.

The effects of this skill shortage are already starting to show in Maine. A recent report showed there are 4,000 jobs going unfilled due to a lack of skilled workers. That's frustrating for job seekers and frightening for our state as we try to keep up with our competitors.

Maine people have gotten the message. They are applying to our colleges in record numbers, but we are not in a position to respond. In each of the last two years, our colleges have had to turn away over 4,000 students from the courses and programs they need to complete a degree. A little earlier, I told you about our enrollment growing by 83% over the last ten years. That was the good news. The bad news is we grew over 9% for the first nine years and only 1% last year.

We have hit the wall.

Without additional support, we are not in a position to serve more students. Our needs are basic: more money to hire faculty and support staff, buy classroom equipment, and compensate employees.

I want to thank President Alfond and Speaker Eves for raising the issue of the skills gap. The creation of the Joint Select Committee on Maine's Workforce and Economic Future chaired by Senator Goodall and Representative Berry means the critical problem of Mainers not being qualified for good paying jobs will be front and center, as it must. Maine people want good jobs. Maine businesses need qualified workers. What stands between them is a skills gap. I understand that it is easy to get lost in statistics and educational lingo when discussing this issue, but if

you strip away the numbers and rhetoric this is about your constituents needing help.

Let me illustrate with a few examples:

This morning Senator Tuttle left Sanford for his long drive to Augusta. Driving through his hometown, he passed the homes of over 1,400 Sanford area residents who are registered for unemployment benefits or have exhausted their benefits. Just ten miles south of Sanford is Pratt & Whitney, which has plans to add at least 300 jobs. Workers currently performing those jobs are earning an average salary of \$50,000. But few, if any, of the 1,400 unemployed workers in the Sanford region will qualify for those jobs unless York County Community College has the funding to expand its machine tool program.

Further up the coast, Senator Gerzofsky woke up this morning in his hometown of Brunswick, home to the former Brunswick Naval Air Station. According to the State Planning Office, when the base closed, 6,500 jobs were lost in the Brunswick region. Southern Maine Community College has acquired five buildings at the base where it is establishing a new campus. This past fall 370 students enrolled in classes at the new campus. The college is now providing training to some of the area's largest employers and is partnering with the new businesses that have set up shop at the base. The potential exists for SMCC to grow the new campus to at least 3,000 students, but that potential won't be realized unless resources are made available.

Maine has a long and rich history of producing paper. But within ten years, 40 percent of Maine's 7,300 paper workers will be over sixty years old. The very survival of those 15 mills will depend on their having a highly skilled work force. You don't have to explain what that means to the 30 senators and representatives in this chamber who represent those workers and communities. We can't control the decisions made by corporate headquarters in other states, but we can ensure Maine paper mills that they have the skilled workers they need to compete.

The stories are much the same all across Maine, in every one of your communities. There are 51,000 Maine people out of work. Everyone in this chamber has family members, friends or neighbors affected by this devastating and protracted economic downturn.

There is one inescapable truth and it is this: technology and capital know neither boundaries nor loyalty. The only permanent asset you have as a state is your workforce. The fight to compete rests on having a highly educated workforce that can learn and relearn as our businesses continuously adapt to the global competitors.

And while we must continue to strengthen our K-12 system to ensure our next generation is prepared for college and careers, we must never forget that 78% of our current workforce will still be working in 2020. They are working hard every day, paying taxes, raising children, and carrying our economy. But too many of them are not prepared to adapt to an economy that continues to shift beneath their feet. We are heading towards a great divide of educational haves and have nots. What kind of future will we have in Maine if we leave tens of thousands of Mainers out of the best paying jobs in our state?

If the ferry that carries the residents from North Haven to the mainland were out of commission, we wouldn't leave the residents of the island stranded. If Route 1, the main conduit between Presque Isle and I-95 were washed out, we wouldn't tell the people of Aroostook to make due.

Investing in our human infrastructure is no less a lifeline for our citizens than replacing an outdated bridge or washed-out road. Strategic investments in our people are a signal to Maine

businesses that we are their partners in providing them with the skilled workers they need to compete. And they are a clear indication to the next generation that we see their future – a bright and promising future – within our borders.

We must face this challenge, as we face all others, with purpose and determination.

I believe in Maine. I believe in Maine people. I know with the right preparation Maine people can compete with any workforce in the world.

If we, the stewards of the future, do everything within our power to position our people and our businesses to compete, then our future will be bright, and we will live up to our state motto: "Dirigo ... I lead." Thank you very much.

The Chair then requested the Honorable Dr. William J. Brennan, President of the Maine Maritime Academy, to please step forward and address the Joint Convention.

President **BRENNAN**: President Alford, Speaker Eves, legislative leaders, members of the 126th Maine Legislature, and guests, my name is Bill Brennan, President of the Maine Maritime Academy. I'd like to introduce in the gallery Jeff Loustaunau, the Vice President of Operations; Ellie Willmann, the Vice President of Advancement; and one of our fine professors, Jeff Willmann. I wish I could also introduce today the Chairman of our Board of Trustees, Captain Robert Peacock. Captain Peacock is a ship's pilot and today is safely guiding a freighter into the port of Eastport. Captain Peacock is the son of a graduate of the Academy, Captain Peacock himself is a graduate of the Academy, and his daughter is a graduate of the Academy. The Maine Maritime Academy is not just a community; it is indeed a family. As the Academy moves into its 7th decade, the most important message that I can convey to you is that we are doing great. We have record applications, our job placement is above 90 percent in the first six months after graduation and we are providing amazing careers for young women and men of this State.

Maine Maritime Academy is a small coeducational college located in Downeast Maine, established by act of the Maine Legislature in 1941 and today is a unique part of the State's higher education partnership. We are a focused STEM institution offering a very specialized program of study in engineering, management, science and transportation, prescribed by the U.S. Maritime Administration and the United States Coast Guard. And Maine Maritime Academy is unique because we are one of only six such colleges in the country that offer this specialized program of study.

We have an enrollment of just under 1000 students, approximately 65 percent of whom are in a regimental program of study and more than 70 percent are residents of the state of Maine. Our students are focused and driven and, in many respects, that helps define us and set us apart from many other colleges.

Our mission at the outset was to train mariners in support of the war effort. I am proud to tell you that my father and two of his brothers were members of the Academy's first classes.

With the state's support, Maine Maritime Academy has substantially diversified over the years. While adhering to our original purpose of graduating merchant mariners, we have, in true Maine spirit, worked to maximize what we have and what we do best. We have matured to offer a contemporary college setting with a diverse student population and a special mix of midshipmen in uniform and students who follow a traditional college lifestyle.

Maine Maritime continues to embrace the role of the ocean as the core of our curriculum, but with an updated mission that is far broader than our founding. Graduates of our core curriculum continue to be reputed as some of the best marine engineers and deck officers in their international industry. But today we offer 3 programs and 16 majors, each providing truly hands-on opportunities for our students.

As president of Maine Maritime Academy, it is my pleasure to have the opportunity to share with you some of the ways in which Maine Maritime Academy enhances higher education outcomes in the state of Maine. Let me begin by citing the White House's on-line college scorecard, which attempts to grade the value of education at every college in the country.

Our graduation rate is near the top, while our default rate on loans is among the lowest in the country and our costs are below the national average. When viewed in terms of our placement rate into jobs within our student's career fields, you will see that Maine Maritime Academy provides significant value for our students, for their families and for the people of the State of Maine.

We offer a familiar yet challenging setting to Maine students, in a small college environment where hard work is expected and rewarded. We encourage and support dramatic personal growth, through community service or guided peer mentoring and leadership training, again recalling our seafaring foundation – one has to learn to follow – to serve, in order to someday lead. It may sound like a cliché, but it still resonates with today's youth.

Another way in which we are unique is in how we select our students. Our admissions process is very keen to select those students who have the greatest likelihood of success in our very unique program of study. That is not to say that we accept only students with top high school academic scores, as we do not. Instead, we select those students who have demonstrated the drive and focus necessary to be successful at this career-orientated institution. Many are the first time college attendees in their family.

But we also recognize that there are some applicants to our program who need just a little help and, when they get it, they offer great potential to succeed in our program. It is for that reason that I am so pleased with a new collaboration between my college and the Maine Community College System, referred to as the Maine Maritime Academy Prep. Modeled after programs used by several service academies such as Annapolis, we will hold a place for an applicant who needs a bit of remediation, if they successfully complete a program that we have jointly built with their local community college.

The success of our students has brought with it acknowledgement of the success of our program. In many respects, Maine Maritime Academy is the state's original STEM institution and again this year, we have been listed by U.S. News and World Report as one of the top small undergraduate engineering schools in the country.

I am very pleased to report to you that, with a generous gift from the American Bureau of Shipping, we have also been able to realize the research potential of our faculty and the pedagogical value it has for our students. It has enabled us to expand our collaboration with the University of Maine so that we can more fully and professionally engage in a host of research projects from hydrodynamics to offshore wind and a host of other projects.

Our students are now working on thermoelectric energy generation, student-centered research such as biodiesel development, biofouling countermeasures for ships, and energy efficient lobster boat design. Again, it's all about the students, and this kind of hands-on experience enhances their opportunity

for career success by maximizing their strengths and by serving industry.

Quite simply, the unique nature of our program works. It creates competency in our graduates and their future employers have confidence in them. As testament to this, our job placement rate is the envy of most other institutions – of those graduates who graduated in May, in excess of 90 percent had jobs in their career fields within six months of graduation – some of those jobs were paying salaries in the six figures.

At the present time, Maine Maritime Academy is in a strong and vibrant position. Our applications are so robust that many programs are already at quota for the coming academic year, and enrollment is at record levels. But we're at a critical crossroad, constrained as we are in the little town of Castine, but facing the pressure to grow as would any business in difficult economic times.

At its founding, the college's operational expenses were covered completely by the state and federal governments, and the state paid for the construction and maintenance of our facilities. Over time, that relationship changed such that the state's contribution to our operating expenses is about a quarter of our need and we have not constructed a new classroom building in over thirty years. As a STEM college, we need to ensure that our facilities are up to date to maximize the success of our students in science, technology, engineering, and in mathematics.

In 1941 when Maine Maritime was established, we took over the buildings of the old Eastern State Normal School. Over the years as our program has expanded and evolved, we have adapted these 1860s vintage buildings to our contemporary needs. In many cases, that has been successful and we are very proud of what we have accomplished. But we have adapted these spaces to our need for more than 70 years. We have arrived at a point of diminishing returns; these buildings can no longer accommodate the ever increasing technological advances our form of instruction requires and we need to be very judicious in how we adapt and grow.

I am gratified that you too have recognized this and the critical infrastructure need we and the other members of the state's higher education partnership have. Legislation such as LD 221 and LD 636 are of vital importance to us – we can no longer adapt 150-year-old buildings for purposes well beyond what they were intended. The advancement in engineering, science and research in the global economy requires us to have contemporary teaching and laboratory facilities to prepare Maine kids to be successful in their careers and hopefully in their lives.

We at Maine Maritime Academy are keenly aware of the fiscal challenges the state confronts and we recognize the new paradigm in higher education. At the outset, I told you that we are a very small college with a very focused program of study and we operate in a very conservative fiscal fashion in an effort to attempt to keep our tuition costs such that any qualified Maine student who wants a Maine Maritime education can have one. There is no doubt that much work and commitment is necessary to address the fundamental challenges that you and I share in meeting the higher education needs of Maine students.

Our specialization has allowed us to make contributions on behalf of the people of Maine to a setting that encompasses the domestic and international use of the world's oceans as an avenue for the free flow of international trade, for domestic security, and for energy. We are increasingly recognized for our specialization and innovation in maritime education. Our mission is to prepare young women and men for success and we are providing them with amazing careers. The State of Maine derives value from us on both ends of the exchange – we

educate Maine students and they, in return, contribute as productive members of society and of our economy.

Thank you again President Alford and Speaker Eves, for the opportunity to address this Joint Convention. Due to the legislative support over the years, our students learn to embrace challenges, to develop hands-on experience, and upon graduation, are prepared to achieve their goals as leaders in their field; leaders who carry with them around the World the reputation of the State of Maine as a skilled, hardworking and dedicated people. Thank you very much for your attention.

The Chair then requested the Honorable James Page, Chancellor of the University of Maine System, to please step forward and address the Joint Convention.

Chancellor **PAGE**: Thank you very much. President Alford, Speaker Eves, honorable members of the 126th Maine Legislature; President Brennan, President Fitzsimmons; distinguished guests and friends: On behalf of the University of Maine System; that is, on behalf of your seven campuses, law school, and more than 35 research, outreach, and Cooperative Extension centers and facilities throughout Maine, I extend greetings and thank you for the opportunity to address you concerning the state of public higher education today in Maine.

As a Maine native who believes deeply in the role education plays in the social and economic life of our state, it is a tremendous honor to be here. It is a tremendous honor to have been chosen by the Board of Trustees to lead this fine institution going forward. I am particularly thankful to them, to my team of presidents who are in the balcony, and I would be remiss if I didn't also include, with your indulgence, the thanks of my wife, Liane Judd, who is also in the audience, for putting up with long hours on the road.

As this is my first report to you, I will focus on a more personal view of my first year. The Board of Trustees hired me to reposition the University System to meet its responsibilities in a period of unprecedented challenge and change. I found an organization ready to become a greater part of the solution to these challenges, and I am pleased to report a number of significant starts and successes as we undertake this repositioning.

The challenges facing the University of Maine System are largely those that face the state as a whole: primarily a struggling economy and Maine's unique demographics. I could cite any number of economic facts, all of which are familiar to you. We know, for example, that median income for Maine families has dropped \$1500 from its peak 6 years ago, and that unemployment and underemployment remains too high. The demographic facts are equally strong and equally sobering. We have the oldest median population in the nation, and the total number of graduates from our public high schools in 2012 was fewer than 14,000 and that number is dropping. Moreover, too many of our young people are leaving the state for want of opportunity.

Higher education everywhere faces a third major challenge. We are undergoing a revolution in how education is delivered. The rise of online and distance education, for example, challenges nearly all our traditional educational assumptions. Taken with the economic and demographic challenges, Maine's Universities' basic educational and operational models are at significant risk.

Our task is not just to address these challenges in some minimally sufficient way. Our responsibility is to help Maine prosper. We must have a strong economy that will sustain businesses small and large, attract investment, and, most

importantly, offer real opportunities for our citizens, especially our young people and their families. The University of Maine System will be a partner and leader in this task. In taking stock this first year, what is most clear to me is this: Maine's public universities are a critical, irreplaceable factor in Maine's success, but our universities cannot be successful unless Maine people and Maine businesses are also successful.

I want to begin setting out our response to these challenges by singling out one event from this past year. As you know, credit transfer has been an issue since the System was founded over 40 years ago. My first charge from the Board was to fix it. Last May we formed a committee under the joint chairmanship of Trustee Admiral Gregory Johnson and University of Maine at Fort Kent President Wilson Hess to do just that. In October, they delivered their systemwide plan which the Board approved in November with unanimous support from the university presidents. This fall we will have the administrative and technical infrastructure in place to support this program and to transfer general education credits. Soon after, we will be able to transfer within majors and we will have prior learning assessment tools and policies in place to accommodate adult and transfer students statewide. Credit Transfer remained unresolved for 43 years. We have put a plan in place in less than a year and have already moved to implementation. There are many lessons one could draw from this example, but one stands out: We are now acting as a System as it was intended to be.

Our response, then, to these challenges that I outlined is a commitment: The University of Maine System will take our state's motto to heart. We will lead. We will be the most responsive public university system in the country in meeting educational and economic development needs and opportunities for our students, families, businesses, and communities. To meet this commitment we are building an integrated system of public higher education to a level never before seen in Maine. What this means is what I will share with you now.

I'll speak first about education. As we know, Maine's future depends on a strong economy that offers our people opportunities to work and raise their families here. If one thing is certain, these opportunities depend first and foremost on education. But education must be affordable, accessible, top quality, and relevant. I want to spend a moment with each.

We all agree that education must be affordable. To me, that means a public university education must be affordable to average Maine families. Right now, our average cost of tuition and fees represents nearly 20% of Maine median household income. That's too much. Forty-three other states rank better when we compare their state's public university's tuition to their median household income. So here's what we're doing.

The first step is to break the back of year-over-year tuition increases. We froze tuition and mandatory fees for in-state undergraduates for the current academic year, not because we have the strong reserves to do so, but we must do so in order to keep faith with our people. We are ready to keep this freeze in place for the next two years, but to do that we need your help. If you hold appropriations for the University System flat for the next budget cycle, we will have three years with no tuition increases, three years running with no tuition increases, the longest such period in over 25 years. We very much appreciate the Governor's support in this matter and, working with you, we can send an unmistakable signal that we are united in keeping public higher education affordable.

The next step is for us to become more efficient. We have begun a multi-year, top-to-bottom review of all administrative services with the twin goals of enhancing service while reducing costs. I am pleased to report that three administrative reviews

are now underway, and so far with only one report delivered we have identified ongoing, structural savings of more than \$3,200,000. In pursuing this strategy, we will reduce our administrative costs per student to a level below the average for our peer public institutions.

As we bring costs under control, we must ensure they stay under control. We are therefore developing a policy that would link future tuition increases to the increase in Maine median household income. The strategy here is straightforward: we will adjust our costs to what Maine families can afford, and we will link our success to our families' successes.

Education must be affordable and it must be accessible. I will share with you the most surprising or shocking number I have seen since becoming Chancellor. According to the Maine Development Foundation, 230,000 of our fellow Maine citizens 18 years and older began but did not complete their post-secondary studies. They may have taken one course, they may be one course shy of a degree, but they did not complete what they set out to do. The financial cost of this stranded investment is in the hundreds of millions of dollars for these people. The cost in human capital – of stranded goals and dreams – is immeasurably greater. But this number also represents a tremendous opportunity if we enable as many of these people as we can to complete their studies. The economic benefits of doing so would be enormous; the social benefits incalculable.

There is another reason to engage this group, coming off a number you already heard from President Fitzsimmons. To remain economically competitive, Washington has set a national target of 60% of our adult population having post-secondary credentials by the year 2025. As I have noted, last year our high schools graduated only 14,000 students. If every one of our students now in our public schools, K through 12, earned a post-secondary degree upon graduation, we would still fall far short of Washington's target. We must engage and support our adult and non-traditional populations if we are to be economically competitive.

To complicate matters, most of these people are place-committed – they have jobs, families, and other ties to where they live. Moving to one of our campuses is too often not an option. But we do have tools in our toolbox. We will use distance and online education to deliver programs that serve these peoples' needs and schedules and we will offer enhanced advising services to assist them achieve success.

We also have our University College Outreach Centers. Last April, I visited the URock Outreach Center in Rockland. I met Deb Meehan, the Director, who introduced me to students of all ages who use her space to study, take courses onsite, online, and via live interactive technologies. They receive advising and financial aid assistance as well as academic tutoring, and they work together to create a local learning community that was exciting to encounter. Critically, these Centers serve students who for a number of reasons would not otherwise be at university. When I asked how many of her 600 students would be on a campus if URock didn't exist, Deb told me "not 10%". I left URock convinced I had seen a major piece of the solution to this educational puzzle.

The Trustees have charged me with developing a statewide strategy to ensure our universities are prepared to meet the needs of adult and non-traditional populations. Under the leadership of trustee Bonnie Newsom, the University of Maine at Augusta President Allyson Handley, and the University of Maine at Presque Isle President Linda Schott, we have an initiative underway – the Adult Baccalaureate Completion Distance Education Project – to design and implement a statewide strategy that uses all our resources and technologies to increase adult

and non-traditional student success. I'll keep you informed, but one conclusion is already clear. The coming years will see an evolution and expansion in our student profiles. It will, of course, continue to involve the campus experience at the heart of what we do. But it will also involve a lifelong engagement with all Maine citizens for whom education is a critical path forward.

Our education must be accessible and affordable, and it must be top-quality. Our faculty work with great skill and devotion to provide our students with the best possible education. And we should all be very proud of our students' achievements.

Representing our students, I'd like to introduce a UMaine doctoral student in Food & Nutrition Sciences who grew up in New Gloucester and chose UMaine for her graduate work in part because of how its research connects directly to Maine's economy. She worked with companies such as Seal Cove Farm of Lamoine to develop the world's first Omega-3 fortified goat cheese, a project funded in part by the Maine Technology Institute. She is now working with the Aquaculture Research Institute to improve shellfish processing techniques. She is also a graduate student representative to the Board of Trustees. Please join me, on behalf of her fellow students, in recognizing an outstanding Maine innovator, scientist and leader, Brianna Hughes.

With all our faculty and students' achievements, we must also recognize that the decline in financial resources these past years has strained program quality. We cannot simply cut, we must also leverage our academic strengths and we must invest in our academic programs.

This year we will work with faculty to investigate using distance education technologies to leverage our academic resources across our institutions. Using today's technologies, there is no reason why the work of our top faculty should not be available to every student anywhere in the state.

We will also identify and invest in a limited number of signature programs that leverage strengths from across our campuses, elevate our national academic profile, and tie to real economic opportunities for Maine people and businesses. Here's a "what-if" example. The Gulf of Maine, as you know, is one of the world's top-10 fisheries. It is a national asset requiring the very best marine science and management we can provide. The state would work with us to create a signature focus here, we would attract more students, grants and contracts, advance sound management for the good of the resource and for key Maine industries, and attract new investment opportunities for the benefit of all. A rising tide, after all, lifts all boats.

Public higher education must be affordable, accessible, top-quality, and it must be relevant. A relevant education prepares people to be engaged citizens as well as productive employees. Each one of us, as professionals and as citizens, needs to be able to communicate clearly, to think critically, and to be able to function and contribute in an increasingly complex and globalized world. Yet these are the very traits most desired by employers. In a recent comprehensive study of 1,100 Maine businesses, the #1 most sought after trait for new employees is the ability to communicate clearly.

We also must emphasize programs that directly meet Maine's workforce needs and opportunities. Here are two initiatives that address that goal. This January, the Board of Trustees approved Maine's first Outcome Based Funding model. Starting next academic year, a percentage of State Appropriations will be allocated to the campuses based on their students' success in completing their degrees, with a premium on STEM, Nursing and Allied Health, and other statewide and regional workforce-determined needs. In this way we build a better system of

accountability between Maine workforce needs and our educational strategies.

A second example is Project Login, a partnership involving the University of Maine System and some of our most forward-looking employers, including: WEX, UNUM, IDEXX, Bangor Savings Bank, TD Bank, Maine Health, Eastern Maine Healthcare Systems, and others. Recognizing that Maine is experiencing a major workforce shortage in critical technical fields, the leadership of these companies, guided especially by Mike Dubyak, Chairman and CEO of WEX, has developed a comprehensive, homegrown solution. Working with five of our System universities, Project Login will engage, educate, and employ hundreds of new, Maine-grown computer scientists, computer engineers, and information technology specialists, offering clear professional pathways for Maine students to pursue their professions with world-class companies right here in Maine. An especially noteworthy part of this engagement is the private sector's commitment to support experiential learning by providing paid internships for every one of those students making satisfactory progress in our programs.

To be responsive to Maine needs also means we must be the statewide leader in research and economic development. Who else has the expertise, geographic reach and, above all, the singular mission of supporting our industries and businesses? Our long history of partnerships speaks to this engagement. Our Cooperative Extension Service, for example, partners with more than 3000 Maine businesses every year.

The University of Maine System advances research and economic development on three fronts: the development of new knowledge and technologies with an emphasis on those that are of direct value to Maine industries; the development of private/public partnerships to advance business opportunities; and through workforce development.

With your help, including critical support from MEIF, UMaine's research enterprise has grown to an average of \$100,000,000 in annual research-related expenditures, with strengths in areas important to Maine but which also position us to be more competitive nationally and internationally. In perhaps the best-known example, the Advanced Structures and Composite Center under the visionary leadership of Dr. Habib Dagher is becoming a global leader in the use of composites in energy production while providing paid educational opportunities to over 100 students this year and more than 1200 students since the Center opened.

To ensure more effective partnerships with Maine businesses, the University of Maine's newly formed Office of Innovation and Economic Development under the direction of Jake Ward contracts with over 200 businesses annually to support economic growth. I'll mention just three examples.

Waterville's Cerealus, a sustainable technology leader founded in 2004, is partnering with the UMaine Process Development Center to create and develop bio-based technologies for the food and paper industries. This partnership includes basic research, but extends to joint patents and commercialization strategies as well. The latest of these products, Cerecarb™, has already demonstrated product improvements in commercial trials in Maine paper mills who may use this and related Cerealus products to gain a global advantage in the paper manufacturing market.

A second example is working with the Federal Government, Verso's Manager of New Technology, Sean Ireland (a Brewer native), has brought millions of dollars to UMaine to develop the first nanocellulose pilot plant. Nanocellulose is wood fiber 1/10,000 the diameter of a human hair and is thought to be one of the new miracle materials that can increase strength and

decrease the costs/weight of everything from paper and packaging to advanced composites for automotive and aerospace use. Verso mills in Maine are leading the industry in the adaptation of nanocellulose technology, and UMaine leads in manufacturing nanocellulose to support industrial applications in an economically viable way.

A third example is another composite-based technology derived from UMaine research is a ballistic protective system (bulletproofing) that is being commercialized by Monmouth's Tex Tech Industries. Tex Tech has been in business in Maine since 1904 and employs 225 people in the globally competitive textile industry. The UMaine /Tex Tech ballistic protective systems are now in trial use by the US military, and the first significant international commercial order is currently underway.

These examples, and I could cite many more, speak to the partnerships that are moving Maine forward.

To conclude, I repeat our commitment: With your help, the University of Maine System will be the most responsive public university system in the country in meeting educational and economic development needs and opportunities for our people. To meet this commitment we are building an integrated system to a level never before seen in Maine. Ultimately, our success is and must be measured by the success of Maine people. In reality, it's that simple. Thank you very much.

President Fitzsimmons, President Brennan and Chancellor Page withdrew amid the applause of the Convention, the audience rising.

The purpose for which the Convention was assembled having been accomplished, the Chair declared the same dissolved.

The Senate then retired to its Chamber amid the applause of the House, the audience rising.

(After the Joint Convention)

The House was called to order by the Speaker.

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

SENATE PAPERS

The following Joint Order: (S.P. 321)

ORDERED, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, March 12, 2013 at 10:00 in the morning.

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

Bill "An Act To Authorize a General Fund Bond Issue To Invest in Deficient State Highways, Bridges and Aviation, Marine, Rail and Transit Facilities"

(S.P. 319) (L.D. 942)

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

REFERRED to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** in concurrence.

Bill "An Act To Reestablish State-municipal Revenue-sharing as a Compact between the State and Municipal Governments"

(S.P. 317) (L.D. 940)

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

On motion of Representative BERRY of Bowdoinham, **TABLED** pending **REFERENCE** in concurrence and later today assigned.

Bill "An Act Regarding Municipal General Assistance"

(S.P. 313) (L.D. 892)

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 Create Uniform Claims Paying Practices in Long-term Care Insurance Policies" (EMERGENCY)

(S.P. 312) (L.D. 891)

Bill "An Act To Protect Life Insurance Policyholders"

(S.P. 314) (L.D. 893)

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 Restore Maine's Groundfishing Industry"

(S.P. 316) (L.D. 939)

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

REFERRED to the Committee on **MARINE RESOURCES** in concurrence.

Bill "An Act To Amend Provisions of the Law Pertaining to Motor Vehicles"

(S.P. 320) (L.D. 943)

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 Facilitate the Expansion of the State's Liquor Distribution System"

(S.P. 318) (L.D. 941)

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.

The following Joint Resolution: (S.P. 315)

JOINT RESOLUTION RECOGNIZING THE JUSTICE ACTION GROUP'S 2013 ACCESS TO JUSTICE DAY

WHEREAS, the Justice Action Group is a coalition established in 1995 to provide leadership and coordination in planning for the provision of civil legal aid to low-income and elderly people of the State; and

WHEREAS, equal access to justice is a bedrock principle of a free, constitutional society, and no system of laws and constitutional protections can be credible or effective if only those who can afford a private lawyer may avail themselves of it; and

WHEREAS, providing equal access to justice has tangible, widespread benefits for Maine's families, children, schools, communities, businesses, charities and government, and the availability of legal aid has been shown to be effective in reducing the incidence of domestic violence by ensuring that victims receive court protection orders; and

WHEREAS, Maine's employers benefit when employees who receive legal assistance miss less work and are less distracted by unresolved legal issues; and

WHEREAS, legal issues profoundly affect basic human needs such as shelter, sustenance, safety from violence, health and child protection; and

WHEREAS, in the current economic downturn, the need for legal aid and pro bono representation in Maine remains acute; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-sixth Legislature now assembled in the First Regular Session, on behalf of the people we represent, pause to acknowledge and express our appreciation and strong support for Maine's legal aid provider organizations and Maine's private practice attorneys who provide pro bono service for those otherwise unable to afford legal representation on the Justice Action Group's 2013 Access to Justice Day; and be it further

RESOLVED: That a suitable copy of this resolution, duly authenticated by the Secretary of State, be transmitted to the Justice Action Group.

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

READ and **ADOPTED** in concurrence.

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

On motion of Representative MacDONALD of Boothbay, the House adjourned at 12:14 p.m., until 10:00 a.m., Tuesday, March 12, 2013 pursuant to the Joint Order (S.P. 321).