

# 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  
20th Legislative Day  
Tuesday, March 12, 2013

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

Prayer by Chaplain (CPT) Earl Weigelt, Maine Army National Guard, Winslow.

Colors presented by The Maine National Guard Joint Honor Guard.

National Anthem by Staff Sergeant Joel T. Crowley, Windham.

Pledge of Allegiance.

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 Brigadier General James D. Campbell, Commissioner of the Department of Defense, Veterans and Emergency Management and the Adjutant General of the Maine National Guard, an invitation to attend the Joint Convention and to make such communication as pleases him.

Thereupon the House voted to concur in the proposal for a Joint Convention to be held at 10:45 in the morning and the Speaker appointed Representative BERRY of Bowdoinham to convey this message to the Senate.

Doctor of the day, William Atlee, M.D., Augusta (retired).

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

The Journal of Thursday, March 7, 2013 was read and approved.

**SENATE PAPERS**

Bill "An Act Regarding Contract Indemnification"  
(S.P. 290) (L.D. 865)

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

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

**Non-Concurrent Matter**

Bill "An Act To Prohibit the Taking or Possession of a Natural Resource That Is on the Land of Another"

(H.P. 500) (L.D. 749)

**REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** in the House on February 28, 2013.

Came from the Senate **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** in **NON-CONCURRENCE**.

On motion of Representative BERRY of Bowdoinham, **TABLED** pending **FURTHER CONSIDERATION** and later today assigned.

**COMMUNICATIONS**

The Following Communication: (H.P. 671)

**TOWN OF WINTHROP  
RESOLUTION**

Be It Resolved by the Winthrop Town Council:

Whereas, the Winthrop Town Council is deeply concerned and wishes to express its opposition to multiple proposals to shift the burden of funding state government to municipalities through the property tax and to the property tax payer.

Whereas, the State Administration has submitted a proposed budget for the coming biennium that will dramatically shift the burden of funding state government to the property tax by eliminating or significantly modifying multiple property tax relief programs;

Whereas, the proposal to suspend municipal revenue sharing would result in a loss of over \$1,000,000 in revenues over the next two years;

Whereas, the proposal to redirect the commercial excise tax and in the second year of the biennium, the business equipment tax reimbursement program would be eliminated which would further exacerbate the property tax burden;

Whereas, AOS 97 would be required to pay an additional \$114,000 to fund Teacher Retirement under the Governor's budget proposal which would adversely affect the school budget and ultimately be reflected in the community's assessment;

Whereas, eliminating the homestead exemption in FY 15 for those under 65 will increase taxes for those individuals if the Town's tax rate remains the same;

Whereas, low and moderate income residents under the age of 65 who now qualify for the state property tax circuit breaker program will no longer qualify for it in the coming budget year. The lack of this particular program could lead directly to them losing their property to foreclosure;

Whereas, to replace these revenues through property taxation, the Town's tax rate would need to be increased by approximately \$1.00 on the property tax rate including the impact of AOS 97 assessment and before considering any needs of the community in its budget;

Whereas, these proposals would dramatically increase property taxes in Winthrop and all communities and also require large spending reductions that will challenge the Town's ability to protect the health, safety and welfare of the community through providing basic services.

Now, therefore, be it resolved by the Winthrop Town Council to express its opposition to the proposed state budget which significantly shifts the burden of funding state government to the property tax and property tax payer. Further, the Winthrop Town Council calls upon the members of the Legislature to fully fund municipal revenue sharing for the coming biennium, fulfill the State's K-12 Education Funding Mandate under the School Finance act of 2003, allow the towns to keep the commercial excise tax it collects, continue the BETE reimbursement to the communities for the property taxes no longer paid to the Towns for business equipment, and maintain the Circuit Breaker and Homestead Exemption property tax relief programs for our citizens.

Signed March 4, 2013 by the Winthrop Town Council:

S/Kevin Cookson, Chairman

S/Sarah Fuller, Vice Chair

S/Kenneth Buck, Sr.

S/Linda Caprara  
S/Donald Ellis, Jr.  
S/Lawrence Fitzgerald  
S/Priscilla Jenkins

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

Sent for concurrence.

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The Following Communication: (H.P. 697)

**TOWN OF WAYNE**  
**PO BOX 400**  
**WAYNE, MAINE 04284**

February 12, 2013  
Honorable Mark W. Eves  
Speaker of the House  
2 State House Station  
Augusta, Maine 04333  
Dear Speaker Eves:

We, the Wayne Board of Selectmen strongly oppose the Governor's Proposed State Budget. The Governor's Proposed State Budget dramatically shifts the burden of funding state government to the local property tax and property taxpayers.

The Governor's Proposed State Budget eliminates or significantly modifies long-standing property tax relief programs. If enacted, these changes will reduce Town revenues by at least \$109,923, excluding certain impacts on the school budget. This represents about a third of all non-property tax revenues. The Wayne Board of Selectmen and their constituents will be forced to make dramatic cuts to existing services or to replace these revenues through property taxation; the Town's tax rate would have to increase by \$0.62 cents per \$1,000 of valuation before considering any other expenditure increases that may be required or 4.5 percent increase in the tax rate.

For example, \$109,923 represents over 100% of all Wayne's town wages (excluding benefits). Further cuts in personnel would result in a dramatic loss in services to Wayne residents including state services providing by the Town such as vehicle registration, Inland Fisheries and Wildlife licenses and registrations, general assistance, dog licensing and vital records management. A loss of \$109,923 in state revenues exceeds the Town's paving budget (\$95,000) and all our fire, public safety, social service and non-profit program budgets (\$108,656).

Wayne is a small rural town already working with other communities to provide vital services. This including education services through RSU #38 with the Towns of Readfield, Manchester, and Mount Vernon; solid waste disposal with Town of Readfield; roadside mowing and calcium chloride treatment to gravel roads with the Town of Readfield; ambulance services from Winthrop; traffic control from Kennebec County Sheriff's Office; animal shelter from the Kennebec Valley Humane Society; contracted code enforcement and assessing services is shared with a number of municipalities; highway maintenance services are outsourced to private contractors; our town office is rented from RSU #38; and emergency 911 dispatching from the state.

The Wayne Board of Selectmen hereby expresses its strong opposition to the Governor's Proposed State Budget, which would significantly shift the burden of funding state government to the property tax and property tax payer. These proposals will dramatically increase property taxes in Wayne, taxes which often are unrelated to the ability of property owners to pay, and will require spending reductions which will call into question our ability to protect the health and welfare of our community and provide our residents with basic government services.

Thank you for your support.

Sincerely,  
S/Gary A. Kenny, Chair  
S/Carroll Paradis, Vice Chair  
S/Stephanie H. Haines  
S/Raymond J. Giglio  
S/Stephen R. Saunders

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

Sent for concurrence.

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The Following Communication: (H.P. 698)

**CITY OF BIDDEFORD, MAINE**  
**205 MAIN STREET**  
**BIDDEFORD, MAINE 04005**

February 20, 2013  
Honorable Mark W. Eves  
Speaker of the House  
2 State House Station  
Augusta, Maine 04333  
Dear Speaker Eves:

Enclosed you will find a Resolution that was read and accepted by the Biddeford City Council at the February 19, 2013 City Council Meeting.

On behalf of Mayor Casavant and the City Councilors, I thank you for your consideration of Biddeford's opposition to the State proposed budget, along with the stated reasons in the Resolution.

Respectfully,  
S/Carmen J. Morris, City Clerk  
Biddeford, Maine

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

Sent for concurrence.

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The Following Communication: (H.P. 699)

**CITY OF WATERVILLE, MAINE**  
**CITY HALL**  
**1 COMMON STREET**  
**WATERVILLE, MAINE 04901-6699**

March 8, 2013  
Honorable Justin L. Alford  
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 Alford and Speaker Eves:

Please be advised that the Waterville City Council recently unanimously approved the attached Resolution in opposition to the Governor's proposal to eliminate Municipal Revenue Sharing and to shift other costs, especially teacher retirement, to towns and cities.

Attached is a graphic display of the importance of the revenue sharing and the school subsidy programs in Waterville. Please note the increases in both programs and the concurrent decrease in our tax rate from 2005 to 2009. In addition to those increased revenues, budget cuts were made at the time that helped a mill rate reduction from 27.4 to 24.4 or 11%. Mayor LePage at the time fought for both programs in order to provide significant property tax relief to Waterville taxpayers.

As a result of revenue sharing reductions during the Baldacci administration, the City made additional budget reductions and began use of surplus to offset lost revenues. The severe revenue reductions that have occurred over the past 3-4 years, have left nothing left to trim on the city or school budgets without severe disruptions to programs and services - some of them essential.

As you can see on the attached graph, the decline in revenue sharing receipts from 2009 to today is about \$1.3M which equates to 2 mills in our property tax rate. Over the past 4 years, the city has been able to blunt some of that impact on local property tax payers by resorting to our surplus. We can no longer go to that source for fear of falling below accepted levels of cash on hand.

In short, we believe that cuts as proposed by the Governor will directly lead to property tax increases in Waterville. We find it more than just ironic that when he was here he often reserved his harshest criticisms for those at the state level, including then Governor Baldacci, who advocated reductions in municipal assistance in order to help balance the state budget.

Please join with us in opposition to these unfair budget proposals. Thank you for your consideration.

Sincerely,  
S/Michael J. Roy  
City Manager  
S/Karen Heck  
Mayor

**READ** and with accompanying papers **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**.  
Sent for concurrence.

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The Following Communication: (H.C. 98)

**STATE OF MAINE  
126TH MAINE LEGISLATURE**

February 11, 2013  
Brigadier General James D. Campbell  
Adjutant General, Maine National Guard  
33 State House Station  
Camp Keyes  
Augusta, Maine 04333  
Dear General Campbell:

We are pleased to invite you to address a Joint Session of the 126th Maine Legislature on Tuesday, March 12, 2013 at 11:00 a.m. concerning matters of defense, veterans' services, emergency management and any other matters that you may care to bring to our attention.

We look forward to seeing you then.

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

**READ** and **ORDERED PLACED ON FILE**.

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The Following Communication: (H.C. 99)

**DEPARTMENT OF DEFENSE, VETERANS  
AND EMERGENCY MANAGEMENT  
33 STATE HOUSE STATION**

**CAMP KEYES, AUGUSTA, MAINE 04333-0033**

Office of the Commissioner and The Adjutant General

February 19, 2013  
Honorable Mark W. Eves  
Speaker of the House

2 State House Station  
Augusta, Maine 04333  
Dear Speaker Eves:

As the Commissioner of the Department of Defense, Veterans and Emergency Management and the Adjutant General of the Maine National Guard, I accept your invitation to address the Joint Session of the 126th Maine Legislature on Tuesday, March 12, 2013 at 11:00 a.m.

Sincerely,  
S/Brigadier General James D. Campbell  
Commissioner and The Adjutant General

**READ** and **ORDERED PLACED ON FILE**.

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The Following Communication: (H.C. 101)

**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
SPEAKER'S OFFICE  
AUGUSTA, MAINE 04333-0002**

March 6, 2013  
Honorable Millicent M. MacFarland  
Clerk of the House  
2 State House Station  
Augusta, Maine 04333

Dear Clerk MacFarland:

Pursuant to my authority under Title 3, Chapter 10, §227 of the Maine Revised Statutes, I am pleased to re-appoint Mr. Timothy Walton of Fayette to the Maine-Canadian Legislative Advisory Commission.

If you have any questions regarding this re-appointment, please do not hesitate to contact me.

Sincerely,  
S/Mark W. Eves  
Speaker of the House

**READ** and **ORDERED PLACED ON FILE**.

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The Following Communication: (H.C. 102)

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

March 12, 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:"

Inland Fisheries and Wildlife  
L.D. 79 An Act To Allow a Junior Hunter To Shoot Any Deer on Opening Day of Hunting Season  
Labor, Commerce, Research and Economic Development  
L.D. 418 An Act To Enforce Wage Laws by Preventing Misclassification of Employees

Taxation  
L.D. 150 An Act To Modernize State Income Tax Refunds

Transportation  
L.D. 51 An Act To Allow Lifetime Disability Plates or Placards for Eligible Applicants with Lower Limb Loss

L.D. 226 An Act To Establish a Renewable Energy License Plate  
L.D. 472 An Act To Allow Properly Lifted Vehicles To Operate

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.**

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The Following Communication: (S.C. 135)

**MAINE SENATE  
126TH LEGISLATURE  
OFFICE OF THE SECRETARY**

March 7, 2013  
Honorable Mark W. Eves  
Speaker of the House

2 State House Station  
Augusta, Maine 04333

Dear Speaker Eves:

In accordance with 3 M.R.S.A. §158 and Joint Rule 506 of the 126th Maine Legislature, please be advised that the Senate today confirmed the following nominations:

Upon the recommendation of the Committee on Insurance and Financial Services, the nomination of Honorable Gary W. Reed of Falmouth for reappointment to the Dirigo Health Board of Trustees.

Upon the recommendation of the Committee on Insurance and Financial Services, the nomination of Honorable Wesley E. Richardson of Warren for appointment to the Dirigo Health Board of Trustees.

Upon the recommendation of the Committee on Labor, Commerce, Research and Economic Development, the nomination of Bruce S. Harrington of Fairfield for appointment to the Maine Rural Development Authority.

Upon the recommendation of the Committee on Labor, Commerce, Research and Economic Development, the nomination of Tina A. Lucas of Cumberland Foreside for appointment to the Maine Rural Development Authority.

Upon the recommendation of the Committee on Labor, Commerce, Research and Economic Development, the nomination of James A. Clair of China Village for appointment to the Loring Development Authority of Maine.

Upon the recommendation of the Committee on Labor, Commerce, Research and Economic Development, the nomination of Daniel R. LaPointe of Van Buren for reappointment to the Loring Development Authority of Maine.

Upon the recommendation of the Committee on Labor, Commerce, Research and Economic Development, the nomination of Andy Charles of South Portland for appointment to the Workers' Compensation Board.

Upon the recommendation of the Committee on Labor, Commerce, Research and Economic Development, the nomination of Richelle R. Wallace of Auburn for appointment to the Workers' Compensation Board.

Sincerely,  
S/Darek M. Grant  
Secretary of the Senate

**READ** and **ORDERED PLACED ON FILE.**

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The Following Communication: (S.C. 136)

**MAINE SENATE  
126TH LEGISLATURE  
OFFICE OF THE SECRETARY**

March 7, 2013  
Honorable Mark W. Eves  
Speaker of the House

2 State House Station  
Augusta, Maine 04333

Dear Speaker Eves:

Please be advised that at the request of the committee, the Senate today committed the nomination of Honorable Jonathan B. McKane of Newcastle for appointment to the Dirigo Health Board of Trustees to the Committee on Insurance and Financial Services.

Sincerely,  
S/Darek M. Grant  
Secretary of the Senate

**READ** and **ORDERED PLACED ON FILE.**

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**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:

**CRIMINAL JUSTICE AND PUBLIC SAFETY**

Bill "An Act To Establish a Database To Prevent Individuals Involuntarily Admitted or Committed to a Mental Health Institution from Being Issued Concealed Handgun Permits"

(H.P. 672) (L.D. 958)

Sponsored by Representative MARKS of Pittston.

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**EDUCATION AND CULTURAL AFFAIRS**

Bill "An Act To Require That Seed Money Generated at an Individual College of the Maine Community College System Be Returned to That College for the Purpose of Enhancement"

(H.P. 673) (L.D. 959)

Sponsored by Representative CAMPBELL of Orrington.

Cosponsored by Senator LANGLEY of Hancock and Representatives: JOHNSON of Eddington, LUCHINI of Ellsworth, REED of Carmel.

Resolve, To Direct Eastern Maine Community College To Create Industry-specific Workplace Transition Educational Programming

(H.P. 674) (L.D. 960)

Sponsored by Representative CAMPBELL of Orrington.

Cosponsored by Representatives: JOHNSON of Eddington, REED of Carmel, VEROW of Brewer, Senators: LANGLEY of Hancock, YOUNGBLOOD of Penobscot.

Bill "An Act Regarding the Required Local Contribution in the School Funding Formula"

(H.P. 700) (L.D. 1002)

Sponsored by Representative CAREY of Lewiston.

Resolve, To Establish the Commission To Study Accessibility and Affordability of Higher Education (EMERGENCY)

(H.P. 701) (L.D. 1003)

Sponsored by Representative TREAT of Hallowell.

Cosponsored by Senator CAIN of Penobscot and Representatives: DILL of Old Town, KUMIEGA of Deer Isle, KUSIAK of Fairfield, LIBBY of Lewiston, MacDONALD of Boothbay, NELSON of Falmouth, TIPPING-SPITZ of Orono, Senator: CUSHING of Penobscot.

Bill "An Act To Ensure Safe School Grounds"

(H.P. 675) (L.D. 961)

Sponsored by Representative NELSON of Falmouth.

Cosponsored by Senator MAZUREK of Knox and Representatives: DAUGHTRY of Brunswick, DILL of Old Town, HICKMAN of Winthrop, MacDONALD of Boothbay, MAKER of Calais, VOLK of Scarborough, WELSH of Rockport, Senator: GRATWICK of Penobscot.

Committee on **EDUCATION AND CULTURAL AFFAIRS** suggested.

On motion of Representative MacDONALD of Boothbay, the Bill was **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY**, ordered printed and sent for concurrence.

Bill "An Act To Increase Access to Higher Education"

(H.P. 676) (L.D. 962)

Sponsored by Representative CHIPMAN of Portland.

Cosponsored by Senator MILLETT of Cumberland and Representatives: AYOTTE of Caswell, BEAR of the Houlton Band of Maliseet Indians, BEAUDOIN of Biddeford, BEAULIEU of Auburn, BEAVERS of South Berwick, BOLAND of Sanford, BOLDUC of Auburn, BRIGGS of Mexico, BROOKS of Winterport, CAMPBELL of Newfield, CAREY of Lewiston, CASAVANT of Biddeford, CHENETTE of Saco, COOPER of Yarmouth, CROCKETT of Bethel, DAUGHTRY of Brunswick, DeCHANT of Bath, DEVIN of Newcastle, DICKERSON of Rockland, DION of Portland, DOAK of Columbia Falls, DUNPHY of Embden, ESPLING of New Gloucester, EVANGELOS of Friendship, FARNSWORTH of Portland, FITZPATRICK of Houlton, FREY of Bangor, GATTINE of Westbrook, GIDEON of Freeport, GILBERT of Jay, GRANT of Gardiner, GUERIN of Glenburn, HAMANN of South Portland, HARLOW of Portland, HARVELL of Farmington, HERBIG of Belfast, HICKMAN of Winthrop, HOBBS of Saco, HUBBELL of Bar Harbor, JOHNSON of Eddington, JOHNSON of Greenville, JONES of Freedom, JORGENSEN of Portland, KAENRATH of South Portland, KENT of Woolwich, KESCHL of Belgrade, KINNEY of Limington, KNIGHT of Livermore Falls, KRUGER of Thomaston, KUMIEGA of Deer Isle, KUSIAK of Fairfield, LIBBY of Waterboro, LIBBY of Lewiston, LONG of Sherman, LONGSTAFF of Waterville, MacDONALD of Boothbay, MASON of Topsham, MASTRACCIO of Sanford, McCABE of Skowhegan, McCLELLAN of Raymond, McGOWAN of York, MITCHELL of the Penobscot Nation, MOONEN of Portland, MORRISON of South Portland, NADEAU of Winslow, NELSON of Falmouth, NOON of Sanford, PEOPLES of Westbrook, PLANTE of Berwick, PRIEST of Brunswick, PRINGLE of Windham, RANKIN of Hiram, RUSSELL of Portland, SANBORN of Gorham, SAUCIER of Presque Isle, SHAW of Standish, SHORT of Pittsfield, SOCTOMAH of the Passamaquoddy Tribe, STANLEY of Medway, STUCKEY of Portland, THERIAULT of Madawaska, TIPPING-SPITZ of Orono, TREAT of Hallowell, TURNER of Burlington, VEROW of Brewer, VILLA of Harrison, VOLK of Scarborough, WELSH of Rockport, WERTS of Auburn, WILLETTE of Mapleton, Senators: President ALFOND of Cumberland, BOYLE of Cumberland, CAIN of Penobscot, CLEVELAND of Androscoggin, CRAVEN of Androscoggin, CUSHING of Penobscot, GERZOFKY of Cumberland, GRATWICK of Penobscot, HASKELL of Cumberland, HILL of York, JACKSON of Aroostook, JOHNSON of Lincoln, KATZ of Kennebec, LANGLEY of Hancock, MAZUREK of Knox, PATRICK of Oxford, PLUMMER of Cumberland, SAVIELLO of Franklin,

TUTTLE of York, VALENTINO of York, WOODBURY of Cumberland.

Committee on **EDUCATION AND CULTURAL AFFAIRS** suggested.

On motion of Representative MacDONALD of Boothbay, **TABLED** pending **REFERENCE** and later today assigned.

Bill "An Act To Expand Access to Early Postsecondary Education"

(H.P. 677) (L.D. 963)

Sponsored by Representative NELSON of Falmouth.

Cosponsored by Senator LANGLEY of Hancock and Representatives: JOHNSON of Greenville, KUSIAK of Fairfield, MacDONALD of Boothbay, MAKER of Calais, TREAT of Hallowell, Senators: CAIN of Penobscot, JOHNSON of Lincoln.

Committee on **EDUCATION AND CULTURAL AFFAIRS** suggested.

On motion of Representative MacDONALD of Boothbay, **TABLED** pending **REFERENCE** and later today assigned.

**ENERGY, UTILITIES AND TECHNOLOGY**

Bill "An Act To Establish the Electromagnetic Field Safety Act"

(H.P. 663) (L.D. 950)

Sponsored by Representative SANDERSON of Chelsea. (BY REQUEST)

Cosponsored by Representative: BOLAND of Sanford.

Bill "An Act To Encourage Community-based Renewable Energy"

(H.P. 678) (L.D. 964)

Sponsored by Representative FREDETTE of Newport.

Cosponsored by Senator CUSHING of Penobscot.

Bill "An Act To Improve Maine's Underground Facility Damage Prevention Program"

(H.P. 679) (L.D. 965)

Sponsored by Representative BEAULIEU of Auburn.

Cosponsored by Senator CLEVELAND of Androscoggin and Representatives: BOLDUC of Auburn, HARVELL of Farmington, HOBBS of Saco, LAJOIE of Lewiston, WEAVER of York, WERTS of Auburn.

Bill "An Act To Clarify Voting Procedures for Standard Water Districts"

(H.P. 702) (L.D. 1004)

Sponsored by Representative HOBBS of Saco.

**ENVIRONMENT AND NATURAL RESOURCES**

Bill "An Act To Clarify an Exemption to the Municipal Subdivision Laws"

(H.P. 680) (L.D. 966)

Sponsored by Representative MORIARTY of Cumberland.

Cosponsored by Senator KATZ of Kennebec and Representatives: CAREY of Lewiston, CROCKETT of Bethel, GRAHAM of North Yarmouth, HOBBS of Saco, PRIEST of Brunswick.

**HEALTH AND HUMAN SERVICES**

Bill "An Act To Repeal the 2-year Limit on Methadone and Suboxone Treatments under MaineCare"

(H.P. 664) (L.D. 951)

Sponsored by Representative CASSIDY of Lubec.

Cosponsored by Senator CRAVEN of Androscoggin and Representatives: BEAR of the Houlton Band of Maliseet Indians, DION of Portland, FARNSWORTH of Portland, GATTINE of Westbrook, GRAHAM of North Yarmouth, SANBORN of Gorham, SCHNECK of Bangor, STUCKEY of Portland.

Bill "An Act Regarding Residency Requirements for General Assistance"

(H.P. 681) (L.D. 967)

Sponsored by Representative BEAUDOIN of Biddeford.

Cosponsored by Senator HAMPER of Oxford and Representatives: BEAVERS of South Berwick, CASAVANT of Biddeford, CHENETTE of Saco, MAKER of Calais, PARRY of Arundel, REED of Carmel, SANDERSON of Chelsea, SIROCKI of Scarborough.

Bill "An Act To Provide Needed Psychiatric Hospitalization for Persons with Mental Illness"

(H.P. 682) (L.D. 968)

Sponsored by Representative DION of Portland.

Cosponsored by Senator LACHOWICZ of Kennebec and Representatives: COOPER of Yarmouth, DORNEY of Norridgewock, FARNSWORTH of Portland, FREY of Bangor, GILBERT of Jay, PLANTE of Berwick, PRINGLE of Windham, STUCKEY of Portland.

Resolve, Directing the Department of Health and Human Services To Reduce and Limit the Adult Developmental Services Waiting Lists by Implementing a More Efficient, Responsive and Individualized Model of Service Delivery (EMERGENCY)

(H.P. 683) (L.D. 969)

Sponsored by Representative STUCKEY of Portland.

Cosponsored by Senator CRAVEN of Androscoggin and Representatives: Speaker EVES of North Berwick, FARNSWORTH of Portland, MacDONALD of Boothbay, MALABY of Hancock, MONAGHAN-DERRIG of Cape Elizabeth, POULIOT of Augusta, WEAVER of York, Senator: MILLETT of Cumberland.

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#### INLAND FISHERIES AND WILDLIFE

Bill "An Act To Eliminate Funding To Reduce Deer Predation"

(H.P. 684) (L.D. 970)

Sponsored by Representative DICKERSON of Rockland.

Cosponsored by Representatives: CHAPMAN of Brooksville, GATTINE of Westbrook, HARLOW of Portland, KUSIAK of Fairfield, PARRY of Arundel, PRINGLE of Windham, RYKERSON of Kittery, WELSH of Rockport.

Bill "An Act To Assist Hunters Transporting Animals for Registration"

(H.P. 703) (L.D. 1005)

Sponsored by Representative BLACK of Wilton.

Cosponsored by Senator HASKELL of Cumberland and Representatives: CRAFTS of Lisbon, CRAY of Palmyra, DAVIS of Sangerville, GIFFORD of Lincoln, LONG of Sherman, NOON of Sanford, SHAW of Standish, TIMBERLAKE of Turner.

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#### INSURANCE AND FINANCIAL SERVICES

Bill "An Act Regarding Exemptions under the Maine Insurance Code"

(H.P. 685) (L.D. 971)

Sponsored by Representative BECK of Waterville.

Bill "An Act To Clarify Transparency of Medical Provider Profiling Programs Used by Insurance Companies and Other Providers of Health Insurance"

(H.P. 704) (L.D. 1006)

Sponsored by Representative TREAT of Hallowell.

Cosponsored by Representatives: BEAUDOIN of Biddeford, GRAHAM of North Yarmouth, McCABE of Skowhegan, ROTUNDO of Lewiston, STANLEY of Medway, Senators: GRATWICK of Penobscot, WOODBURY of Cumberland.

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#### JUDICIARY

Bill "An Act To Educate Women on the Medical Risks Associated with Abortion"

(H.P. 686) (L.D. 972)

Sponsored by Representative AYOTTE of Caswell.

Cosponsored by Senator JACKSON of Aroostook and Representatives: CRAY of Palmyra, DOAK of Columbia Falls, ESPLING of New Gloucester, REED of Carmel, WILLETTE of Mapleton, Senators: HAMPER of Oxford, SHERMAN of Aroostook, THOMAS of Somerset.

Bill "An Act To Make Veterans' Property Tax Exemption Applications Confidential"

(H.P. 687) (L.D. 973)

Sponsored by Representative BRIGGS of Mexico.

Cosponsored by Senator TUTTLE of York and Representatives: BEAULIEU of Auburn, CASAVANT of Biddeford, COTTA of China, CROCKETT of Bethel, DION of Portland, HARVELL of Farmington, VEROW of Brewer, Senator: BURNS of Washington.

Bill "An Act To Prevent Fraudulent Trademark Registration"

(H.P. 688) (L.D. 974)

Sponsored by Representative NEWENDYKE of Litchfield.

Cosponsored by Senator BURNS of Washington and Representatives: DAVIS of Sangerville, DUNPHY of Embden, LOCKMAN of Amherst, MacDONALD of Old Orchard Beach.

Bill "An Act To Ensure Accountability of Guardians Ad Litem and Parenting Coordinators"

(H.P. 689) (L.D. 975)

Sponsored by Representative VILLA of Harrison.

Cosponsored by Senator DUTREMBLE of York and Representatives: BEAR of the Houlton Band of Maliseet Indians, DICKERSON of Rockland, NADEAU of Fort Kent, POWERS of Naples, RYKERSON of Kittery, Senator: GERZOFKY of Cumberland.

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#### LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT

Bill "An Act To Ensure Increased Wages for Wabanaki Tribal Members"

(H.P. 665) (L.D. 952)

Sponsored by Representative BEAR of the Houlton Band of Maliseet Indians.

Bill "An Act To Reform Employer-provided Benefits"

(H.P. 690) (L.D. 976)

Sponsored by Representative PARRY of Arundel.

Cosponsored by Senator HAMPER of Oxford and Representatives: CHASE of Wells, FITZPATRICK of Houlton, McCLELLAN of Raymond, SANDERSON of Chelsea, WALLACE of Dexter.

Bill "An Act To Restore Uniformity to the Maine Uniform Building and Energy Code"

(H.P. 691) (L.D. 977)

Sponsored by Representative GRAHAM of North Yarmouth.

Cosponsored by Senator JOHNSON of Lincoln and Representatives: BOLAND of Sanford, GILBERT of Jay, HAMANN of South Portland, HERBIG of Belfast.



**MARINE RESOURCES**

Bill "An Act To Provide for and Recognize the Right of the Houlton Band of Maliseet Indians To Fish for Marine Organisms"

(H.P. 666) (L.D. 953)

Sponsored by Representative BEAR of the Houlton Band of Maliseet Indians.

**STATE AND LOCAL GOVERNMENT**

Resolve, Extending the Time That the Commissioner of Administrative and Financial Services Has To Sell or Lease Property in Augusta (EMERGENCY)

(H.P. 667) (L.D. 954)

Sponsored by Representative HAYES of Buckfield.

Cosponsored by Representative: COTTA of China.

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

Resolve, Authorizing the Commissioner of Administrative and Financial Services To Sell or Lease the Interests of the State in Certain Real Property Located in Bangor, Boothbay Harbor and Hallowell

(H.P. 668) (L.D. 955)

Sponsored by Representative HAYES of Buckfield.

Cosponsored by Representative: COTTA of China.

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

Bill "An Act To Enhance Public Participation in Legislative Committee Proceedings through the Internet"

(H.P. 692) (L.D. 978)

Sponsored by Representative CASSIDY of Lubec.

Cosponsored by Senator COLLINS of York and Representatives: MAKER of Calais, McLEAN of Gorham, TURNER of Burlington.

**TAXATION**

Bill "An Act To Improve and Simplify the Application for Benefits under the Circuitbreaker Program"

(H.P. 669) (L.D. 956)

Sponsored by Representative STUCKEY of Portland.

Cosponsored by Representatives: CAREY of Lewiston, GILBERT of Jay, GOODE of Bangor, POWERS of Naples, Senator: PATRICK of Oxford.

Bill "An Act To Exempt the Sale of the United States Flag from the Sales Tax"

(H.P. 693) (L.D. 979)

Sponsored by Representative SHORT of Pittsfield.

Cosponsored by Senator DUTREMBLE of York and Representatives: CRAFTS of Lisbon, DAVIS of Sangerville, DOAK of Columbia Falls, FREDETTE of Newport, JACKSON of Oxford, PEASE of Morrill, WALLACE of Dexter, WOOD of Sabattus.

Bill "An Act To Provide an Income Tax Credit for a Qualified Conservation Contribution"

(H.P. 694) (L.D. 980)

Sponsored by Representative WELSH of Rockport.

Cosponsored by Senator MAZUREK of Knox and Representatives: BROOKS of Winterport, DICKERSON of Rockland, LUCHINI of Ellsworth.

Bill "An Act Relating to Precious Metal Coins"

(H.P. 705) (L.D. 1007)

Sponsored by Representative LIBBY of Waterboro.

Cosponsored by Senator TUTTLE of York and Representatives: BENNETT of Kennebunk, DUNPHY of Embden, KINNEY of Limington, KNIGHT of Livermore Falls, LONGSTAFF of

Waterville, MAREAN of Hollis, McCLELLAN of Raymond, SIROCKI of Scarborough.

**TRANSPORTATION**

Bill "An Act To Require Legislative Approval for the Issuance of Bonds by the Maine Turnpike Authority"

(H.P. 670) (L.D. 957)

Sponsored by Representative WERTS of Auburn.

Cosponsored by Senator CLEVELAND of Androscoggin and Representatives: BOLDUC of Auburn, FOWLE of Vassalboro, LAJOIE of Lewiston, LIBBY of Lewiston, LONGSTAFF of Waterville, NADEAU of Winslow, ROTUNDO of Lewiston, TURNER of Burlington.

**VETERANS AND LEGAL AFFAIRS**

Bill "An Act To Allow Candidate Name Tags on Election Day"

(H.P. 695) (L.D. 981)

Sponsored by Representative CASAVANT of Biddeford. (BY REQUEST)

Cosponsored by Senator DUTREMBLE of York and Representative: BEAUDOIN of Biddeford.

Bill "An Act To Assess a Fine on a Person Who Provides Misinformation on a Primary Candidate's Consent Form"

(H.P. 706) (L.D. 1008)

Sponsored by Representative SCHNECK of Bangor.

Cosponsored by Representatives: CASSIDY of Lubec, DICKERSON of Rockland, NADEAU of Winslow, RYKERSON of Kittery, SAUCIER of Presque Isle, STANLEY of Medway.

Bill "An Act To Create a Gambling Offset To Enhance the Collection of Child Support"

(H.P. 696) (L.D. 982)

Sponsored by Representative GUERIN of Glenburn.

Cosponsored by Senator VALENTINO of York and Representatives: CROCKETT of Bethel, DeCHANT of Bath, MONAGHAN-DERRIG of Cape Elizabeth, MOONEN of Portland, MORIARTY of Cumberland, PRIEST of Brunswick, VILLA of Harrison, Senator: BURNS of Washington.

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

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

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

**SPECIAL SENTIMENT CALENDAR**

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

**Recognizing:**

the Town of South Berwick, on being named the best place to raise children in Maine by *Bloomberg Businessweek*. For this distinction, the magazine considered public school performance, safety, median income, county-level unemployment, housing costs, commute time, poverty, adults' educational attainment, share of households with children and diversity. *Bloomberg Businessweek* reviewed 3,200 communities with populations between 5,000 and 50,000 to determine the best family-friendly towns in America in which to live. We extend our congratulations to the good citizens of South Berwick on their achieving this high honor;

(SLS 102)

On **OBJECTION** of Representative BEAVERS of South Berwick, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

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

**In Memory of:**

Lieutenant Colonel Michael J. Backus, of Wilton, operations branch chief of the Maine Army National Guard. Lt. Col. Backus was born in Farmington and was a 1986 graduate of Mt. Blue High School. He graduated from the United States Military Academy at West Point in 1990 and was selected to attend flight school, where he trained and served as an Apache helicopter pilot. After joining the Maine Army National Guard, he flew medevac helicopters with the 112th Medical Company in 2003 when he was deployed to Iraq during Operation Enduring Freedom. When he returned stateside, Lt. Col. Backus was handpicked to help establish the National Guard Bureau State Partnership Program in Maine. He also served as director of public affairs for the Maine Army National Guard before becoming the executive officer of the Guard's 52nd Troop Command in Bangor. Lt. Col. Backus became the recruiting and retention battalion commander for the Maine Army National Guard in 2009, and in May 2012 he was promoted to operations branch chief for the Directorate of Logistics of the Maine Army National Guard, Camp Keyes, Augusta. Lt. Col. Backus was a member of the Farmington American Legion Post 28, the Frank L. Mitchell Veterans of Foreign Wars Post 3335 of Jay and the Wilton Congregational Church and was an official member of the Chicken Barbecue Squirting Group at the annual Blueberry Festival. Described as "selfless and amazing," Lt. Col. Backus gave tirelessly to the community and the area youth. We acknowledge Lt. Col. Backus's dedicated commitment to his community, to his State and to the Nation. He will be greatly missed and long remembered by his loving family, his many friends and colleagues and those whose lives he touched;

(HLS 71)

Presented by Representative BLACK of Wilton. Cosponsored by Representative AYOTTE of Caswell, Representative BEAR of the Houlton Band of Maliseet Indians, Representative BEAUDOIN of Biddeford, Representative BEAULIEU of Auburn, Representative BEAVERS of South Berwick, Representative BECK of Waterville, Representative BENNETT of Kennebunk, Representative BERRY of Bowdoinham, Representative BOLAND of Sanford, Representative BOLDUC of Auburn, Representative BRIGGS of Mexico, Representative BROOKS of Winterport, Representative CAMPBELL of Newfield, Representative CAMPBELL of

Orrington, Representative CAREY of Lewiston, Representative CASAVANT of Biddeford, Representative CASSIDY of Lubec, Representative CHAPMAN of Brooksville, Representative CHASE of Wells, Representative CHENETTE of Saco, Representative CHIPMAN of Portland, Representative CLARK of Easton, Representative COOPER of Yarmouth, Representative COTTA of China, Representative CRAFTS of Lisbon, Representative CRAY of Palmyra, Representative CROCKETT of Bethel, Representative DAUGHTRY of Brunswick, Representative DAVIS of Sangerville, Representative DeCHANT of Bath, Representative DEVIN of Newcastle, Representative DICKERSON of Rockland, Representative DILL of Old Town, Representative DION of Portland, Representative DOAK of Columbia Falls, Representative DORNEY of Norridgewock, Representative DUNPHY of Embden, Representative DUPREY of Hampden, Representative ESPLING of New Gloucester, Representative EVANGELOS of Friendship, Speaker EVES of North Berwick, Representative FARNSWORTH of Portland, Representative FITZPATRICK of Houlton, Representative FOWLE of Vassalboro, Representative FREDETTE of Newport, Representative FREY of Bangor, Representative GATTINE of Westbrook, Representative GIDEON of Freeport, Representative GIFFORD of Lincoln, Representative GILBERT of Jay, Representative GILLWAY of Searsport, Representative GOODE of Bangor, Representative GRAHAM of North Yarmouth, Representative GRANT of Gardiner, Representative GUERIN of Glenburn, Representative HAMANN of South Portland, Representative HARLOW of Portland, Representative HARVELL of Farmington, Representative HAYES of Buckfield, Representative HERBIG of Belfast, Representative HICKMAN of Winthrop, Representative HOBBS of Saco, Representative HUBBELL of Bar Harbor, Representative JACKSON of Oxford, Representative JOHNSON of Eddington, Representative JOHNSON of Greenville, Representative JONES of Freedom, Representative JORGENSEN of Portland, Representative KAENRATH of South Portland, Representative KENT of Woolwich, Representative KESCHL of Belgrade, Representative KINNEY of Limington, Representative KNIGHT of Livermore Falls, Representative KORNFIELD of Bangor, Representative KRUGER of Thomaston, Representative KUMIEGA of Deer Isle, Representative KUSIAK of Fairfield, Representative LAJOIE of Lewiston, Representative LIBBY of Waterboro, Representative LIBBY of Lewiston, Representative LOCKMAN of Amherst, Representative LONG of Sherman, Representative LONGSTAFF of Waterville, Representative LUCHINI of Ellsworth, Representative MacDONALD of Old Orchard Beach, Representative MacDONALD of Boothbay, Representative MAKER of Calais, Representative MALABY of Hancock, Representative MAREAN of Hollis, Representative MARKS of Pittston, Representative MASON of Topsham, Representative MASTRACCIO of Sanford, Representative McCABE of Skowhegan, Representative McCLELLAN of Raymond, Representative McELWEE of Caribou, Representative MCGOWAN of York, Representative McLEAN of Gorham, Representative MITCHELL of the Penobscot Nation, Representative MONAGHAN-DERRIG of Cape Elizabeth, Representative MOONEN of Portland, Representative MORIARTY of Cumberland, Representative MORRISON of South Portland, Representative NADEAU of Fort Kent, Representative NADEAU of Winslow, Representative NELSON of Falmouth, Representative NEWENDYKE of Litchfield, Representative NOON of Sanford, Representative NUTTING of Oakland, Representative PARRY of Arundel, Representative PEASE of Morrill, Representative PEAVEY HASKELL of Milford, Representative PEOPLES of Westbrook, Representative

PETERSON of Rumford, Representative PLANTE of Berwick, Representative POULIOT of Augusta, Representative POWERS of Naples, Representative PRIEST of Brunswick, Representative PRINGLE of Windham, Representative RANKIN of Hiram, Representative REED of Carmel, Representative ROCHELO of Biddeford, Representative ROTUNDO of Lewiston, Representative RUSSELL of Portland, Representative RYKERSON of Kittery, Representative SANBORN of Gorham, Representative SANDERSON of Chelsea, Representative SAUCIER of Presque Isle, Representative SAXTON of Harpswell, Representative SCHNECK of Bangor, Representative SHAW of Standish, Representative SHORT of Pittsfield, Representative SIROCKI of Scarborough, Representative SOCTOMAH of the Passamaquoddy Tribe, Representative STANLEY of Medway, Representative STUCKEY of Portland, Representative THERIAULT of Madawaska, Representative TIMBERLAKE of Turner, Representative TIPPING-SPITZ of Orono, Representative TREAT of Hallowell, Representative TURNER of Burlington, Representative TYLER of Windham, Representative VEROW of Brewer, Representative VILLA of Harrison, Representative VOLK of Scarborough, Representative WALLACE of Dexter, Representative WEAVER of York, Representative WELSH of Rockport, Representative WERTS of Auburn, Representative WILLETTE of Mapleton, Representative WILSON of Augusta, Representative WINCHENBACH of Waldoboro, Representative WINSOR of Norway, Representative WOOD of Sabattus, President ALFOND of Cumberland, Senator BOYLE of Cumberland, Senator BURNS of Washington, Senator CAIN of Penobscot, Senator CLEVELAND of Androscoggin, Senator COLLINS of York, Senator CRAVEN of Androscoggin, Senator CUSHING of Penobscot, Senator DUTREMBLE of York, Senator FLOOD of Kennebec, Senator GERZOFISKY of Cumberland, Senator GOODALL of Sagadahoc, Senator GRATWICK of Penobscot, Senator HAMPER of Oxford, Senator HASKELL of Cumberland, Senator HILL of York, Senator JACKSON of Aroostook, Senator JOHNSON of Lincoln, Senator KATZ of Kennebec, Senator LACHOWICZ of Kennebec, Senator LANGLEY of Hancock, Senator MASON of Androscoggin, Senator MAZUREK of Knox, Senator MILLETT of Cumberland, Senator PATRICK of Oxford, Senator PLUMMER of Cumberland, Senator SAVIELLO of Franklin, Senator SHERMAN of Aroostook, Senator THIBODEAU of Waldo, Senator THOMAS of Somerset, Senator TUTTLE of York, Senator VALENTINO of York, Senator WHITTEMORE of Somerset, Senator WOODBURY of Cumberland, Senator YOUNGBLOOD of Penobscot.

On **OBJECTION** of Representative BLACK of Wilton, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

The **SPEAKER**: The Chair recognizes the Representative from Wilton, Representative Black.

Representative **BLACK**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I come before you today to reflect on the life of a great man, father, soldier and family friend. A man I had known since his childhood days growing up in Wilton. Lieutenant Colonel Michael Backus was an honorable soldier who served his country well until the day he was called home. He was also a loving father to his three sons and a beloved husband to his wife Kristie. Mike was an extremely active member of the Wilton community, coaching his sons' sports teams in a very competitive way but always in a respectful manner. His tireless work ethic and example will be sorely missed. Mike was an active member of his church as well as numerous other civic organizations. He was always the person to take an extra step and make sure things were

completed. Mike's legacy lives on, not just within his three sons Ryan, Nate and Evan, but with his entire family, including those who have joined us here today. May our thoughts and prayers be with them. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Newport, Representative Fredette.

Representative **FREDETTE**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I currently proudly serve as a member of the Maine Air National Guard. I look up in the balcony up there and I see many of the folks that I work with every day on the weekends when I am in the National Guard. We are a family. We are dedicated to fighting and protecting and serving our state and our country. I knew Mike as a friend, as a professional, and we as a body certainly recognize his commitment and sacrifices to our state and our nation. Again, I join in this sentiment. Thank you, Mr. Speaker.

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

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

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**CONSENT CALENDAR**

**First Day**

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

(S.P. 80) (L.D. 244) Bill "An Act To Amend the Student Membership Criteria of the State Board of Education" (EMERGENCY) Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass**

(S.P. 89) (L.D. 253) Bill "An Act Regarding Registration of Fetal Deaths" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass**

(S.P. 115) (L.D. 282) Bill "An Act To Eliminate the Commercial Standard for Maine White-cedar Shingles" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass**

(S.P. 116) (L.D. 283) Bill "An Act To Eliminate the Elm Tree Restoration Fund" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass**

(H.P. 387) (L.D. 568) Resolve, To Name Bridge Number 2975 in Kenduskeag the Kenduskeag Veterans Bridge Committee on **TRANSPORTATION** reporting **Ought to Pass**

(H.P. 18) (L.D. 14) Resolve, Directing the Department of Transportation To Name a Bridge between Kennebunk and Kennebunkport the Mathew Lanigan Bridge (EMERGENCY) Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-3)**

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

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**CONSENT CALENDAR**

**Second Day**

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

(H.P. 132) (L.D. 157) Bill "An Act To Modify Administration of the Fund Insurance Review Board"

(H.P. 159) (L.D. 198) Bill "An Act To Clarify Physicians' Delegation of Medical Care"

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

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**ENACTORS**

**Emergency Measure**

An Act To Allow the Maine Potato Board To Have Access to Information Regarding the Potato Tax

(H.P. 13) (L.D. 9)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 139 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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**Emergency Measure**

An Act To Abolish the Trustees of Public Cemeteries for the City of Waterville

(H.P. 88) (L.D. 106)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 139 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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**Emergency Measure**

An Act To Extend the Hours for the Sale of Liquor on Sunday When St. Patrick's Day Is on a Sunday

(H.P. 177) (L.D. 216)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed.

Representative BERRY of Bowdoinham **REQUESTED** a roll call on **PASSAGE TO BE ENACTED**.

On further motion of the same Representative, **TABLED** pending **PASSAGE TO BE ENACTED** and later today assigned. (Roll Call Requested)

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**Acts**

An Act To Fully Fund the Homemaker Services Program

(S.P. 12) (L.D. 20)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed, **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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**UNFINISHED BUSINESS**

The following matters, in the consideration of which the House was engaged at the time of adjournment Thursday, March 7, 2013, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

Joint Order, To Require the Joint Standing Committee on Health and Human Services To Examine Guardian Ad Litem Certification

(H.P. 7)

**TABLED** - January 8, 2013 (Till Later Today) by Representative BERRY of Bowdoinham.

**PENDING** - Motion of Representative BROOKS of Winterport to **REFER** to the Committee on **HEALTH AND HUMAN SERVICES**.

Subsequently, on motion of Representative BROOKS of Winterport, the Joint Order and all accompanying papers were **INDEFINITELY POSTPONED**.

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

Bill "An Act To Clarify the Role of Career and Technical Education Region Adult Education Programs"

(H.P. 396) (L.D. 577)

- In House, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** on February 21, 2013.

- In Senate, **REFERRED** to the Joint Select Committee on **MAINE'S WORKFORCE AND ECONOMIC FUTURE** in **NON-CONCURRENCE**.

**TABLED** - February 28, 2013 (Till Later Today) by Representative BERRY of Bowdoinham.

**PENDING - FURTHER CONSIDERATION**.

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

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

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

- In Senate, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**.

**TABLED** - March 7, 2013 (Till Later Today) by Representative BERRY of Bowdoinham.

**PENDING - REFERENCE IN CONCURRENCE**.

Subsequently, the Bill was **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**, in concurrence.

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

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

- In Senate, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**.

**TABLED** - March 7, 2013 (Till Later Today) by Representative BERRY of Bowdoinham.

**PENDING - REFERENCE IN CONCURRENCE**.

Subsequently, the Bill was **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**, in concurrence.

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

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

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**In Convention**

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

The Convention was called to order by the Chair.

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On motion by Senator GOODALL from Sagadahoc, it was ORDERED, that a Committee be appointed to wait upon Brigadier General James D. Campbell, Adjutant General of the Maine National Guard, to inform him that the two branches of the Legislature are in Convention assembled, ready to receive such communications as please him.

The Order was READ and PASSED.

The Chair appointed the following:

The Senator from York, Senator Tuttle  
The Senator from Oxford, Senator Patrick  
The Senator from Androscoggin, Senator Mason  
The Representative from Ellsworth, Representative Luchini  
The Representative from Portland, Representative Russell  
The Representative from Waterville, Representative Longstaff  
The Representative from Vassalboro, Representative Fowle  
The Representative from Presque Isle, Representative Saucier  
The Representative from Bangor, Representative Schneck  
The Representative from Auburn, Representative Beaulieu  
The Representative from Eddington, Representative Johnson  
The Representative from Lincoln, Representative Gifford  
The Representative from Limington, Representative Kinney  
The Representative from the Penobscot Nation, Representative Mitchell

Subsequently, Senator TUTTLE from York, for the Committee, reported that the Adjutant General of the Maine National Guard would attend forthwith.

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The Chair welcomed to the Convention Brigadier General James D. Campbell, Adjutant General of the Maine National Guard.

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The Chair recognized in the House Gallery the members of the Army and Air National Guard as well as the Department of Defense, Veterans and Emergency Management.

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The Chair requested the Adjutant General of the Maine National Guard, Brigadier General James D. Campbell, to please step forward and address the Joint Convention.

Adjutant General **CAMPBELL**: Thank you. Can you hear me? President Alfond, Speaker Eves, members of the 126th Legislature, distinguished guests, and fellow officers, Soldiers and Airmen of the Maine National Guard: Thank you so much for the opportunity to come before you today and update you on the status of and the issues affecting our state's military, our emergency management agency, and our veterans. I've been told that I've been allotted roughly 45 minutes – but as a sometime lecturer at the University of Maine, I have to tell you that I have an internal clock that makes me speak for exactly 50 minutes, but I'm fairly certain that I can stay within the time limit. If I start to go over, some of you can just start shuffling the papers on your desks and I'll get the signal that it's time to wrap things up.

I'm honored to be here, and I'm also very conscious that not every leader in state government is afforded the chance to address the Legislature as a body. As of tomorrow, I will have been serving as your Adjutant General for seven months, after returning to our state last summer after an assignment in Tampa. Having lived in Florida for a short time I can honestly say that I will never be a "snow bird;" although I grew up in Massachusetts, I've called Maine home since 1982 and I can say that it's very, very good to be back where I belong. Since returning, I have been continually struck by the extraordinary support my fellow Mainers provide to those of us in uniform. I want to particularly

acknowledge the Governor and the First Lady for the generosity and kindness they have consistently shown to our Soldiers and our Airmen, their families and our veterans. From talking with our deployed personnel overseas at Christmastime, to visiting veterans in their homes and in hospitals, to sending off and then greeting our servicemen and women when they return home, they have been energetic and genuine in their consideration for all of us. My sincere thanks to them both from all of us in the Maine National Guard.

I recognize that the position that I currently occupy is perhaps somehow different than many of the other Commissioners in the Executive branch, and therefore warrants this honor of speaking to the Legislature. The position of the Adjutant General has a long and proud tradition in Maine, commensurate with the long and proud tradition of military service and the volunteer militia in our state. I am the 39th Adjutant General of Maine, and on the wall outside my office at Camp Keyes are the portraits and photographs of most of my predecessors dating back to 1820 – men like John L. Hodsdon of Bangor, who held the position for the duration of the Civil War and was responsible for raising, organizing, training and equipping all of Maine's thirty-two infantry regiments, and the several sharpshooter, cavalry, artillery and other various units from our state which fought in that war. It was Hodsdon, for example, who in 1862 convinced Governor Washburn to appoint a relatively unknown professor of rhetoric from Bowdoin College as the second in command of Maine's twentieth regiment of volunteer infantry. In a very direct sense then, Maine's Adjutant General gave Joshua Chamberlain his chance to make history. Each day when I come into work and walk past their pictures on the wall, I hope that I can live up to the example of those officers who have served in this position before me, and do as well as they in discharging their important duties to the state and to our nation. I am daily aware that as the Adjutant General of Maine I may quite possibly recommend or direct an action that results in another young man or woman being given an opportunity to make history.

The Adjutant General is charged with performing duties which are inherently non-political, and which can potentially affect the people of Maine in ways not usually associated with other cabinet-level positions in the executive. As the Adjutant General, I am also the Commissioner of the state's Department of Defense, Veterans and Emergency Management. I am responsible, therefore, not only for the recruiting, organization, leadership, training, equipping, administration and preparation for war of Maine's Soldiers and Airmen of the National Guard – men and women who manage violence on behalf of the state, either as the result of disaster or external attack here at home or in fighting the enemies of our nation overseas, and who have served with valor in combat in percentages unmatched by most other states not only in the current war, but in most previous wars our country has fought. I am also responsible for the oversight and administration of the Maine Emergency Management Agency, the Maine Bureau of Veterans' Services, and the Maine Military Authority. I will address each of these parts of our department in turn, but before I do I want to briefly outline for you some overall themes and information about the department as a whole, and provide some general information about some of the department's challenges and some of our successes.

We are a department which has at its core an ethos of selfless service to the state and nation, one which is infused with a proud history and tradition of courage, leadership and sacrifice. These values do not solely apply to our National Guard, but to all the other elements of the department as well. Our Emergency Management Agency professionals work long hours planning for emergencies, and training first responders and other citizens

around the state to be able to deal with any kind of disaster, whether natural or man-made. They then staff and run the state's emergency operations center and ensure that our citizens, their homes and businesses are taken care of around the clock when those emergencies happen, and make sure that National Guardsmen and other responders from Maine can assist our neighboring states when they are in need. Our Veterans Service Officers work in small offices across the state and travel to nursing homes, residences, businesses and shelters, unfortunately, to help our veterans and their families get the services, medical care and assistance that they have earned. We maintain the state's Veterans Cemeteries, ensuring that year-round, rain or shine, our veterans are buried with honor and dignity, and their graves are maintained in pristine fashion in perpetuity. Our workers at the Maine Military Authority in Limestone rebuild, refurbish and upgrade military vehicles and equipment to an extraordinarily high standard so that US servicemen and women around the world can use that equipment to perform their missions successfully.

We do all of these things with little fanfare, and with precious few resources. As all of you are no doubt painfully aware, the fiscal climate of uncertainty in the country right now has placed some significant pressure on all parts of our government, both state and federal. Because of the unique nature of our department, this pressure is felt acutely. All of the elements of the department are funded through various formulae by both the state and federal governments. For example, unlike the Regular military, the National Guard is in part state-funded, and unless it is mobilized for federal service it is commanded by the Governor. Our armories and readiness centers in communities from Caribou and Calais, to Bangor, Brewer and Belfast, and down through Gardiner, Norway, Portland and Sanford, are all maintained and operated with state funds. Our Citizen-Soldiers and Airmen, however, are paid and equipped largely by the federal government. The state's Emergency Operations Center and the professionals who man it are paid for partly by the state and partly through grants provided by the Federal Emergency Management Agency and the Department of Homeland Security. The gravestones and niche walls at our cemeteries are paid for by the federal Veterans Administration, but the people who cut the grass and dig the graves, and the Veterans Service Officers who look after our living veterans and their families, are paid for by the state.

As both the federal and state budgets have contracted, our department, like all others, has faced some difficult pressures and decisions, in spite of the administration's efforts to maintain support to our critical capabilities. The Department of Defense, Veterans and Emergency Management, however, provides value to the state that is proportionally vastly greater than the resources we are given. For example, in purely financial terms, over the last ten years our department's small state budget has declined significantly – down to last year's budget of only 7.1 million dollars, and that is for a department which employs over 3,500 people with facilities and infrastructure in communities across the state. But with that relatively small state budget, last year we brought into our state roughly 327 million dollars in federal military pay, civilian salaries, grants, construction projects and veterans' benefits. All that while responding to two major weather disasters and mobilizing and deploying more than four hundred Soldiers and Airmen from our state to combat theaters world-wide. Beyond the purely fiscal value that we provide, we do three fundamental things whose value it is difficult to quantify, but which is undeniable: We provide well-trained, equipped and ready military units of Maine citizen-Soldiers and Airmen for the defense of the state and nation; we prepare for, respond to,

recover from and help to mitigate the effects of natural and man-made disasters to the citizens of our state; and we ensure that our military veterans and their families are cared for from the time they leave the service and forever.

The budget pressures we are now experiencing are certainly not catastrophic, but will make it increasingly difficult for us to continue to provide the level of service our state and our citizens have come to expect of us. For example, the amount of money that we have been able to provide to counties and municipalities for first responder training and equipment has declined from twenty-two million dollars nine years ago, to less than three million dollars this year – a partial cause of this shortage is that we have had to pay some of our critical employees using some of that federal grant money, to offset state budget shortfalls. We are facing potential military ammunition reductions and cuts in other training activities that may reduce the readiness of our citizen-Soldiers and Airmen, and make it more difficult for us to prepare for combat overseas and for disaster response here at home. All of that while struggling to maintain our aging and in some cases crumbling infrastructure – substandard buildings and facilities which, in many cases, are over 60 years old, in which we expect our Guard Soldiers and Airmen to work and train for war, as well as to operate from during domestic emergencies. And unfortunately, we have to bring our Guard Soldiers and Airmen home to these debilitated facilities when they return from year-long mobilizations fighting for us overseas.

As our direct combat missions in Afghanistan and elsewhere transition to other roles, a debate is shaping up in Washington, D.C., and around the country about what it is that we want our military to do for us, and how we think that military ought to look – size, capabilities, service roles and types of equipment. One of the most critical parts of that debate concerns the future balance we will have between the size of the Active Duty military and the size and capabilities of the National Guard. There are many now in senior leadership and policy-making positions in the services and in the Department of Defense who are telling us that the threats to our nation are so many and so severe that we must maintain a large and robust Active military to ensure that we can deal with any possible contingency and any possible adversary. This large Active military would likely be maintained at least partly by cutting the size of the National Guard. Additionally, in order to maintain such an Active military, as we are all again painfully aware, we need to spend Olympian sums of money, which it is clear that our country can frankly no longer afford. It is also painfully true that the large federal defense apparatus of this country has had a record of predicting or gauging threats which, unfortunately, is decidedly mixed, at best.

There are many others, however, and I am one of them, who would argue that there is another way to organize our military. The proud tradition of this country, since before we gained our formal independence and for the overwhelming majority of our history, a tradition set in place by people like James Madison, Thomas Jefferson and George Washington, has been to maintain a relatively small, professional and highly capable active military, and a large, well-trained and responsive militia. This traditional method of organizing and operating the nation's military institutions has succeeded for us in virtually every major war this country has fought. In 1939, for example, on the eve of the Second World War, our Regular Army had less than two-hundred thousand Soldiers in it, and our National Guard was over four-hundred thousand. In 1940, the president federalized the Guard in the face of the impending emergency and was able to almost triple the size of the Active Army overnight. Recent studies by the Pentagon's Reserve Forces Policy Board have demonstrated conclusively that the reserve components of the military,

including the National Guard, cost roughly one-third the amount of the regular forces, and provide virtually the same military capability, as vividly shown over the last twelve years. Why then, would we now choose to reverse the successful practices and deeply engrained traditions of our country by maintaining a large and exorbitantly expensive Active military, one which, unlike the National Guard, cannot by law assist civil authorities in the event of a domestic emergency unless under the most dire circumstances and which, divorced from our local communities and outside the control of our citizen legislatures, allows for potentially ill-advised foreign military adventures? Why do we not then instead return to the time-tested and proven traditions of our country by shrinking the Active military, growing our National Guard while continuing to invest in its training, equipment and leader development, and therefore maintain a strong and responsive military capacity, both domestic and foreign, under local democratic control at a fraction of the cost? Finally, to those, both in this state and around the country, who would question the utility or the responsiveness of the National Guard, I would pose this simple question: When, since 1636, have we not been there when we were needed?

It is important here for me to clarify why it is that I bring up these points concerning our resources and our organization. I do so not to alarm or solicit your sympathy, or to ask you to assign different weights to your budget or policy deliberations. I do so simply because through the medium of this address I am charged with providing you an honest assessment of our capabilities, the trends and issues facing our military and the other important parts of my Department, and to give you my best military advice. It is my hope that with this information all of us can participate fully in the critical debates which will influence Maine's military, veterans and emergency management capacities well into the future.

Regarding capabilities, I'd like to transition here to provide you an update as to the activities and successes over the last year of our Emergency Management Agency, Bureau of Veterans' Services, the Maine Military Authority, and your National Guard.

During the last twelve months, the Maine Emergency Management Agency, under the highly capable of leadership of Mr. Robert McAleer, has been very, very busy. The twenty-nine employees of the Agency have distributed slightly over ten million dollars in training, infrastructure improvement, equipment and system upgrades to more than 100 communities and local organizations around the state. They have continued to work closely with our county and municipal authorities, private business and federal partners to assess risks, plan for emergencies, and respond when disaster strikes. We have in the past year continued the process of upgrading and improving the state's communications networks for first responders, and have developed and implemented a new tracking system for the state emergency operations center which allows us to rapidly assess damage to the power grid and other critical infrastructure, and then ensure that police, firefighters, DOT crews, and power crews and other assistance gets to where it is needed, when it is needed. We have been busy outside Maine as well. During Hurricane Sandy this fall, the Maine Emergency Management Agency simultaneously led the response to assist our affected towns and communities here in Maine, while putting together several teams of professionals from the National Guard, the Department of Transportation, the Department of Conservation, local first responders, volunteers and some key leaders from MEMA itself and dispatching them to assist emergency operations in Brooklyn, the New York City Emergency Operations Center, and in the coastal towns of northern New Jersey. In the

coming year, Mr. McAleer and the MEMA staff are leading the effort to coordinate Exercise VIGILANT GUARD, a US Northern Command-sponsored interagency response exercise which will test our military, civil and private disaster response capabilities around the state and across New England.

The Maine Bureau of Veterans Services, under the experienced and energetic leadership of Mr. Peter Ogden, has continued to serve our state's veterans and their families in a way that has made them a model for other similar agencies across the nation. With over one-hundred and fifty thousand veterans in our state, Maine has the second highest percentage of veterans per capita in the country, behind only Alaska, and the thirty-five members of our Veterans Services team continue to work tirelessly to ensure that those veterans are well served. In our eight field offices located in Caribou, Bangor, Machias, Waterville, at the Togus VA Hospital, Lewiston, Portland, and Springvale, the Bureau during the last 12 months has processed over 2,300 new veterans claims, bringing in over 69 million dollars in medical, pension and educational benefits. We have continued to partner with the federal Veterans Administration, the Togus VA Hospital and our state's Veterans Service organizations to support the annual Homeless Veterans Stand Down, where together we provide homeless vets and their families winter clothing, medical care, counseling, job training opportunities, and many other services. We are continuing our efforts to reach out to both our women veterans and to the growing population of young men and women who have served more recently – the challenges our women and younger vets face are in many cases of a vastly different nature than those we have dealt with in the past, and we are working to ensure that we provide these vets with those services and the opportunities that they justly deserve. It is our firm conviction that each Veteran is a national treasure to be respected and supported in the same way in which he or she has selflessly supported all of us and our nation.

The Bureau of Veterans Services works closely with the Maine State Veterans Homes to ensure that our older vets are cared for, and we hold regular meetings with the leaders from the Veterans Service Organizations in our state, such as the American Legion and the Veterans of Foreign Wars, to ensure that our projects and our policies are coordinated with what their members both need and desire. Mr. Ogden's team, in cooperation with the state Department of Inland Fisheries and Wildlife and private charitable organizations like The House in the Woods Project, continues to run the Disabled Veterans Moose Hunt, where we are able to bring disabled vets from around the country to Maine, and then take them out hunting in our pristine wilderness. The healing aspects of the outdoor experience, coupled with the opportunity to meet and talk with other wounded warriors has been of extraordinary benefit to many of these men and women, to say nothing of what the experience has meant to the volunteers who have given their time, their skills and their services to make this event possible. Each year we have been able to increase the number of vets we can serve with this program, and this coming year, through the generosity of our state, we will be able to bring 20 men and women, some of them significantly disabled, out into our forests.

The Bureau of Veterans Services is also responsible for running and maintaining the state's Veterans Memorial Cemeteries. We have a cemetery in Caribou, two in Augusta, and one in Springvale, and these are maintained by a dedicated staff of sixteen people. This past year we have continued to upgrade and expand our cemeteries by improving the grounds, increasing the number of available burial plots and niche walls, and working to add structures like committal shelters.



Maintaining these facilities remains challenging given our budget constraints and the effects of our Maine weather, but each location has a dedicated volunteer base, which helps us in our efforts by raising money, and improving each cemetery with memorials, gardens, and other projects. In the coming year we hope to initiate some significant infrastructure projects at the two main cemeteries here in Augusta through a grants program administered by the Veterans Administration – with the growing number of burials at these two locations, without these improvements we will begin to run out of space within the next ten years.

A lesser-known but critical part of this department is the Maine Military Authority. Directed by Mr. Tim Corbett and located at the former Loring Air Force Base in Limestone, this organization runs a military equipment rebuilding and refurbishing program for the National Guard Bureau and the Department of Defense. Through cooperative agreements with these agencies, the Maine Military Authority employs two hundred twenty-five local people with a payroll of approximately thirteen million dollars, and since 1997 when it started up has rebuilt, refurbished and upgraded thousands of military vehicles, bulldozers, and other pieces of equipment. The Authority has recently completed a ten million dollar improvement and expansion of its facilities in Limestone, allowing for more efficient production and therefore greater time and cost savings. Our team has earned an international reputation for ingenuity and for the quality and timeliness of their work, and is in the process of developing additional projects, in cooperation with the state government, to rebuild and refurbish busses for our state school districts, as well as municipal busses from Maine and from around the northeast.

The largest and most complex part of the Department of Defense, Veterans and Emergency Management is, of course, the Maine National Guard. The National Guard is Maine's military force, our state militia who are charged with the dual role of providing for the defense and security of our citizens here at home, while remaining prepared and available for federal mobilization and deployment in support of missions overseas. The National Guard is made up of two elements – the Air National Guard and the Army National Guard, each of which has its own specific organizations and missions.

The newer of the two branches of your military in Maine is the Maine Air National Guard. "The Maineiacs," commanded by Brigadier General Gerry Bolduc of Bangor, are made up of 1,123 highly trained men and women and are composed of two squadrons located in South Portland – the 265th Combat Communications Squadron and the 243rd Engineering Installation Squadron – and the 101st Air Refueling Wing located in Bangor. Over the past year, we have deployed one hundred seventy-five Airmen from Maine on overseas contingency operations in a variety of locations and with a variety of missions that reflect the broad set of skills and competencies of your Air Force.

The two units in South Portland are, as their names suggest, communications and electronics support units. Over the last ten years, they have deployed numerous Airmen either as individual experts or in unit packages as part of Air Expeditionary Force missions to support joint service communications and electronics requirements around the world. These two units are also a central part of our National Guard's ability to support civil authorities here in Maine, providing emergency communications capability to state, county and local emergency management officials, and communications and IT infrastructure support to repair or bypass damaged systems. These units, along with the communications personnel at the Wing in Bangor and with their partners in the Army National Guard have a growing capability to

conduct computer network defense, and as the area of cyber operations continues to grow in importance and complexity, they are poised to expand their capabilities as well.

The 101st Air Refueling Wing in Bangor is the largest organization in the Maine Air National Guard. The wing provides refueling support in the air and on the ground as part of the Northeast Tanker Task Force – the 101st and its partner units in the task force are responsible for refueling all military aircraft, both US and allied, transiting across the Atlantic Ocean on the northern route. In this capacity, the Maineiacs in Bangor have long established themselves as the premier refueling wing in the Air National Guard, and in my humble opinion, in the entire US Air Force. They routinely pump more fuel from their KC-135 aerial tanker aircraft and through their ground facilities at the Bangor International Airport than any other unit in the National Guard, and since 2001 they have been on continuous alert, flying daily missions and deploying aircraft and personnel globally to support operations in Iraq, the Arabian Gulf, Afghanistan and elsewhere. As some of you may know, a Maineiac KC-135 flew the first refueling mission over Manhattan in support of the combat air patrols established there within minutes after the attacks on September 11, 2001. This December the Maineiacs were honored by being the first Air National Guard unit in history to be awarded the Air Force Meritorious Unit Award for their superb performance of their mission here in the continental United States. I think that deserves applause. The professionalism, pride and traditions of excellence of our Maine Air National Guard have truly established them as among the top units in the Air Force, and the reputation of your Airmen is globally recognized. Since 2001, their courage and outstanding duty performance have resulted in Maine Air National Guard personnel being awarded one Distinguished Flying Cross, seven Bronze Star Medals, thirty-four Air Medals and one Purple Heart for wounds received in combat. Quite literally, everywhere around the world people recognize the distinctive insignia of the Maineiacs, and when I meet senior Air Force leaders, they speak with pride about these Maine men and women who routinely prove that they can accomplish any mission, anytime, anywhere.

The Maine Army National Guard, the oldest and largest part of the Department of Defense, Veterans and Emergency Management, is commanded by Brigadier General Brent Boyles of Mapleton, and is currently made up of 2,100 men and women in a mix of combat, engineer, aviation and logistics units, and two specialized units trained and equipped to respond to Weapons of Mass Destruction and other potentially catastrophic events. Our units are located in Caribou, Houlton, Calais, Bangor, Brewer, Waterville, Skowhegan, Belfast, Augusta, Gardiner, Norway, Westbrook, Portland, Sanford and soon, Brunswick. Since 2001, we have mobilized and deployed 2,897 Soldiers in units and as individual volunteers to, of course, Iraq and Afghanistan, but also to the borders with Canada and Mexico, to Kosovo, Montenegro and Germany. This coming year we are scheduled to deploy five hundred seventy-seven Soldiers from Maine worldwide, including the 286th Combat Sustainment Support Battalion from Bangor to the Sinai Peninsula in Egypt as part of the Multi-National Force and Observers mission there.

The Maine Army National Guard's proud history and traditions of valor, sacrifice and leadership continue to be upheld by this current generation of Mainers in uniform. Since 2001, Maine Army Guard Soldiers have been awarded one Silver Star, one-hundred fifty-two Bronze Star Medals – three of which were for Valor under fire, eighty-six Air Medals and seventeen Purple Hearts. We have lost six Soldiers killed in action. Eight Maine Army National Guard units have been awarded the Army Meritorious Unit Commendation for their exemplary performance



of duty in combat, and several individual Maine Soldiers have been awarded the Joint Meritorious Unit Award for their work as embedded trainers with the Afghan Army and Police, as well as other critical assignments. We have flown over 10,000 hours worth of combat medical evacuation missions, evacuating over 2,150 casualties in theater. In 2010, our Mountain Infantry Company located in Brewer was specially cited by the commander of US forces in Afghanistan for exemplary performance of its mission fighting Taliban and other extremist infiltration in the mountains along the Afghanistan-Pakistan border.

During this summer, we will send a contingent of Maine Guard Soldiers and Airmen to Gettysburg to commemorate the 150th anniversary of that battle, and to rededicate the monuments of the many Maine units which fought there. While there we will also hold a ceremony with our comrades-in-arms from the Alabama National Guard to honor the Maine and Alabama Soldiers who fought each other on Little Round Top – at that ceremony will be the current commanders and regimental colors of Maine's 133rd Engineer Battalion and Alabama's 167th Infantry, the direct descendants of the 20th Maine and the 15th Alabama who fought there in 1863. This event will be particularly poignant because the 167th Infantry from Alabama will have just returned less than a month before from a year in Afghanistan, and the 133rd Engineers from Maine will be departing for Afghanistan in August for their second combat deployment since 2004.

The Maine Army National Guard currently has one hundred Soldiers from Waterville's 488th Military Police Company and eight members of our fixed-wing aviation detachment from Bangor serving in Afghanistan, and four members of the state's 120th Public Affairs Detachment are serving in Kosovo. We were very happy last month to bring home Bangor's Company C, 1st Battalion 126th Aviation – our state's air medevac company – from their third operational deployment since 2004. Our state's military fiscal contracting team also just returned from a year in Afghanistan.

Our Guard Soldiers and Airmen have been busy here at home as well. Maine Soldiers responded to Hurricane Irene in Vermont in 2011, and we sent a team of Soldiers and Airmen to New York under the leadership of the Maine Emergency Management Agency during Hurricane Sandy more recently. Last month, we sent a detachment of Engineers from Caribou's 185th Engineer Company to assist Connecticut in recovering from the recent blizzard. I met the Adjutant General of Connecticut a few weeks ago, and he told me that our County Soldiers made sure their counterparts from southern New England knew very well that that dumping of three feet of snow they got was just a dusting.

The Maine National Guard continues to exemplify our state's motto, "Dirigo," by leading nationally in most of our critical readiness indicators. Our Army Guard remains within the top five in the nation in recruiting new Soldiers and re-enlisting trained Soldiers, and last month we were rated first in the nation in personnel readiness. This is a complex formula involving medical readiness, the numbers of soldiers and so on, and it was a significant accomplishment. This past year our Air National Guard Recruiting Team was awarded the Air Force Regional Recruiting and Retention Award for maintaining one hundred percent strength in our Air Force units. I believe there are members of that team that are here today, if they would stand up and be recognized. Our logisticians have received numerous regional and national awards in the last year for their careful stewardship of resources and equipment, including the national Army Supply Excellence Award, which was given to our state

headquarters supply team this past year. Our state's joint Air and Army Guard Marksmanship Team competed last month in the Army's national marksmanship competition, against teams from the 82nd Airborne Division, from Special Operations Command, and units around the world. In that competition, our state's team were awarded no less than sixteen individual and team first, second and third place trophies, including first place nationally in the team rifle and pistol competitions, and they finished second place overall in the nation. I believe the members of that team are here today to be recognized as well. The members of that team, that accomplishment is significant, not only because of the individual recognition that it brings, but it also demonstrates the caliber of our noncommissioned officers who are responsible for training our young soldiers in the use of weapons, and they are nationally among the best. Therefore, we can be very confident that our soldiers are being trained very well. And finally, in another example of the cooperation between the various parts of the Department, the state Select Military Honor Guard just recently performed its 9000th military funeral, in partnership with the Bureau of Veterans Services, and the team is projected to perform their 10,000th military funeral sometime later this year.

I started this presentation by discussing the many and serious challenges, both fiscal and organizational, which we face in the Department of Defense, Veterans and Emergency Management. As I have tried to show you, these fiscal challenges will cause us all to have to make some very difficult decisions and may potentially degrade or reduce the ability of this department to provide our citizens with the critical protection, services and defense capabilities that they are used to having. We minimize these challenges at considerable risk. I think it is worth pointing out that yesterday was the deadliest day this year for US forces in Afghanistan. Two Special Forces soldiers were killed and five Army personnel were killed when a helicopter went down. Because our organization is locally based and made up of our friends, neighbors and relatives, for many of us these risks take on a very personal connotation. My son is an Officer Cadet serving in the Infantry Company in the National Guard in Brewer. I ask for your help in contributing your voices and your leadership to the growing national debate on the relative size, cost and capabilities of our National Guard. This is a critical time for our military nationally, and we cannot afford to allow decisions to be made in Washington without ensuring that our views and our interests as Mainers are understood and acknowledged.

Finally, I must tell you that, in spite of uncertainties, challenges, pressures and hardships, the men and women of your Emergency Management Agency, your Bureau of Veterans Services and the Soldiers and Airmen of your Maine National Guard will always be here. We will always be ready to respond to your call, and to the call of the nation to protect our citizens' lives and property, defend their homes and their interests, and look after our honored veterans when they return from service. Integrity first, service before self, and excellence in all that we do. Quite plainly, that is who we are, and that is what we commit ourselves to for our great state. That commitment is embodied in the venerable colors displayed outside in the hall, outside this chamber, and on the colors that our National Guard Soldiers and Airmen take with them into action today. We are ever conscious of the Maine people who have gone before us in service to the state and nation, and we will never allow the reputation that they and we have built for selflessness and dedication, for valor and for sacrifice, to be tarnished. I remain deeply honored to lead this superb organization, and I look forward to working with all of you as we address our challenges in the months and years to come. Thank you all again for the honor to speak to you today. Bayonets Forward!

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The Adjutant General withdrew amid the applause of the Convention, the audience rising.

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

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

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(After the Joint Convention)

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The House was called to order by the Speaker.

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

**SENATE PAPERS**

Bill "An Act To Make Technical Changes to the Agriculture, Conservation and Forestry Laws"

(S.P. 332) (L.D. 987)

Came from the Senate, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed.

**REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** in concurrence.

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Bill "An Act To Establish Restrictions on Ammunition Feeding Devices"

(S.P. 342) (L.D. 997)

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

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

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Resolve, To Review the Impact of Unfunded Education Mandates and Evaluate the Efficacy of Education Laws (EMERGENCY)

(S.P. 322) (L.D. 944)

Bill "An Act To Change the State's Share of Education Costs Including Teacher Retirement Costs" (EMERGENCY)

(S.P. 339) (L.D. 994)

Bill "An Act To Establish a Moratorium on the Approval and Operation of Virtual Public Charter Schools" (EMERGENCY)

(S.P. 340) (L.D. 995)

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

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

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Bill "An Act To Promote the Installation of Masonry Stoves"

(S.P. 326) (L.D. 948)

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

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

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Resolve, To Establish the Commission To Study Long-term Care Facilities

(S.P. 331) (L.D. 986)

Bill "An Act To Require Public Disclosure of Health Care Prices"

(S.P. 335) (L.D. 990)

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.

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Bill "An Act To Amend the Health Plan Improvement Law Regarding Prescription Drug Step Therapy and Prior Authorization"

(S.P. 329) (L.D. 984)

Bill "An Act To Promote Wellness and Prevention through Health Plans"

(S.P. 336) (L.D. 991)

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.

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Bill "An Act To Protect Maine Consumers"

(S.P. 345) (L.D. 1000)

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

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

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Bill "An Act To Ensure the Proportional Offset against Retirement Benefits of Workers' Compensation Awards"

(S.P. 327) (L.D. 949)

Bill "An Act To Create a State-sponsored 401(k) Retirement Plan for Participation by Private Employers"

(S.P. 337) (L.D. 992)

Resolve, To Amend Maine Board of Pharmacy Rules Regarding Automated Pharmacy Systems in Hospitals

(S.P. 338) (L.D. 993)

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

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

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Bill "An Act To Allow Municipalities To Petition the Department of Marine Resources To Establish Dive-only Areas for Scallops in Mooring Fields"

(S.P. 324) (L.D. 946)

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

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

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Bill "An Act To Ensure the Effectiveness of Constitutional Officers"

(S.P. 325) (L.D. 947)

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

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

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Bill "An Act To Amend the Tax Laws"

(S.P. 333) (L.D. 988)

Bill "An Act To Conform the Maine Tax Laws for 2012 to the United States Internal Revenue Code" (EMERGENCY)

(S.P. 334) (L.D. 989)

Bill "An Act To Improve the Accuracy of Fuel Tax Reporting"

(S.P. 341) (L.D. 996)

Bill "An Act To Provide Consistency in the Application of the Property Tax Exemption for Religious Organizations"

(S.P. 343) (L.D. 998)

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

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

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

(S.P. 323) (L.D. 945)

Resolve, To Repeal the Requirement That the Department of Transportation Facilitate a Feasibility Study of an East-west Highway and Provide for Public Access to Certain Documents

(S.P. 330) (L.D. 985)

Resolve, Directing the Department of Transportation To Fund or Seek Funding To Complete a Design and Engineering Assessment for the Extension of Passenger Rail Service from Portland North on the State-owned St. Lawrence and Atlantic Railway Corridor

(S.P. 344) (L.D. 999)

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

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

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Bill "An Act To Improve Laws Governing Financial Disclosure by Legislators and Certain Public Employees and Public Access to Information Disclosed"

(S.P. 346) (L.D. 1001)

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.

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**Pursuant to Statute  
Maine Turnpike Authority**

Report of the **Maine Turnpike Authority** pursuant to the Maine Revised Statutes, Title 23, section 1961, subsection 6 asks leave to report that the accompanying Bill "An Act To Make Allocations from Maine Turnpike Authority Funds for the Maine Turnpike Authority for the Calendar Year Ending December 31, 2014"

(S.P. 328) (L.D. 983)

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

Came from the Senate, Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed pursuant to Joint Rule 218.

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

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

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On motion of Representative BLACK of Wilton, the House adjourned at 12:08 p.m., until 10:00 a.m., Thursday, March 14, 2013 in honor and lasting tribute to Lieutenant Colonel Michael J. Backus, of Wilton.