

# 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  
22nd Legislative Day  
Wednesday, March 20, 2013

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

Prayer by Honorable Joseph E. Brooks, Winterport.  
National Anthem by Honorable Gay M. Grant, Gardiner.  
Pledge of Allegiance.

Doctor of the day, Honorable M. Geoffrey Gratwick, M.D., Bangor.

The Journal of Thursday, March 14, 2013 was read and approved.

**SENATE PAPERS**

**Non-Concurrent Matter**

Bill "An Act To Protect the State's Property Rights in Maine State Museum Research" (EMERGENCY)

(H.P. 717) (L.D. 1019)

**REFERRED** to the Committee on **JUDICIARY** in the House on March 14, 2013.

Came from the Senate **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** in **NON-CONCURRENCE**.

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

**COMMUNICATIONS**

The Following Communication: (H.P. 741)

**TOWN OF JAY**  
**340 MAIN STREET**  
**JAY, MAINE 04239-1697**

We, the undersigned Officials in the Town of Jay, on March 4, 2013 sign the following resolution for our 2013/14 Budget Year.

WHEREAS, the Governor's unprecedented biennial budget places towns in an untenable fiscal position; and

WHEREAS, the proposal includes the elimination of \$283 million in municipal revenue sharing, falls \$200 million short of funding local schools at the 55% level passed in referendum; would cut the state's reimbursement for General Assistance by an estimated \$6.7 million; would eliminate the Homestead Exemption for anyone under the age of 65; would eliminate the "circuit breaker" property tax and rent revenue from towns; and would fail to reimburse towns for 50% of the cost for the Business Equipment Tax Exemption Program; and

WHEREAS, the Governor's proposal also contains cuts to health and human services, clean elections, the wage and benefits of public workers, and other initiatives necessary for strong communities and who's under-funding continues to shift costs to towns; be it

RESOLVED, The Officials of Jay call upon the Maine Legislature to reject these proposals, identify less harmful cost savings, and raise revenue in an equitable fashion in order to avoid a regressive tax shift to municipalities.

S/Stephen McCourt S/Ruth Cushman, Town Manager  
S/Justin Merrill S/Ronda Palmer, Town Clerk  
S/F. Timothy DeMillo S/Lisa Bryant, Finance Director  
S/Pearl Cook S/Larry White, Police Chief  
S/Thomas C. Goding S/John Johnson, Public Works Director  
Selectmen of Jay S/Mark Holt, Waste Water Treatment  
Plant Supervisor

A True Copy Attest:

S/Ronda L. Palmer, Town Clerk

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

Sent for concurrence.

The Following Communication: (H.P. 742)

**CITY OF BANGOR**  
**RESOLUTION**

**REGARDING THE GOVERNOR'S PROPOSED BUDGET**

**By the Bangor City Council on March 11, 2013**

Whereas, the City of Bangor stands to lose \$3.7 million in municipal revenue sharing in the upcoming fiscal year if the state budget as proposed by Governor Paul LePage is adopted; and Whereas, The Bangor School Department would pay an additional \$645,000 to fund teacher retirement under the Governor's budget proposal; and

Whereas, 3,615 non-elderly Bangor households would lose \$197 each, or \$712,155 total, in property tax relief in the upcoming fiscal year under the cuts to the Homestead Exemption program, if the Legislature adopts the Governor's proposed budget; and

Whereas, 1,810 non-elderly Bangor households that currently qualify for the Circuit Breaker program would lose an average of \$386 each, or \$698,660 total in the upcoming fiscal year, under that program, if the Legislature adopts the Governor's proposed budget; and

Whereas, in total many Bangor households would lose \$583 in tax offsets if they had previously qualified for both the Homestead Exemption and Circuit Breaker programs, if the Legislature adopts the Governor's proposed budget; and

Whereas, the City of Bangor stands to lose \$140,000 in tractor trailer excise tax revenues being transferred from the City of Bangor to the State of Maine, if the Legislature adopts the Governor's proposed budget; and

Whereas, the City of Bangor stands to lose \$821,000 in General Assistance reimbursement, an entitlement program mandated by the State, in which the State establishes the eligibility requirements, benefit levels and process to be employed; and

Whereas, our community will once again be forced either to eliminate classroom education and other programs in our schools or find local funds to compensate for the reduction in state financial support for public education; and

Whereas, this City Council will be faced with the unacceptable choice of either severely cutting essential municipal services or dramatically increasing the property tax burden on our fellow residents; and

Whereas, we, as the elected representatives of the residents and taxpayers of Bangor, have an obligation to maintain essential local services, ensure a quality education for our children and contain the property tax burden of our citizens;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BANGOR THAT, we call upon the Governor and the members of 126th Legislature to fully fund municipal revenue sharing for the coming biennium, maintain the Circuit Breaker and Homestead Exemption property tax relief programs, and fulfill the state's K-12 education funding mandate under the School Finance Act of 2003 and confirmed by vote of the people of Maine in a June 2004 referendum.

S/Nelson E. Durgin, Mayor  
S/Joe M. Baldacci, Councilor  
S/Pauline B. Civiello, Councilor  
S/James D. Gallant, Councilor  
S/Susan M. Hawes, Councilor  
S/Charles R. Longo, Councilor

S/David S. Neally, Councilor

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

Sent for concurrence.

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The Following Communication: (H.P. 771)

**TOWN OF FREEPORT  
RESOLUTION**

A Resolution in opposition to multiple proposals to shift the burden of funding State Government to Municipalities through property taxes:

WHEREAS, the Freeport Town Council is concerned and wishes to express its opposition to multiple proposals to shift the burden of funding State government to municipalities through the property tax levy system and,

WHEREAS, the State administration has submitted a proposed budget for the upcoming biennium that will dramatically shift the burden of funding State government to the property tax by eliminating or significantly modifying property tax relief programs and,

WHEREAS, the proposal to suspend municipal revenue sharing would result in a loss of more than \$525,000 in revenues to the Town of Freeport, which represents approximately six percent of the Town's revenue budget and 38 cents on the property tax mil rate and,

WHEREAS, the changes in the BETR program would result in a loss to the Town of Freeport of at least \$244,000 in the first year of the biennium, which represents approximately three percent of the annual revenue budget and 17 cents on the property tax mil rate and,

WHEREAS, the total of these two largest cuts represents approximately 55 cents on the tax mil rate or a \$110 increase to the tax bill of a \$200,000 home in Freeport, therefore:

**BE IT RESOLVED:** That the Freeport Town Council requests that the Maine Legislature reconsider this large tax shift when creating its biennial FY2014 and FY2015 budget, and welcomes the opportunity for further discussion of this issue in hopes of assisting the State to create a more efficient system of government in order to avoid this shift in revenue from the municipalities to the State.

Dated this 5th day of March, 2013 at Freeport, Maine.

S/James Hendricks, Council Chair

S/Kristina Egan, Council Vice-Chair

S/Rich DeGrandpre, Councilor

S/D. Scott Gleeson, Councilor

S/Melanie Sachs, Councilor

S/Andrew Wellen, Councilor

ATTEST, A True Copy:

S/Tracey L. Stevens, Town Clerk

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

Sent for concurrence.

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The Following Communication: (H.P. 772)

**CITY OF ROCKLAND, MAINE**

**RESOLVE #15**

**(As Amended 03/11/13)**

**IN CITY COUNCIL**

March 11, 2013

RESOLVE: Preservation of Revenues Used to Offset the Property Tax Burden

WHEREAS, Governor LePage has proposed a State budget which would have a significant and negative impact on local municipal services and local property taxes; and

WHEREAS, This State budget proposal calls for redirecting a portion of sales and income tax revenues, collected under the Revenue Sharing Program, away from municipalities and redirecting them to the State of Maine to balance the State budget; and

WHEREAS, This State budget proposal also calls for redirecting commercial vehicle excise tax revenues away from municipalities and redirecting them to the State of Maine to balance the State Budget; and

WHEREAS, This State budget proposal dramatically curtails the Homestead and Circuit Breaker programs, both programs designed to keep local residential property taxes low; and

WHEREAS, This State budget proposal calls for the elimination of the BETR program that reimburses municipalities for some lost personal property taxes; and

WHEREAS, This proposed State budget is now before the Legislature for consideration;

**NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL AS FOLLOWS:**

THAT the Rockland City Council strongly opposes each of these recommendations and encourages our local delegation to also oppose any of these measures either in full, or in part; and THAT the Rockland City Council requests our local delegation to support the preservation and full restoration of each of these programs, and

THAT the City Manager, with the assistance of the City Attorney and City Clerk, is directed to convey Council's strong opposition to members of the Legislature's Appropriations and Financial Affairs Committee and to work with other municipal and community leaders to support the preservation and restoration of these programs.

Passed as amended by the Rockland City Council on 03/11/2013 by a 5-0 vote.

A True Copy. Attested: Sponsor: City Council

S/Stuart H. Sylvester Originator: City Manager

City Clerk

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

Sent for concurrence.

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The Following Communication: (H.P. 773)

**TOWN OF YARMOUTH**

**200 MAIN STREET**

**YARMOUTH, MAINE 04096**

March 12, 2013

Honorable Mark W. Eves

Speaker of the House

2 State House Station

Augusta, Maine 04333

Honorable Justin L. Alfond

President of the Senate

3 State House Station

Augusta, Maine 04333

Dear Speaker Eves and President Alfond:

The Yarmouth Town Council recently adopted a resolution stating its unanimous opposition to Governor LePage's proposal to suspend revenue sharing, further erode the tax base by exempting business equipment, eliminating the Homestead Exemption for most homeowners, and eliminating or severely restricting the Circuit Breaker program for residents already

squeezed by taxes. A copy of the text of that resolution is set forth below.

The Yarmouth Town Council fully understands the need for fiscal restraint, and has exercised that restraint quite diligently for a long while. The proposed Town budget (non-education) for the Town of Yarmouth for 2013/14 is a reduction from the current year and represents TOTAL CUMULATIVE INCREASES from 2008 forward of less than one-half of one percent. Yes, that's a total increase in spending of 0.48% over six budget years. The Town also understands and embraces the value of shared and collaborative service delivery with other communities, and our current portfolio of "regionalized" and shared services or employees includes General Assistance Administration, Emergency Dispatch Operations, Solid Waste Recycling and Waste – to – Energy incineration, Paramedic level EMS services, Storm water management, regional transportation planning and resource allocation, joint purchasing, Code Enforcement, Assessing, police investigation and forensics, natural gas market development, vocational/technical education, shellfish conservation programs and enforcement, insurance and employee benefits purchases, fire training facility, library services, and household hazardous waste collection and disposal. Yarmouth, like most if not all communities, has cinched its belt tightly, and has found or invented ways to collaborate to reduce costs and/or deliver better services. But we cannot continue to absorb State policies that erode the tax base, reduce State Aid to Education, mandate services, and undercut the transfer of resources that were instituted to alleviate the burdens on the taxpayer. We regrettably accept that no life ring will be tossed to us by the State government that threw us out of the raft in the first place, but these latest proposal merely tie a cinder block to our feet. Augusta cannot continue to pass the buck and the bill on to the property taxpayer. We thank you for voting no on these proposals that shift the costs from State revenue base to the local property tax.

Sincerely,

S/Nathaniel J. Tupper

Yarmouth Town Manager

The following Resolution was adopted by the Yarmouth Town Council (7-0) on February 21, 2013.

**Item No. 72: A resolution regarding the Governor's proposed budget initiatives**

Resolve, Expressing the Opposition of the Town Council of the Town of Yarmouth to Proposals to Shift the Burden of Funding State Government to the Property Tax and 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 long-standing property tax relief programs; and

Whereas, the proposal to suspend municipal revenue sharing would result in a

\$775,000-revenue loss to the Town of Yarmouth, representing of the Town's general fund total budget and 2.93% on the property tax rate; and

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; and

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF YARMOUTH THAT the Town Council hereby expresses its strong opposition to provisions included in the recently proposed state budget that 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 Yarmouth, 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.

Be it Further Resolved, that The Town Clerk is directed to provide copies of this resolve to the members of the legislature representing the Town of Yarmouth, members of the Appropriations Committee, and the Governor.

Approved 7-0

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

Sent for concurrence.

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The Following Communication: (H.P. 774)

**TOWN OF STARKS  
57 ANSON ROAD  
STARKS, MAINE 04911  
RESOLUTION**

Be it Resolved by the Town of Starks Board of Selectmen:

Whereas, the Town of Starks Board of Selectmen 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 \$92,504 in revenues, which represents 11.0% of the Town's Revenue Budget;

Whereas, the proposal to redirect the commercial excise tax would result in a loss of approximately \$6,000 or 1% of the Town's Revenue Budget;

Whereas, RSU #9 would be required to pay additional monies to fund Teacher Retirement under the Governor's budget proposal which would affect the school budget and ultimately be reflected in approximately \$7,560 or 1% in new Town assessment;

Whereas, eliminating the homestead exemption in FY 15 for those under 65 will increase taxes for those residents by \$221.00 in that year if the Town's tax 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;

Whereas, if enacted, these changes reflect at least \$106,064 or 13% of the Municipality's revenue sources;

Whereas, these proposals would dramatically increase property taxes in Starks 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 Starks Board of Selectmen 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 Starks Board of Selectmen call 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, and maintain the Circuit Breaker and Homestead Exemption property tax relief programs for our citizens.

Signed March 11, 2013 by Starks Board of Selectmen  
S/Paul Frederic  
S/Joseph Miller  
S/Sterling Doiron

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

Sent for concurrence.

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The Following Communication: (H.P. 781)

**TOWN OF WINSLOW, MAINE  
114 BENTON AVENUE  
WINSLOW, MAINE 04901**

Date: March 11, 2013  
To: State of Maine Legislature  
Subject: Biennial State Budget Concerns  
From: Winslow Town Council

The Winslow Town Council would like to offer the following for your consideration in crafting the State Biennial Budget for FY 2014-15.

Winslow is a relatively small town in Kennebec County with a population of approximately 7,800 residents. Over the last 20 years our population has actually decreased. Since 1980, our median age has increased from 31 to 42 as our population has aged. Our taxable valuation base has grown at a rate of about 1% per year. Winslow's 2010 Full Value Tax rate was 4th highest in Kennebec County. Winslow has been able to control expenditures so that the mil rate has been stable since 2008.

We understand that there are state budget proposals before the Legislature that would terminate municipal revenue sharing for two years, alter commercial excise tax distribution, and shift teacher retirement costs to the local level. While we understand the significant challenges state government faces in balancing the next budget, we believe that removing these historic revenue sources from local finances as well as shifting additional costs to local responsibility will have very serious consequences to the people of Winslow and the state as a whole.

Our review indicates that these state budget proposals will remove at least \$700,000 annually from state revenue sharing and commercial excise tax revenue as well as shift \$200,000 to local expenditures for teacher retirement. The combined impact is equivalent to a 1.6 mil rate impact. While there is always opportunity to reduce local expenditures to offset the loss in revenue and mitigate the impact on property taxes, our options are limited.

The municipal portion of our local expenditures have been actually decreasing the last few years as we work to control costs and implement efficiencies. Our proposed municipal budget for 2013-14 is approximately 6% less than in 2009-10. If we were to totally adsorb the \$700,000 in lost state revenue sharing and excise tax diversion, we would need to reduce municipal expenditures by nearly 11%. This amount is equivalent to our total allocations for our Police Dept. Of course we could simply stop whole department activities such as trash collection and shift this to a resident private pay responsibility. While this would allow us to "balance" our budget by cost-shifting, the net effect is that Winslow taxpayers would be paying more for less and their financial burden is increased without a choice.

Another important factor is the Education cost impact. Winslow's proposed 2013-14 budget is more than \$1 million less than in 2009-10. Shifting another \$200,000 in teacher retirement costs to local sources will simply force a greater property tax burden and/or reduced education opportunities. As you may know, Winslow has combined with Waterville and Vassalboro for school

administration consolidation per the past Legislature's direction. While it is hoped that school administration savings have been realized, requiring local property taxpayers to absorb another significant cost or choose to reduce classroom resources is an unrealistic challenge at this time.

While often not visible, the County tax requirement has increased significantly in the last ten years. The forecasted 2013-14 County Tax burden for Winslow property taxpayers is \$591,000 as compared to a \$411,000 costs in 2003-04. In ten years, Winslow's county tax burden has increased by 44%. While it was hoped "Jail Consolidation" was going to at least slow County expenditure increases, results to date do not indicate any appreciable cost containment or easing of the local County Tax burden.

Another important matter is timing. Winslow is just beginning the 2013-14 budget review with a schedule that calls for the first reading of the Budget by April 8 and finalization by May 13. The current uncertainty of revenue sharing, excise tax redistribution, and shifting of teacher retirement expenses to the local level with a possible impact of \$900,000 to local taxpayers places the Council in a "Sophie's Choice" position....do we speculatively raise property taxes and make significant local spending cuts without knowing the Legislature's decision on these unprecedented funding and expense proposals.

As we are sure you realize, property taxes are the only revenue source that local government has control over to meet the expenditure needs. We would ask the Legislature to fully consider the implications if they decide to eliminate revenue sharing, re-allocate excise tax, and shift teacher retirement to local taxpayers. The impact of the Legislature's decision will be immediate and significant. We would ask that you recognize that revenue redistribution and cost-shifting has never proven to be a successful and sustainable means to balance budgets either at the state or local levels.

Thank you for your consideration.

Winslow Town Council  
S/Gerald Saint Amand, Chair  
S/Kenneth Fletcher  
S/Steve C. Russell  
S/Ray Caron  
S/Jerry Quirion  
S/Catherine M. Nadeau  
S/Benjamin Twitchell  
Attest. A true copy of original.  
S/Pamela Smiley

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

Sent for concurrence.

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The Following Communication: (H.C. 107)

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

March 18, 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 7, Chapter 5, §125 of the Maine Revised Statutes, I have appointed Representative James F. Dill of Old Town to the Board of Agriculture.

If you have any questions regarding this 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. 105)

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

March 19, 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:"

Criminal Justice and Public Safety

L.D. 366 An Act To Adjust the Values of Property That Define the Class of Crime for Theft Offenses

Education and Cultural Affairs

L.D. 384 An Act To Allow Spouses and Children of Veterans Killed in the Line of Duty To Receive the State Tuition Waiver

Energy, Utilities and Technology

L.D. 676 Resolve, To Direct the Public Utilities Commission To Review Telecommunications Services in Northern Oxford County

Health and Human Services

L.D. 337 An Act To Require That Burn Injuries and Wounds Be Reported to the Office of the State Fire Marshal

L.D. 374 An Act To Eliminate the Child Support Collecting Fee Charged to a Person Who Has Never Received Assistance under a State Program

Judiciary

L.D. 224 An Act To Streamline the Change of Name Process for Persons Getting Married

Labor, Commerce, Research and Economic Development

L.D. 348 An Act Concerning the Scope of Practice of Cardiovascular Technologists

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

L.D. 509 An Act To Exempt Certain Supervised Medical Assistants from Licensing under the Medical Radiation Health and Safety Laws

State and Local Government

L.D. 397 An Act To Amend the Laws Governing the Development and Administration of Municipal Budgets in Unorganized Territories

Transportation

L.D. 406 An Act To Require Antique Automobiles That Are Operated on the Highways To Be Inspected

L.D. 479 An Act To Require Center Line Markings on All State and State Aid Highways

L.D. 501 An Act Regarding Enforcement of Commercial Vehicle Laws

L.D. 570 An Act To Create a Vintage Car Category in the Motor Vehicle Laws

Veterans and Legal Affairs

L.D. 174 An Act To Prohibit the Placement of Political Signs within 25 Feet of a Cemetery or Burial Site

L.D. 214 An Act To Require Registered Voter Lists To Be Provided to Candidates for Legislative Office

L.D. 320 An Act To Ensure the Integrity of the Election Process

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: (H.C. 106)

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

March 19, 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 Committee on Judiciary has approved the request by the sponsor, Senator Thomas of Somerset, to report the following "Leave to Withdraw":

L.D. 450 An Act To Permit Real Estate Agents To Assist Property Owners in Obtaining Relief in the Mortgage Foreclosure Process

Sincerely,  
S/Millicent M. MacFarland  
Clerk of the House

**READ and with accompanying papers ORDERED PLACED ON FILE.**

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The Following Communication: (S.P. 348)

**TOWN OF SCARBOROUGH, MAINE  
US ROUTE ONE  
PO BOX 360  
SCARBOROUGH, MAINE 04070-0360  
RESOLUTION 13-01**

**Urging the Maine State Legislature to Craft a Biennial State Budget That Prevents a Significant Increase in Property Taxes**

BE IT RESOLVED, by the Town Council of the Town of Scarborough, Maine, in Town Council assembled, that, WHEREAS, the Governor's unprecedented biennial budget proposal places municipalities in an untenable and uncertain fiscal position during their budget planning; and, WHEREAS, the proposed biennial budget includes the suspension of municipal revenue sharing that would result in over \$2.6 million in lost revenue to the Town of Scarborough; and, WHEREAS, the proposed budget cut the state's reimbursement for General Assistance by an estimated \$6.7 million; would

eliminate the \$10,000 Homestead Exemption for those under 65 years of age; eliminate the "circuit breaker" property tax and rent relief for anyone under 65 as well as take \$8 million in truck excise tax revenue from municipalities; would create a corporate tax exemption for large amounts of currently taxable property resulting in significant losses in local tax revenue; and, WHEREAS, these proposed changes in state policy would shift a significant financial burden onto the municipalities tax revenue, which would result in an estimated \$225.00 or 5.37%, increase in property taxes for the average Scarborough household; and, WHEREAS, any cuts would have a far-reaching and detrimental impact on essential municipal services

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the Town Council of the Town of Scarborough, in Town Council assembled, hereby urges the Maine State Legislature to craft a biennial budget compromise that considers the already high property tax burden, seek balance, progressivity and a comprehensive approach with respect to tax policy, and identifies alternative cost savings and tax reforms that would prevent a significant increase in property taxes and protect essential municipal services from detrimental cuts.

NOW, THEREFORE, BE IT FURTHER RESOLVED, THAT, should some, or all of the proposed tax shift take place, the Maine State Legislature should authorize legislation to enable municipalities to consider the adoption of a local option sales tax in an effort to move away from total reliance on the regressive property tax and consider a more progressive tax structure.

Signed and sealed this the 6th day of March, 2013, on behalf of the Scarborough Town Council and the Town Manager of Scarborough, Maine.  
S/Ronald D. Ahlquist  
Town Council Chair  
A TRUE COPY ATTEST:  
S/Yolande P. Justice  
Town Clerk

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

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

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The Following Communication: (S.C. 151)

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

March 14, 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 Agriculture, Conservation and Forestry, the nomination of Paul J. Underwood of Presque Isle for appointment to the Land Use Planning Commission.

Upon the recommendation of the Committee on Education and Cultural Affairs, the nomination of Katherine M. Greenleaf of Yarmouth for appointment to the Maine Maritime Academy, Board of Trustees.

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:

**AGRICULTURE, CONSERVATION AND FORESTRY**

Bill "An Act To Clarify the Authority and Responsibility of Forest Rangers"

(H.P. 744) (L.D. 1051)

Sponsored by Representative **TIMBERLAKE** of Turner.

Cosponsored by Senator **JACKSON** of Aroostook.

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

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Bill "An Act Requiring the Labeling of Food Packaging That Contains Bisphenol A"

(H.P. 743) (L.D. 1050)

Sponsored by Representative **DEVIN** of Newcastle.

Cosponsored by Representatives: **DORNEY** of Norridgewock, **EVANGELOS** of Friendship, **GIDEON** of Freeport, **MacDONALD** of Boothbay, Senator: **JOHNSON** of Lincoln.

Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** suggested.

On motion of Representative **DILL** of Old Town, the Bill was **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES**, ordered printed and sent for concurrence.

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**APPROPRIATIONS AND FINANCIAL AFFAIRS**

Bill "An Act To Authorize a General Fund Bond Issue To Improve Intermodal Infrastructure"

(H.P. 745) (L.D. 1052)

Sponsored by Representative **FARNSWORTH** of Portland.

Cosponsored by Senator **HASKELL** of Cumberland and Representatives: **CHIPMAN** of Portland, **DION** of Portland, **HARLOW** of Portland, **JORGENSEN** of Portland, **MOONEN** of Portland, **RUSSELL** of Portland, **STUCKEY** of Portland, Senator: **President ALFOND** of Cumberland.

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**CRIMINAL JUSTICE AND PUBLIC SAFETY**

Bill "An Act Regarding a Retired Law Enforcement Officer Carrying a Concealed Handgun without a Permit"

(H.P. 746) (L.D. 1053)

Sponsored by Representative **BLACK** of Wilton.

Cosponsored by Senator **BURNS** of Washington and Representatives: **CRAFTS** of Lisbon, **CRAY** of Palmyra, **DAVIS** of Sangerville, **DION** of Portland, **GIFFORD** of Lincoln, **JONES** of Freedom, **MARKS** of Pittston, **TIMBERLAKE** of Turner.

Bill "An Act To Prohibit Enforcement by a Federal or State Official or Others of the National Defense Authorization Act For Fiscal Year 2012"

(H.P. 747) (L.D. 1054)

Sponsored by Representative **LIBBY** of Waterboro.

Cosponsored by Representatives: **CHIPMAN** of Portland, **GOODE** of Bangor, **HARVELL** of Farmington, **McCLELLAN** of



Raymond, RUSSELL of Portland, SANDERSON of Chelsea, SHAW of Standish, SIROCKI of Scarborough.

McGOWAN of York, MITCHELL of the Penobscot Nation, Senator: GRATWICK of Penobscot.

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**EDUCATION AND CULTURAL AFFAIRS**

Bill "An Act To Create a Maine Financial Education Portal"  
(H.P. 748) (L.D. 1055)

Sponsored by Representative POULIOT of Augusta.  
Cosponsored by Senator LANGLEY of Hancock and Representatives: CHIPMAN of Portland, DAUGHTRY of Brunswick, DION of Portland, FOWLE of Vassalboro, MOONEN of Portland, WILLETTE of Mapleton, Senators: JOHNSON of Lincoln, MILLETT of Cumberland.

Bill "An Act To Require Local Voter Approval for Charter Schools"  
(H.P. 749) (L.D. 1056)

Sponsored by Representative CHENETTE of Saco.  
Cosponsored by Representatives: DAUGHTRY of Brunswick, EVANGELOS of Friendship, KORNFELD of Bangor, MacDONALD of Old Orchard Beach, SOCTOMAH of the Passamaquoddy Tribe, Senator: VALENTINO of York.

Bill "An Act Related to Public Funding of Charter Schools"  
(H.P. 750) (L.D. 1057)

Sponsored by Representative KUSIAK of Fairfield.  
Bill "An Act To Develop a Grant Program To Establish a Teacher-led School Model"  
(H.P. 775) (L.D. 1106)

Sponsored by Representative MOONEN of Portland.  
Cosponsored by Senator LANGLEY of Hancock and Representatives: DAUGHTRY of Brunswick, NELSON of Falmouth, POULIOT of Augusta, Senator: MILLETT of Cumberland.

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**ENERGY, UTILITIES AND TECHNOLOGY**

Bill "An Act To Address Rising Electric Transmission Rates"  
(H.P. 753) (L.D. 1060)

Sponsored by Representative NEWENDYKE of Litchfield.  
Cosponsored by Representatives: RYKERSON of Kittery, WINCHENBACH of Waldoboro.

Bill "An Act To Regulate Meteorological Data-gathering Towers in Maine"  
(H.P. 754) (L.D. 1061)

Sponsored by Representative DUNPHY of Embden.  
Cosponsored by Representatives: CRAY of Palmyra, FITZPATRICK of Houlton, GIFFORD of Lincoln, LIBBY of Waterboro, MALABY of Hancock, TIMBERLAKE of Turner.

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**ENVIRONMENT AND NATURAL RESOURCES**

Resolve, Directing the Department of Environmental Protection To Set the Motor Vehicle Fuel Volatility Level for the State  
(H.P. 751) (L.D. 1058)

Sponsored by Representative LIBBY of Waterboro.  
Cosponsored by Senator TUTTLE of York and Representatives: BENNETT of Kennebunk, KINNEY of Limington, MAREAN of Hollis, MASTRACCIO of Sanford, PARRY of Arundel, WEAVER of York, Senators: COLLINS of York, HAMPER of Oxford.

Bill "An Act To Protect Maine's Environment and Natural Resources Jeopardized by Mining"  
(H.P. 752) (L.D. 1059)

Sponsored by Representative CHIPMAN of Portland.  
Cosponsored by Representative HARLOW of Portland and Representatives: COOPER of Yarmouth, GRANT of Gardiner,

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**HEALTH AND HUMAN SERVICES**

Bill "An Act To Add Conditions That Qualify for Medical Marijuana Use"  
(H.P. 755) (L.D. 1062)

Sponsored by Representative DICKERSON of Rockland.  
Cosponsored by Senator GERZOFKY of Cumberland and Representatives: DION of Portland, MASTRACCIO of Sanford, RUSSELL of Portland, VILLA of Harrison.

Bill "An Act To Remove a Conflict in the Law Restricting the Sale or Purchase of Targeted Methamphetamine Precursors" (EMERGENCY)  
(H.P. 756) (L.D. 1063)

Sponsored by Representative WILLETTE of Mapleton.  
Cosponsored by Senator BURNS of Washington and Representatives: AYOTTE of Caswell, CLARK of Easton, MAKER of Calais, PARRY of Arundel, Senator: SHERMAN of Aroostook.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Resolve, To Establish the Task Force on Independence from Public Assistance (EMERGENCY)  
(H.P. 757) (L.D. 1064)

Sponsored by Representative NEWENDYKE of Litchfield.  
Cosponsored by Senator FLOOD of Kennebec and Representatives: BEAULIEU of Auburn, BEAVERS of South Berwick, BECK of Waterville, BERRY of Bowdoinham, BLACK of Wilton, CHASE of Wells, COTTA of China, CRAY of Palmyra, DeCHANT of Bath, DOAK of Columbia Falls, DUPREY of Hampden, ESPLING of New Gloucester, FITZPATRICK of Houlton, FREDETTE of Newport, GATTINE of Westbrook, GIDEON of Freeport, GIFFORD of Lincoln, GILBERT of Jay, GILLWAY of Searsport, GRANT of Gardiner, GUERIN of Glenburn, JOHNSON of Eddington, JOHNSON of Greenville, KESCHL of Belgrade, KNIGHT of Livermore Falls, LOCKMAN of Amherst, MacDONALD of Old Orchard Beach, MAKER of Calais, MALABY of Hancock, MAREAN of Hollis, MASTRACCIO of Sanford, McCLELLAN of Raymond, McELWEE of Caribou, McGOWAN of York, McLEAN of Gorham, NADEAU of Fort Kent, NOON of Sanford, PARRY of Arundel, PEAVEY HASKELL of Milford, POULIOT of Augusta, POWERS of Naples, RUSSELL of Portland, SANDERSON of Chelsea, SHORT of Pittsfield, SIROCKI of Scarborough, STUCKEY of Portland, TURNER of Burlington, TYLER of Windham, VOLK of Scarborough, WALLACE of Dexter, WEAVER of York, WILLETTE of Mapleton, WILSON of Augusta, WINSOR of Norway, WOOD of Sabattus.

Bill "An Act Regarding Patient-directed Care at the End of Life"  
(H.P. 758) (L.D. 1065)

Sponsored by Representative BROOKS of Winterport.  
Cosponsored by Senator VALENTINO of York and Representatives: BEAVERS of South Berwick, CHENETTE of Saco, FARNSWORTH of Portland, HAYES of Buckfield, NADEAU of Winslow, RUSSELL of Portland, SCHNECK of Bangor, WELSH of Rockport.

Bill "An Act To Increase Access to Health Coverage and Qualify Maine for Federal Funding"  
(H.P. 759) (L.D. 1066)

Sponsored by Representative SANBORN of Gorham.  
Cosponsored by Representative PRINGLE of Windham, Senator WOODBURY of Cumberland and Representatives: BERRY of Bowdoinham, DORNEY of Norridgewock, Speaker EVES of

North Berwick, GATTINE of Westbrook, McELWEE of Caribou, WINCHENBACH of Waldoboro, Senators: President ALFOND of Cumberland, GRATWICK of Penobscot, LANGLEY of Hancock, SAVIELLO of Franklin, WHITTEMORE of Somerset.

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**INSURANCE AND FINANCIAL SERVICES**

Bill "An Act To Allow Certain Small Retail Businesses To Pass Credit and Debit Card Transaction Fees on to Consumers" (H.P. 760) (L.D. 1067)

Sponsored by Representative LOCKMAN of Amherst.  
Cosponsored by Senator THOMAS of Somerset and Representatives: GIFFORD of Lincoln, JOHNSON of Eddington, MacDONALD of Old Orchard Beach, MALABY of Hancock, NEWENDYKE of Litchfield, Senator: LANGLEY of Hancock.

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**JUDICIARY**

Bill "An Act To Prevent the Reduction in Adoption Subsidy after an Agreement Has Been Signed by the Prospective Adoptive Parents and the Department of Health and Human Services" (EMERGENCY)

(H.P. 761) (L.D. 1068)

Sponsored by Representative BEAVERS of South Berwick.  
Cosponsored by Senator GRATWICK of Penobscot and Representatives: GILBERT of Jay, GUERIN of Glenburn, NEWENDYKE of Litchfield, ROTUNDO of Lewiston, RYKERSON of Kittery, TIPPING-SPITZ of Orono, Senators: LANGLEY of Hancock, TUTTLE of York.

Bill "An Act To Provide a Uniform Process for the Use of Orders Awarding Parental Rights and Responsibilities To Dispose of a Child Protective Case"

(H.P. 776) (L.D. 1107)

Sponsored by Representative FREY of Bangor.

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

Bill "An Act To Provide Flexibility in the State Prevailing Wage and Benefit Rates"

(H.P. 762) (L.D. 1069)

Sponsored by Representative DeCHANT of Bath.  
Cosponsored by Senator PATRICK of Oxford and Representatives: BERRY of Bowdoinham, CAMPBELL of Newfield, FREY of Bangor, GILBERT of Jay, Senator: JACKSON of Aroostook.

Resolve, Directing the Department of Professional and Financial Regulation To Conduct a Sunrise Review Regarding the Proposal To License Certain Mechanical Trades

(H.P. 763) (L.D. 1070)

Sponsored by Representative DeCHANT of Bath.  
Cosponsored by Senator PATRICK of Oxford and Representatives: CAMPBELL of Newfield, CASAVANT of Biddeford, FOWLE of Vassalboro, GILBERT of Jay, Senator: JACKSON of Aroostook.

Bill "An Act Regarding Qualifications for Real Estate Licensees"

(H.P. 764) (L.D. 1071)

Sponsored by Representative VOLK of Scarborough.  
Cosponsored by Senator CUSHING of Penobscot and Representatives: CLARK of Easton, WILLETTE of Mapleton, WILSON of Augusta, Senator: HAMPER of Oxford.

Bill "An Act To Provide Accountability in the Handling of Affordable Housing Tenants' Security Deposits"

(H.P. 765) (L.D. 1072)

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

Bill "An Act To Modify the Qualifications for a Person To Be Able To Teach Driver's Education"

(H.P. 777) (L.D. 1108)

Sponsored by Representative GIFFORD of Lincoln.  
Cosponsored by Senator COLLINS of York and Representatives: CRAFTS of Lisbon, CRAY of Palmyra, FITZPATRICK of Houlton, STANLEY of Medway.

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**STATE AND LOCAL GOVERNMENT**

Bill "An Act To Establish Minimum Fuel Economy Standards for State Vehicles"

(H.P. 766) (L.D. 1073)

Sponsored by Representative RYKERSON of Kittery.  
Cosponsored by Representatives: BEAVERS of South Berwick, GIDEON of Freeport, McGOWAN of York, POWERS of Naples, RUSSELL of Portland, TIPPING-SPITZ of Orono, WERTS of Auburn, Senator: CLEVELAND of Androscoggin.

Bill "An Act To Deny Employment-related Benefits to State Employees Convicted of a Felony Involving the Misuse or Theft of Government Funds"

(H.P. 767) (L.D. 1074)

Sponsored by Representative KUSIAK of Fairfield. (BY REQUEST)

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**TAXATION**

Bill "An Act To Clarify the Maine New Markets Capital Investment Program Tax Credit" (EMERGENCY)

(H.P. 778) (L.D. 1109)

Sponsored by Representative STANLEY of Medway.  
Cosponsored by Senator THOMAS of Somerset and Representatives: GIFFORD of Lincoln, GOODE of Bangor, TURNER of Burlington, Senators: HASKELL of Cumberland, JACKSON of Aroostook, SHERMAN of Aroostook.

Bill "An Act To Simplify the Tax Code"

(H.P. 779) (L.D. 1110)

Sponsored by Representative PARRY of Arundel.  
Cosponsored by Senator COLLINS of York and Representatives: BENNETT of Kennebunk, CHASE of Wells, GOODE of Bangor, TURNER of Burlington, WILSON of Augusta.

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**TRANSPORTATION**

Bill "An Act To Allow Motorists To Proceed through an Intersection after Stopping for a Red Light"

(H.P. 768) (L.D. 1075)

Sponsored by Representative LOCKMAN of Amherst.  
Cosponsored by Senator MASON of Androscoggin and Representatives: JOHNSON of Eddington, MALABY of Hancock.

Bill "An Act To Allow for the Equalization of Truck Weights between Maine and Canada for Limited Use at the Border Crossings"

(H.P. 769) (L.D. 1076)

Sponsored by Representative WILLETTE of Mapleton.

**VETERANS AND LEGAL AFFAIRS**

Bill "An Act To Amend the Maine Clean Election Act and Campaign Finance Laws"

(H.P. 770) (L.D. 1077)

Sponsored by Representative BROOKS of Winterport.

Cosponsored by Representatives: BEAR of the Houlton Band of Maliseet Indians, FARNSWORTH of Portland, HOBBS of Saco, STANLEY of Medway, STUCKEY of Portland, WELSH of Rockport.

Bill "An Act To Allow Maine's Harness Racing Industry To Compete with Casino Gaming"

(H.P. 780) (L.D. 1111)

Sponsored by Representative GIFFORD of Lincoln.

Cosponsored by Senator COLLINS of York and Representatives: CRAY of Palmyra, LONG of Sherman, STANLEY of Medway.

**Pursuant to Statute**

**Criminal Law Advisory Commission**

Representative DION for the **Criminal Law Advisory Commission** pursuant to the Maine Revised Statutes, Title 17-A, section 1354, subsection 2 asks leave to report that the accompanying Bill "An Act To Amend the Maine Juvenile Code and Related Statutes"

(H.P. 782) (L.D. 1112)

Be **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

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

**REPORTS OF COMMITTEE**

**Change of Committee**

Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act Relating to the Unlawful Cutting of Trees"

(S.P. 26) (L.D. 59)

Reporting that it be **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY**.

Came from the Senate with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY**.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** in concurrence.

**CONSENT CALENDAR**

**First Day**

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

(H.P. 301) (L.D. 451) Bill "An Act To Cap Certain Marine Resources Licenses Issued by the Passamaquoddy Tribe" Committee on **MARINE RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-8)**

On motion of Representative KUMIEGA of Deer Isle, was **REMOVED** from the First Day Consent Calendar.

The Unanimous Committee Report was **READ** and **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-8)** was **READ** by the Clerk and **ADOPTED**.

Under suspension of the rules, the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-8)** and sent for concurrence.

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

**CONSENT CALENDAR**

**Second Day**

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

(S.P. 15) (L.D. 23) Bill "An Act To Lower the Cost of Copies of Medical Records"

(S.P. 88) (L.D. 252) Bill "An Act Regarding Registration and Correction of Death Information on Death Certificates"

(S.P. 119) (L.D. 286) Bill "An Act To Reduce Reporting Responsibilities of the Department of Agriculture, Conservation and Forestry"

(S.P. 133) (L.D. 353) Bill "An Act To Allow Young Adult Offenders To Be Confined in Juvenile Correctional Facilities and To Comply with Federal Law Requirements"

(S.P. 134) (L.D. 354) Bill "An Act To Amend the County Jail Inspection Requirement for Nationally Accredited Facilities"

(S.P. 151) (L.D. 371) Resolve, Regarding Revenue from the World Acadian Congress Commemorative Registration Plate (EMERGENCY)

(S.P. 13) (L.D. 21) Bill "An Act To Amend the Motor Vehicle Laws Governing Requisite Tire Size" (C. "A" S-4)

(S.P. 32) (L.D. 81) Bill "An Act To Amend the Charter of the Ogunquit Sewer District" (C. "A" S-5)

(H.P. 148) (L.D. 187) Bill "An Act To Permit Temporary Operation of a Motor Vehicle with an Expired Operator's License Solely for the Purpose of Traveling Home or Renewing the License"

(H.P. 197) (L.D. 288) Bill "An Act Concerning Brucellosis Vaccines for Cattle"

(H.P. 230) (L.D. 321) Resolve, Directing the Probate and Trust Law Advisory Commission To Review Maine's Probate Code and the Uniform Probate Code

(H.P. 235) (L.D. 325) Bill "An Act To Repeal Provisions of the Law That Apply or Refer to State Facilities for Persons with Intellectual Disabilities"

(H.P. 6) (L.D. 4) Resolve, Regarding Legislative Review of Chapter 675: Infrastructure Surcharge and Capital Reserve Accounts, a Major Substantive Rule of the Public Utilities Commission (EMERGENCY) (C. "A" H-7)

(H.P. 73) (L.D. 91) Bill "An Act To Raise the School Construction Bond Cap" (C. "A" H-5)

(H.P. 234) (L.D. 324) Bill "An Act To Make Supplemental Allocations from the Highway Fund and Other Funds for the Expenditures of State Government Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2013" (EMERGENCY) (C. "A" H-6)

No objections having been noted at the end of the Second Legislative Day, the Senate Papers were **PASSED TO BE ENGROSSED** or **PASSED TO BE ENGROSSED as Amended** in concurrence and the House Papers were **PASSED TO BE**

**ENGROSSED** or **PASSED TO BE ENGROSSED** as Amended and sent for concurrence.

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**BILLS IN THE SECOND READING**  
**House**

Bill "An Act To Increase Municipal Agent Fees for Licensing and Registration of Motor Vehicles"

(H.P. 280) (L.D. 405)

Reported by the Committee on **Bills in the Second Reading**, read the second time, the House Paper was **PASSED TO BE ENGROSSED** and sent for concurrence.

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**ENACTORS**  
**Acts**

An Act To Amend the Laws Governing Payment of Fees to Registers of Deeds

(H.P. 44) (L.D. 49)

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

**UNFINISHED BUSINESS**

The following matters, in the consideration of which the House was engaged at the time of adjournment Thursday, March 14, 2013, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

Bill "An Act To Make Bylaws and Minutes of Board Meetings of Publicly Funded Hospitals Subject to the Freedom of Access Act"

(H.P. 476) (L.D. 684)

- In House, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** on February 26, 2013.

- In Senate, **REFERRED** to the Committee on **JUDICIARY** in **NON-CONCURRENCE**.

TABLED - March 14, 2013 (Till Later Today) by Representative McCABE of Skowhegan.

**PENDING - FURTHER CONSIDERATION.**

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

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Bill "An Act Relating to Employee Leasing Company Registration"

(H.P. 715) (L.D. 1017)

(Committee on **INSURANCE AND FINANCIAL SERVICES** suggested)

TABLED - March 14, 2013 (Till Later Today) by Representative COOPER of Yarmouth.

**PENDING - REFERENCE.**

Subsequently, the Bill was **REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT**, ordered printed 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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Bill "An Act Regarding the Disclosure of Certain Records in Criminal Matters"

(H.P. 623) (L.D. 900)

- In House, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** on March 7, 2013.

- In Senate, **REFERRED** to the Committee on **JUDICIARY** in **NON-CONCURRENCE.**

TABLED - March 14, 2013 (Till Later Today) by Representative McCABE of Skowhegan.

**PENDING - FURTHER CONSIDERATION.**

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

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**SENATE PAPERS**

Bill "An Act To Authorize a General Fund Bond Issue To Expand Nursing Programs at Maine's Seven Community Colleges"

(S.P. 372) (L.D. 1090)

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

(S.P. 377) (L.D. 1095)

Bill "An Act To Authorize a General Fund Bond Issue To Support Waterfront Development"

(S.P. 383) (L.D. 1101)

Bill "An Act To Authorize a General Fund Bond Issue To Revitalize Maine's Downtowns through Innovative Business Development and the Creative Economy"

(S.P. 388) (L.D. 1105)

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

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

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Bill "An Act To Provide for Alternatives for the Courts To Address Settlement of Fines in Certain Cases"

(S.P. 361) (L.D. 1079)

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, Directing the Department of Education To Develop a Process To Provide Alternative Pathways To Learning for Certain High School Students

(S.P. 365) (L.D. 1083)

Bill "An Act To Amend the Laws Governing Students Experiencing Education Disruption"

(S.P. 378) (L.D. 1096)

Bill "An Act To Encourage Teacher Input in Education Policy"

(S.P. 380) (L.D. 1098)

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 Establish the Renewable Energy Feed-in Tariff"

(S.P. 367) (L.D. 1085)

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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Bill "An Act To Improve Efficiency in the Collection of Beverage Containers"

(S.P. 362) (L.D. 1080)

Bill "An Act Regarding Reconstruction of Residential Structures on Sand Dunes" (EMERGENCY)

(S.P. 384) (L.D. 1102)

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

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

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Resolve, To Allow York County To Renegotiate with the Department of Health and Human Services a Decision Regarding Transportation Services

(S.P. 371) (L.D. 1089)

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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Resolve, To Establish the Task Force on the Creation of a State of Maine Partnership Bank (EMERGENCY)

(S.P. 360) (L.D. 1078)

Bill "An Act To Fully Implement Health Insurance Exchanges and To Make Maine Law Consistent with Federal Law"

(S.P. 376) (L.D. 1094)

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 Establish Legislative Standing in Judicial Proceedings"

(S.P. 363) (L.D. 1081)

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 Concerning Workers' Compensation and Short-term Disability Insurance in Maine"

(S.P. 369) (L.D. 1087)

Bill "An Act To Clarify the Criteria of the Health Professions Loan Program as It Affects Physicians Practicing Neurology-psychiatry"

(S.P. 375) (L.D. 1093)

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 the Sale of Incidentally Caught Lobsters"

(S.P. 379) (L.D. 1097)

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 Amend the Androscoggin County Charter"

(S.P. 366) (L.D. 1084)

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 Concerning the Ability of Off-premises Liquor Licensees To Dispense Liquor in Sealed Refillable Containers"

(S.P. 364) (L.D. 1082)

Bill "An Act To Revise the Laws Governing Candidate Nominations by Petition"

(S.P. 368) (L.D. 1086)

Bill "An Act To Provide Another Funding Source To Better Maintain Veterans' Cemeteries"

(S.P. 370) (L.D. 1088)

Bill "An Act Relating to Sales of Lottery Tickets by Convenience Stores"

(S.P. 386) (L.D. 1104)

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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The following Joint Resolution: (S.P. 387)  
**JOINT RESOLUTION IN HONOR OF ST. PATRICK'S DAY AND IN RECOGNITION OF THE IRISH CONTRIBUTION TO MAINE AND TO THE UNITED STATES**

WHEREAS, St. Patrick is the patron saint of Ireland, known for bringing Christianity to Ireland and, it is said, for instilling a sense of literacy and learning that allowed Ireland to become the "isle of saints and scholars" when the rest of Europe was in the Dark Ages; and

WHEREAS, the feast day of St. Patrick is a national holiday that is given recognition outside its native land, which indicates the Irish influence throughout the world; and

WHEREAS, the modern secular holiday of St. Patrick's Day was first celebrated in America in Boston during colonial days and the first St. Patrick's Day Parade in New York City was in 1766, and now St. Patrick's Day is celebrated all over America with pride; and

WHEREAS, millions of Irish people emigrated from Ireland in the 1800s to escape brutal poverty and starvation due to the Irish potato famine, and most of those people came to America to start new lives and to embrace and contribute to a new land; and

WHEREAS, tens of thousands of Irish immigrants arrived in New England and many came to Maine, and the Irish have been an important part of Maine's culture, history and society ever since; and

WHEREAS, within a few years of their arrival in the United States and in Maine, these Irish immigrants became part of the American cultural landscape while preserving the best of their native culture, and they dedicated themselves to helping build this Nation and State; and

WHEREAS, the Maine Irish Heritage Center, housed in the former St. Dominic's Church in Portland, is dedicated to preserving the history of Irish culture in Maine; and

WHEREAS, four signers of the Declaration of Independence were Irish-born and nine signers were of Irish ancestry and 19

Presidents of the United States have proudly claimed Irish heritage, including George Washington, the father of our country; John Fitzgerald Kennedy; and Ronald Reagan; and

WHEREAS, the 44,000,000 Americans of Irish ancestry, like their forebears, continue to enrich all aspects of life in the United States, in science, education, art, agriculture, business, industry, literature, music, athletics, entertainment and military and government service; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-sixth Legislature now assembled in the First Regular Session, on behalf of the people we represent, take this opportunity to encourage the celebration of St. Patrick's Day, and, recognizing the valuable contribution to our State and to our Nation of all Irish-American citizens, we urge the citizens of the State to commend and celebrate the integrity and richness of the Irish culture.

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

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**ENACTORS**  
**Emergency Measure**

An Act Relating to Certain Marine Resources Licenses

(H.P. 301) (L.D. 451)

(C. "A" H-8)

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. 134 voted in favor of the same and 2 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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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 item appeared on the Consent Calendar for the First Day:

(H.P. 423) (L.D. 604) Bill "An Act Regarding Commercial Elver Fishing Licenses Issued by the Penobscot Nation" (EMERGENCY) Committee on **MARINE RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-9)**

On motion of Representative KUMIEGA of Deer Isle, was **REMOVED** from the First Day Consent Calendar.

The Unanimous Committee Report was **READ** and **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-9)** was **READ** by the Clerk and **ADOPTED**.

Under suspension of the rules, the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-9)** and sent for concurrence.

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

On motion of Representative McCABE of Skowhegan, the House adjourned at 11:48 a.m., until 10:00 a.m., Thursday, March 21, 2013 in honor and lasting tribute to Jeannette Florence Charrier Jarvais, of Skowhegan, Francis W. Thibodeau, of Old Town and Richard E. Valentino, of Saco.