

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
24th Legislative Day
Tuesday, March 26, 2013

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

Prayer by Honorable Brian M. Duprey, Pastor, Unbreakable Spirit Ministries, Hampden.

National Anthem by Tina Charest, Augusta.

Pledge of Allegiance.

Doctor of the day, Honorable Linda F. Sanborn, M.D., Gorham (retired).

The Journal of Thursday, March 21, 2013 was read and approved.

SENATE PAPERS

Bill "An Act To Update and Revise the Laws Governing the Maine Arts Commission"

(S.P. 382) (L.D. 1100)

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.

Bill "An Act To Achieve Economic Growth by Enhancing Science, Technology, Engineering and Mathematics Education and To Meet Workforce Needs"

(S.P. 393) (L.D. 1132)

Joint Select Committee on **MAINE'S WORKFORCE AND ECONOMIC FUTURE** suggested and ordered printed.

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.

Bill "An Act To Increase the Use of Long-term Care Insurance"

(S.P. 374) (L.D. 1092)

Committee on **HEALTH AND HUMAN SERVICES** suggested and ordered printed.

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

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

Bill "An Act To Require Nonprofit Corporations To Disclose the Salaries of Their Employees"

(S.P. 373) (L.D. 1091)

Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** suggested and ordered printed.

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

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

Non-Concurrent Matter

Resolve, Regarding Legislative Review of Portions of Chapter 2: Rules Concerning the Processing of Applications and Other

Administrative Matters, a Major Substantive Rule of the Department of Environmental Protection (EMERGENCY)

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

Unanimous **REFER TO THE COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES** pursuant to the **Maine Revised Statutes, Title 5, section 8072** Report of the **Department of Environmental Protection READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **JUDICIARY** in the House on March 7, 2013.

Came from the Senate with the Unanimous **REFER TO THE COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES** pursuant to the **Maine Revised Statutes, Title 5, section 8072** Report of the **Department of Environmental Protection READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** in **NON-CONCURRENCE**.

On motion of Representative WELSH of Rockport, **TABLED** pending **FURTHER CONSIDERATION** and later today assigned.

COMMUNICATIONS

The Following Communication: (H.P. 825)

**TOWN OF ARROWSIC
340 ARROWSIC ROAD
ARROWSIC, MAINE 04530**

March 11, 2013

Honorable Mark W. Eves

Speaker of the House

2 State House Station

Augusta, Maine 04333

Dear Speaker Eves:

As members of the Town of Arrowsic Select Board, we are concerned over the direction of the State budget and economic plans as laid out in the recently proposed biennial budget. Like many small towns in Maine, Arrowsic has one primary source of revenue - property taxes - that are assessed without regard to a person's income and therefore unrelated to his or her ability to pay taxes. Property taxes are the only revenue we can raise to provide the basic services - schooling, roads, garbage collection, emergency response - that our citizens need.

The State of Maine, on the other hand, has the power to establish a fairer tax system that takes personal and corporate income into account and that distributes the burden across wealthier and poorer towns. We have a joint responsibility to the citizens of Maine to create a State-Municipal mix of revenues and spending on services that serve our common goals and interests.

For this reason, we urge you to work with the State legislature to craft a biennial budget that fully funds the State's obligations to municipalities in terms of revenue sharing, General Assistance, and the 55% contribution to local schools that was passed by referendum. We ask that you refrain from expanding property tax exemptions, an action which reduces the Town's tax base and which exacerbates inequities in the property tax burden.

In order to do this, we recognize that the State will need to raise revenues. However, the State has the authority and instruments to do this in an equitable fashion that avoids the harsh impact that would otherwise result from shifting the burden so massively to property taxes.

S/Sukey Heard

S/Michele Gaillard

S/William Savedoff

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

Sent for concurrence.

The Following Communication: (H.P. 856)

**TOWN OF BENTON
BOARD OF SELECTMEN
RESOLUTION 01-13**

A RESOLUTION PROVIDING FOR:

**URGING THE MAINE STATE LEGISLATURE TO CRAFT A
BIENNIAL STATE BUDGET THAT PREVENTS A SIGNIFICANT
INCREASE IN PROPERTY TAXES**

BE IT RESOLVED by the Selectmen of the Town of Benton, acting as the municipal officers as follows:

WHEREAS, the Governor's proposed biennial budget includes the suspension of municipal revenue sharing and other revenue sources that would result in an estimated \$200,000.00 or more in lost revenue to the Town of Benton; and

WHEREAS, the proposed budget includes the elimination of the \$10,000 Homestead Exemption for those under 65 years of age; and

WHEREAS, the proposed budget includes changes to the Business Equipment Tax Reimbursement Program and the shifting of some commercial excise taxes from Municipalities to the State; and

WHEREAS, these proposed changes in state policy would shift a significant financial burden onto property taxpayers, which would result in an estimated \$200.00 increase in property taxes for the average Benton household owned by persons under 65 years of age with a property assessed at \$100,000.00, without corresponding cuts that would have a far-reaching and detrimental impact on essential municipal services; and

WHEREAS, the property tax implications referenced above do not include the additional tax levy from the School District as a result of the proposed biennial budget;

NOW, THEREFORE BE IT RESOLVED

THAT the Selectmen of Benton, Maine hereby urge the Maine State Legislature to craft a biennial budget compromise that considers the already high property tax burden, seeks 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.

Read, voted on, and adopted by the Selectmen of the Town of Benton on March 18, 2013.

Benton Board of Selectmen

S/Antoine Morin

S/Melissa Patterson

S/Daniel Chamberlain

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

Sent for concurrence.

The Following Communication: (H.P. 869)

**MAINE SCHOOL ADMINISTRATIVE DISTRICT #49
OFFICE OF THE SUPERINTENDENT OF SCHOOLS
8 SCHOOL STREET
FAIRFIELD, MAINE 04937**

March 21, 2013

Honorable Mark W. Eves

Speaker of the House

2 State House Station

Augusta, Maine 04333

Dear Speaker Eves:

The M.S.A.D. #49 Board of School Directors, representing the towns of Albion, Benton, Clinton and Fairfield, has asked that I forward the enclosed resolution to you. The Board adopted this resolution at our meeting on March 7, 2013. We are all

concerned that a permanent shift of responsibility for teacher retirement from the state to local districts will have a detrimental effect. The retirement payments must be paid at the expense of other urgent operating costs, if necessary. The shift of net cost is not merely an accounting exercise but a structural transfer of funding responsibility. Any state subsidy directed at retirement in the current proposal would create the false impression that the state is increasing its percentage of support required by LD #1. Unfortunately, the opposite would be the clear effect.

The Board appreciates the support historically shown by our legislative representatives for education. If you have any questions, please feel free to contact me or the superintendent.

Thank you.

Sincerely,

S/Steven Grenier

Chair, MSAD 49 Board of School Directors

Maine Administrative School District #49
Board of Directors

A RESOLUTION PROVIDING FOR:

**URGING THE MAINE STATE LEGISLATURE TO CRAFT A
BIENNIAL STATE BUDGET THAT PREVENTS A SIGNIFICANT
INCREASE IN PROPERTY TAXES.**

BE IT RESOLVED by the Board of Directors of Maine School Administrative District #49, as follows:

WHEREAS, the Governor's proposed biennial budget includes shifting more than \$28 million in retirement costs onto school districts--a cost shift the state says it will partially subsidize for now, but for which there are no guarantees for the future; and

WHEREAS, under the Maine Constitution the sole responsibility and authority for public education is given to the Maine Legislature; and

WHEREAS, more than 60 years ago, the Maine Legislature established the Maine State Retirement System, mandating that all teachers be included in the retirement system; and

WHEREAS, the teacher retirement system is a defined benefit plan where retirement benefits are determined based on earnings and years of service; and

WHEREAS, the state is proposing shifting \$28 million of the state retirement obligation to local school systems to be funded by property taxes; and

WHEREAS, the relative property wealth of individual school districts varies widely from district to district, which directly affects the amount of money which a local school district can raise for the support of education; and

WHEREAS, the state is proposing funding only 50% and not the 55% as mandated by the school funding formula.

NOW, THEREFORE, BE IT RESOLVED.

THAT the Board of Directors of School Administrative District #49, hereby urges the Maine State Legislature to craft a biennial budget compromise that considers the already high property tax burden, and which does not add to this burden by transferring the Legislature's fiduciary responsibility for teacher retirement to local school districts, and further that the state continue to fully fund teacher retirement now and in the future.

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

Sent for concurrence.

The Following Communication: (H.C. 109)

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

March 26, 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:"

Judiciary

L.D. 135 An Act To Require All Government Documents To Be Posted on the Internet

L.D. 207 An Act Regarding the Factors Considered in Determining the Best Interest of a Child in a Court Award of Parental Rights and Responsibilities

L.D. 376 An Act To Amend the Laws Concerning the Adoption of Siblings

Taxation

L.D. 341 An Act To Provide a Tax Credit to Employers That Hire Certain Veterans

L.D. 361 An Act To Promote Plug-in Electric Vehicle Sales

L.D. 412 An Act To Expand Employment Tax Increment Financing To Support Job Creation

L.D. 492 An Act To Increase Reimbursement to Municipalities under the Maine Tree Growth Tax Law

L.D. 561 An Act To Support Maine Farms and Alleviate Hunger

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.

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

The following Bills, Resolves and Resolutions 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 Regarding the Disposition of Firearms in State Custody"

(H.P. 826) (L.D. 1182)

Sponsored by Representative **TIMBERLAKE** of Turner.

Cosponsored by Senator **MASON** of Androscoggin and Representatives: **BEAR** of the Houlton Band of Maliseet Indians, **BLACK** of Wilton, **CRAFTS** of Lisbon, **CRAY** of Palmyra, **DILL** of Old Town, **GIFFORD** of Lincoln, **LONG** of Sherman, **SHAW** of Standish.

Bill "An Act To Prohibit the Enforcement of Federal Law Placing Restrictions on Firearms or Ammunition"

(H.P. 827) (L.D. 1183)

Sponsored by Representative **JOHNSON** of Edgington.

Cosponsored by Representative **LIBBY** of Waterboro and Representatives: **GUERIN** of Glenburn, **TURNER** of Burlington, **TYLER** of Windham, **WILLETTE** of Mapleton, **WILSON** of Augusta, **WOOD** of Sabattus, Senator: **YOUNGBLOOD** of Penobscot.

Bill "An Act To Regulate and Tax Marijuana"

(H.P. 868) (L.D. 1229)

Sponsored by Representative **RUSSELL** of Portland.

Cosponsored by Senator **VALENTINO** of York and Representatives: **BEAR** of the Houlton Band of Maliseet Indians, **BEAVERS** of South Berwick, **BECK** of Waterville, **BOLDUC** of Auburn, **CHAPMAN** of Brooksville, **CHIPMAN** of Portland, **DICKERSON** of Rockland, **DUNPHY** of Embden, **FARNSWORTH** of Portland, **HAMANN** of South Portland, **HARLOW** of Portland, **HARVELL** of Farmington, **HAYES** of Buckfield, **HICKMAN** of Winthrop, **JORGENSEN** of Portland, **KRUGER** of Thomaston, **LAJOIE** of Lewiston, **LIBBY** of Waterboro, **LIBBY** of Lewiston, **MacDONALD** of Boothbay, **MITCHELL** of the Penobscot Nation, **MONAGHAN-DERRIG** of Cape Elizabeth, **MOONEN** of Portland, **MORRISON** of South Portland, **NOON** of Sanford, **PEOPLES** of Westbrook, **POWERS** of Naples, **RYKERSON** of Kittery, **STANLEY** of Medway, **STUCKEY** of Portland, **WELSH** of Rockport, **WOOD** of Sabattus, Senators: **GERZOFISKY** of Cumberland, **MAZUREK** of Knox.

EDUCATION AND CULTURAL AFFAIRS

Bill "An Act Regarding Special Education Requirements for School Administrative Units That Do Not Operate Any Schools"

(H.P. 828) (L.D. 1184)

Sponsored by Representative **DILL** of Old Town.

Cosponsored by Senator **SAVIELLO** of Franklin and Representatives: **STANLEY** of Medway, **THERIAULT** of Madawaska, **TURNER** of Burlington, Senators: **JACKSON** of Aroostook, **SHERMAN** of Aroostook.

Bill "An Act To Enhance Efforts To Use Locally Produced Food in Schools"

(H.P. 829) (L.D. 1185)

Sponsored by Representative **McCABE** of Skowhegan.

Cosponsored by President **ALFOND** of Cumberland and Representatives: **BLACK** of Wilton, **MacDONALD** of Boothbay, **McCLELLAN** of Raymond, **RANKIN** of Hiram, Senators: **JOHNSON** of Lincoln, **LANGLEY** of Hancock, **MILLETT** of Cumberland.

Bill "An Act To Amend the Compulsory School Attendance Laws"

(H.P. 871) (L.D. 1231)

Sponsored by Representative **POULIOT** of Augusta.

Cosponsored by Senator **CAIN** of Penobscot and Representatives: **DAUGHTRY** of Brunswick, **JOHNSON** of Greenville, **MAKER** of Calais, **McCLELLAN** of Raymond, Senator: **CUSHING** of Penobscot.

ENERGY, UTILITIES AND TECHNOLOGY

Bill "An Act To Create the Maine Energy Cost Reduction Authority"

(H.P. 831) (L.D. 1187)

Sponsored by Representative **FREDETTE** of Newport.

Cosponsored by Senator **CLEVELAND** of Androscoggin and Representatives: **CHASE** of Wells, **HARVELL** of Farmington.

ENVIRONMENT AND NATURAL RESOURCES

Bill "An Act To Allow Removal of Trees for Shoreline Stabilization Adjacent to Coastal Wetlands under the Natural Resources Protection Act"

(H.P. 830) (L.D. 1186)

Sponsored by Representative CAMPBELL of Orrington.

Cosponsored by Senator MASON of Androscoggin and Representatives: BENNETT of Kennebunk, JOHNSON of Eddington, PEASE of Morrill, WELSH of Rockport.

Bill "An Act To Prohibit Coal Tar Pavement Products"

(H.P. 857) (L.D. 1212)

Sponsored by Representative DAUGHTRY of Brunswick.

Cosponsored by Senator MILLETT of Cumberland and Representatives: CHIPMAN of Portland, GIDEON of Freeport, HICKMAN of Winthrop, HUBBELL of Bar Harbor, JORGENSEN of Portland, KRUGER of Thomaston, McCLELLAN of Raymond, NELSON of Falmouth.

Bill "An Act To Protect Public Health by Regulating Excessive Wood Smoke as a Nuisance"

(H.P. 860) (L.D. 1215)

Sponsored by Representative SANBORN of Gorham.

Cosponsored by Senator LACHOWICZ of Kennebec and Representative: KESCHL of Belgrade.

Committee on **ENVIRONMENT AND NATURAL RESOURCES** suggested.

On motion of Representative WELSH of Rockport, **TABLED** pending **REFERENCE** and later today assigned.

HEALTH AND HUMAN SERVICES

Bill "An Act To Ensure the Integrity of Neuropsychological Testing Materials"

(H.P. 820) (L.D. 1155)

Sponsored by Representative FARNSWORTH of Portland.

Cosponsored by Representative: HAMANN of South Portland.

Resolve, Directing the Department of Health and Human Services To Amend Its Rules of Reimbursement under the MaineCare Program for Audiology and Speech-language Pathology Services

(H.P. 832) (L.D. 1188)

Sponsored by Representative HERBIG of Belfast.

Cosponsored by Senator PATRICK of Oxford and Representatives: CAREY of Lewiston, CASSIDY of Lubec, FARNSWORTH of Portland, ROCHELO of Biddeford, STUCKEY of Portland.

Bill "An Act Regarding Implementation of Cost-of-living Increases for Nursing Facilities" (EMERGENCY)

(H.P. 833) (L.D. 1189)

Sponsored by Representative GATTINE of Westbrook.

Bill "An Act To Reduce Costs and Increase Access to Methadone Treatment"

(H.P. 858) (L.D. 1213)

Sponsored by Representative LOCKMAN of Amherst.

Cosponsored by Senator GRATWICK of Penobscot, Senator CUSHING of Penobscot and Representatives: CASSIDY of Lubec, FREY of Bangor, GOODE of Bangor, KORNFIELD of Bangor, SCHNECK of Bangor.

Bill "An Act To Require a Mandatory Assessment by a Physician prior to Psychotropic or Electroconvulsive Therapy"

(H.P. 859) (L.D. 1214)

Sponsored by Representative SIROCKI of Scarborough.

INLAND FISHERIES AND WILDLIFE

Bill "An Act To Require the Secretary of State To Issue Certificates of Title for All-terrain Vehicles, Snowmobiles and Watercraft"

(H.P. 834) (L.D. 1190)

Sponsored by Representative WALLACE of Dexter.

Cosponsored by Senator GRATWICK of Penobscot and Representatives: FITZPATRICK of Houlton, FREDETTE of Newport, GIFFORD of Lincoln, MORIARTY of Cumberland, NADEAU of Winslow, PRIEST of Brunswick, Senator: WHITTEMORE of Somerset.

Bill "An Act To Strengthen the Fishing Laws"

(H.P. 835) (L.D. 1191)

Sponsored by Representative ESPLING of New Gloucester.

Cosponsored by Senator DUTREMBLE of York and Representatives: BRIGGS of Mexico, DAVIS of Sangerville, EVANGELOS of Friendship, KUSIAK of Fairfield, MARKS of Pittston.

Submitted by the Department of Inland Fisheries and Wildlife pursuant to Joint Rule 204.

INSURANCE AND FINANCIAL SERVICES

Bill "An Act Prohibiting Property Insurance Discrimination Based on Breed of Dog"

(H.P. 836) (L.D. 1192)

Sponsored by Representative CHENETTE of Saco.

Cosponsored by Representatives: BEAUDOIN of Biddeford, BECK of Waterville, CHIPMAN of Portland, PLANTE of Berwick, Senator: VALENTINO of York.

JUDICIARY

Bill "An Act To Allow a Wrongful Death Cause of Action for the Death of an Unborn Child"

(H.P. 837) (L.D. 1193)

Sponsored by Representative VOLK of Scarborough.

Cosponsored by Senator TUTTLE of York and Representatives: BEAVERS of South Berwick, CASAVANT of Biddeford, ESPLING of New Gloucester, GUERIN of Glenburn, SHORT of Pittsfield, TIMBERLAKE of Turner, VILLA of Harrison.

Bill "An Act To Protect Social Media Privacy in School and the Workplace"

(H.P. 838) (L.D. 1194)

Sponsored by Representative McCLELLAN of Raymond.

Cosponsored by Representatives: DAUGHTRY of Brunswick, HUBBELL of Bar Harbor, MAKER of Calais, POULIOT of Augusta, RUSSELL of Portland, WOOD of Sabattus.

Bill "An Act To Amend the Freedom of Access Act"

(H.P. 861) (L.D. 1216)

Sponsored by Representative CAREY of Lewiston.

Cosponsored by Senator THOMAS of Somerset and Representatives: BEAULIEU of Auburn, CROCKETT of Bethel, EVANGELOS of Friendship, HARVELL of Farmington, PRIEST of Brunswick, Senators: HILL of York, KATZ of Kennebec, PATRICK of Oxford.

LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT

Bill "An Act To Update a Reference Contained in the Maine Uniform Building and Energy Code"

(H.P. 821) (L.D. 1156)

Sponsored by Representative RUSSELL of Portland.

Bill "An Act To Establish the Fair Chance for Employment Act"

(H.P. 822) (L.D. 1157)

Sponsored by Representative RUSSELL of Portland.

Cosponsored by Senator JACKSON of Aroostook.

Bill "An Act To Protect the Privacy of Job Applicants"

(H.P. 839) (L.D. 1195)

Sponsored by Representative JONES of Freedom.

Cosponsored by Representatives: BEAVERS of South Berwick, CHIPMAN of Portland, HICKMAN of Winthrop, SANDERSON of Chelsea, VILLA of Harrison.

Bill "An Act To Amend the Postgraduate Education Requirements for Physicians Who Have Completed an Accredited Residency Program in Oral and Maxillofacial Surgery"

(H.P. 840) (L.D. 1196)

Sponsored by Representative VOLK of Scarborough.

Cosponsored by Senator CUSHING of Penobscot and Representatives: DeCHANT of Bath, KENT of Woolwich, MONAGHAN-DERRIG of Cape Elizabeth, SIROCKI of Scarborough.

Bill "An Act To Allow Stores under 10,000 Square Feet To Be Open on Certain Holidays"

(H.P. 841) (L.D. 1197)

Sponsored by Representative JOHNSON of Eddington.

Cosponsored by Senator YOUNGBLOOD of Penobscot and Representatives: BENNETT of Kennebec, CAMPBELL of Orrington, GILLWAY of Searsport, PEASE of Morrill, PEAVEY HASKELL of Milford, TURNER of Burlington.

Bill "An Act To Protect Earned Pay"

(H.P. 842) (L.D. 1198)

Sponsored by Representative HERBIG of Belfast.

Cosponsored by Senator PATRICK of Oxford and Representatives: CAMPBELL of Newfield, GILBERT of Jay, HAMANN of South Portland, MASON of Topsham, MASTRACCIO of Sanford.

Bill "An Act Regarding Mobile Home Ownership"

(H.P. 843) (L.D. 1199)

Sponsored by Representative HERBIG of Belfast.

Cosponsored by Senator CAIN of Penobscot and Representatives: CAREY of Lewiston, DAUGHTRY of Brunswick, FREY of Bangor, GOODE of Bangor, LUCHINI of Ellsworth, MOONEN of Portland, ROTUNDO of Lewiston, TIPPING-SPITZ of Orono.

Bill "An Act To Impose a Duty To Warn and Protect on Mental Health Professionals"

(H.P. 844) (L.D. 1200)

Sponsored by Representative EVANGELOS of Friendship.

Cosponsored by Senator PATRICK of Oxford and Representatives: DORNEY of Norridgewock, FREDETTE of Newport, MARKS of Pittston, PRINGLE of Windham, SHORT of Pittsfield, STUCKEY of Portland, VOLK of Scarborough, WELSH of Rockport.

Bill "An Act To Protect Employees from Abusive Work Environments"

(H.P. 845) (L.D. 1201)

Sponsored by Representative GIDEON of Freeport.

Cosponsored by Senator JACKSON of Aroostook and Representatives: CASSIDY of Lubec, ESPLING of New Gloucester, LONGSTAFF of Waterville, LUCHINI of Ellsworth, SCHNECK of Bangor, TIPPING-SPITZ of Orono, Senator: GERZOSKY of Cumberland.

Bill "An Act To Update the Maine Veterinary Practice Act"

(H.P. 846) (L.D. 1202)

Sponsored by Representative DILL of Old Town.

Cosponsored by Senator CAIN of Penobscot and Representatives: BLACK of Wilton, CRAY of Palmyra, MAREAN of Hollis, MORIARTY of Cumberland, NOON of Sanford, PRINGLE of Windham, SHAW of Standish.

Bill "An Act To Encourage Financing of Manufactured Housing for the Workforce"

(H.P. 847) (L.D. 1203)

Sponsored by Representative VOLK of Scarborough.

Cosponsored by Senator KATZ of Kennebec and Representatives: FOWLE of Vassalboro, MacDONALD of Old Orchard Beach, NADEAU of Winslow, SIROCKI of Scarborough, Senators: CUSHING of Penobscot, PATRICK of Oxford, THIBODEAU of Waldo, WHITTEMORE of Somerset.

Bill "An Act To Modify Franchise Territories for Personal Sports Mobile Dealerships"

(H.P. 862) (L.D. 1217)

Sponsored by Representative JONES of Freedom.

Bill "An Act To Improve Access to Oral Health Care"

(H.P. 870) (L.D. 1230)

Sponsored by Speaker EVES of North Berwick.

Cosponsored by Representative SIROCKI of Scarborough, Senator BURNS of Washington and Representatives: BEAVERS of South Berwick, BOLAND of Sanford, CAMPBELL of Newfield, CASSIDY of Lubec, CHIPMAN of Portland, CROCKETT of Bethel, DAVIS of Sangerville, DUNPHY of Embden, EVANGELOS of Friendship, FARNSWORTH of Portland, GATTINE of Westbrook, GIFFORD of Lincoln, GOODE of Bangor, HAMANN of South Portland, HARVELL of Farmington, JORGENSEN of Portland, KESCHL of Belgrade, KINNEY of Limington, KNIGHT of Livermore Falls, KORNFIELD of Bangor, LIBBY of Waterboro, MASTRACCIO of Sanford, MORIARTY of Cumberland, ROTUNDO of Lewiston, SCHNECK of Bangor, SHAW of Standish, SOCTOMAH of the Passamaquoddy Tribe, STUCKEY of Portland, THERIAULT of Madawaska, TURNER of Burlington, WALLACE of Dexter, Senators: CRAVEN of Androscoggin, HASKELL of Cumberland, HILL of York, JACKSON of Aroostook, MAZUREK of Knox, PATRICK of Oxford, PLUMMER of Cumberland, TUTTLE of York, WOODBURY of Cumberland.

STATE AND LOCAL GOVERNMENT

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Increase the Length of Terms of Senators to 4 Years

(H.P. 823) (L.D. 1158)

Sponsored by Representative VOLK of Scarborough.

Cosponsored by Senator THOMAS of Somerset and Representatives: BERRY of Bowdoinham, CHASE of Wells, CLARK of Easton, DION of Portland, ESPLING of New Gloucester, EVANGELOS of Friendship, Speaker EVES of North Berwick, FARNSWORTH of Portland, GIDEON of Freeport, GILBERT of Jay, GRANT of Gardiner, HAMANN of South Portland, HOBBS of Saco, HUBBELL of Bar Harbor, KENT of Woolwich, KNIGHT of Livermore Falls, KUMIEGA of Deer Isle, LIBBY of Lewiston, LOCKMAN of Amherst, LUCHINI of Ellsworth, MacDONALD of Old Orchard Beach, MASON of Topsham, MASTRACCIO of Sanford, MONAGHAN-DERRIG of Cape Elizabeth, MORRISON of South Portland, NADEAU of Fort Kent, PEASE of Morrill, PEOPLES of Westbrook, POWERS of Naples, ROCHELO of Biddeford, RUSSELL of Portland, RYKERSON of Kittery, SCHNECK of Bangor, SHAW of Standish, SHORT of Pittsfield, SIROCKI of Scarborough, STANLEY of Medway, TIMBERLAKE of Turner, TREAT of Hallowell, TYLER of Windham, WALLACE of Dexter, WELSH of Rockport, WILLETTE of Mapleton, WILSON of Augusta, WINSOR of

Norway, Senators: President ALFOND of Cumberland, COLLINS of York, CUSHING of Penobscot, PATRICK of Oxford, SHERMAN of Aroostook, THIBODEAU of Waldo, WOODBURY of Cumberland.

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Require the President of the Senate and the Speaker of the House of Representatives To Be Maine Natives (H.P. 865) (L.D. 1220)

Bill "An Act To Clarify the Appeal Process of Code Enforcement Officers and Boards of Appeal" (H.P. 848) (L.D. 1204)

Sponsored by Representative HOBBS of Saco.

Committee on **STATE AND LOCAL GOVERNMENT** suggested.

On motion of Representative GRAHAM of North Yarmouth, **TABLED** pending **REFERENCE** and later today assigned.

TAXATION

Bill "An Act To Lower the Rate of Excise Tax on Older Vehicles To Acknowledge the Longer Life Span of Motor Vehicles"

(H.P. 849) (L.D. 1205)

Sponsored by Representative CRAY of Palmyra.

Cosponsored by Senator COLLINS of York and Representatives: CRAFTS of Lisbon, GIFFORD of Lincoln, TIMBERLAKE of Turner.

Bill "An Act To Ensure Equity in the Taxation of Food Items"

(H.P. 850) (L.D. 1206)

Sponsored by Representative MacDONALD of Boothbay.

Cosponsored by Representatives: RANKIN of Hiram, SANBORN of Gorham.

Bill "An Act To Expand the Property Tax Exemption for Veterans Who Are 100% Disabled"

(H.P. 851) (L.D. 1207)

Sponsored by Representative CROCKETT of Bethel.

Cosponsored by Senator TUTTLE of York and Representatives: BEAULIEU of Auburn, DAVIS of Sangerville, DeCHANT of Bath, MONAGHAN-DERRIG of Cape Elizabeth, PRIEST of Brunswick, VILLA of Harrison, WILSON of Augusta, Senator: BURNS of Washington.

Bill "An Act To Amend the Law Regarding Affordable Housing Tax Increment Financing"

(H.P. 863) (L.D. 1218)

Sponsored by Representative MOONEN of Portland.

Cosponsored by Senator: HASKELL of Cumberland.

Bill "An Act To Promote Tourism and Economic Development"

(H.P. 866) (L.D. 1227)

Sponsored by Representative CHIPMAN of Portland.

Cosponsored by Representatives: EVANGELOS of Friendship, GOODE of Bangor, LIBBY of Lewiston, MOONEN of Portland, STANLEY of Medway, TIPPING-SPITZ of Orono, Senators: HASKELL of Cumberland, MILLETT of Cumberland.

TRANSPORTATION

Resolve, To Establish the Commuter and Passenger Rail Advisory Task Force (EMERGENCY)

(H.P. 852) (L.D. 1208)

Sponsored by Representative VEROW of Brewer.

Cosponsored by Representative CHIPMAN of Portland, Senator YOUNGBLOOD of Penobscot and Representatives: BECK of

Waterville, BROOKS of Winterport, CAMPBELL of Orrington, CAREY of Lewiston, FREY of Bangor, GILLWAY of Searsport, GOODE of Bangor, GUERIN of Glenburn, KUSIAK of Fairfield, LONGSTAFF of Waterville, LUCHINI of Ellsworth, NADEAU of Winslow, SCHNECK of Bangor, SHORT of Pittsfield, STANLEY of Medway, TURNER of Burlington, WERTS of Auburn, WILSON of Augusta, Senator: MAZUREK of Knox.

Bill "An Act To Prohibit the Use of Public Resources for a Privately Owned East-west Highway"

(H.P. 853) (L.D. 1209)

Sponsored by Representative CASSIDY of Lubec.

Cosponsored by Representatives: CHAPMAN of Brooksville, CHENETTE of Saco, GIDEON of Freeport, NOON of Sanford, RYKERSON of Kittery.

VETERANS AND LEGAL AFFAIRS

Bill "An Act To Ensure Compliance with the Laws Governing Elections"

(H.P. 854) (L.D. 1210)

Sponsored by Representative LUCHINI of Ellsworth.

Cosponsored by Senator TUTTLE of York and Representative: BEAULIEU of Auburn, Senators: MASON of Androscoggin, PATRICK of Oxford.

Bill "An Act To Amend the Laws Concerning Absentee Ballots"

(H.P. 855) (L.D. 1211)

Sponsored by Representative COTTA of China.

Bill "An Act To Establish a Run-off Process for the Election of the Governor, United States Senator or United States Representative"

(H.P. 864) (L.D. 1219)

Sponsored by Representative EVANGELOS of Friendship.

Cosponsored by Senator WOODBURY of Cumberland and Representatives: BOLDUC of Auburn, BROOKS of Winterport, CASAVANT of Biddeford, JONES of Freedom, KAENRATH of South Portland, KRUGER of Thomaston, LIBBY of Lewiston, Senator: PATRICK of Oxford.

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 Address Human Trafficking, Sex Trafficking and Prostitution"

(H.P. 824) (L.D. 1159)

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.

Pursuant to Statute

Administrator of the Unorganized Territory

Representative GOODE for the **Administrator of the Unorganized Territory** pursuant to the Maine Revised Statutes, Title 36, section 1604 asks leave to report that the accompanying Bill "An Act To Establish Municipal Cost Components for Unorganized Territory Services To Be Rendered in Fiscal Year 2013-14" (EMERGENCY)

(H.P. 867) (L.D. 1228)

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

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

Sent for concurrence.

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 following members of the St. Dominic Academy boys golf team, who won the Class C State Championship: players Zack DeBlois, John Marcous, Andrew Marcous, Reid Allen, Mike Richard, Mitch Lorenz, Mike Bryant, Matt Keaney, Nate Richard, Manoli Gammaitoni and Brendan Donovan; head coach Kevin Cullen; junior varsity coach and assistant varsity coach Laurie Cullen; and junior high coach Christine Richard. This is the 4th time the school has earned this title in 7 years, and we congratulate the members of the team on this achievement;

(HLS 86)

Presented by Representative BEAULIEU of Auburn.

Cosponsored by Senator CLEVELAND of Androscoggin, Representative WERTS of Auburn, Representative BOLDUC of Auburn.

On **OBJECTION** of Representative BEAULIEU of Auburn, was **REMOVED** from the Special Sentiment Calendar.

READ.

The **SPEAKER**: The Chair recognizes the Representative from Auburn, Representative Beaulieu.

Representative **BEAULIEU**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. St. Dominic Regional High School is a small school located about two miles from my home in Auburn. Thank heaven they happen to be in my district. The majority of the students are residents of the Lewiston-Auburn area and the immediate town surrounding these two communities. There are a number of reasons to honor this fine institution, but today I would like to focus on a group of young men who successfully competed and won the Class C State Golf Championship in 2012. The members of this team reflect the very fine traditions of this outstanding academic institution as well as the determined leadership of their coach, Kevin Cullen, and the dedication and support of the athletic director, Mr. Lee Hickson. In their quest for this championship, their passion, spirit and ambition run parallel. They are humble in their success and exemplify true sportsmanship and respect for their opponents. Both team members and coaches should be extremely proud of their achievement, this being the fourth time in a seven-year stretch to have reached this particular goal. To an athlete, the championship is the highest of all prizes. To their adults, admirers and supervisors, the knowledge that these competitors were gentlemen on and off the playing field is indicative of having attained true championship status. Congratulations for your outstanding accomplishments and thank you for coming today. Thank you, members of the House.

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

In Memory of:

Major Gregory W. Sanborn, Deputy Chief Game Warden, of Sidney, a 23-year veteran of the Maine Warden Service and dedicated public servant. Major Sanborn, born in Bridgton, graduated from Fryeburg Academy in 1984 and received his bachelor's degree from the University of Southern Maine in 1988. He taught industrial arts in Bingham and in Fryeburg. His lifelong dream to become a Maine Game Warden was realized in 1990 after he graduated from the Maine Criminal Justice Academy and the Maine Warden School. His various assignments took him to the Kittery district and then the Sebago district. In 1997, he was promoted to sergeant, serving in Calais until he transferred to Lincoln. In 2004, he was promoted to major and assigned to Augusta, working tirelessly to uphold professional standards and to ensure that the agency was meeting the demands of the times. We acknowledge the exemplary life and career of Major Sanborn and his commitment to public service and to the State. He will be greatly missed by his loving wife, Deborah, his family and those whose lives he touched;

(SLS 108)

READ and ADOPTED.

On motion of Representative BERRY of Bowdoinham, the House **RECONSIDERED** its action whereby the Sentiment was **ADOPTED**.

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

REPORTS OF COMMITTEE

Divided Report

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass** on Bill "An Act To Reduce Youth Cancer Risk"

(S.P. 105) (L.D. 272)

Signed:

Senators:

CRAVEN of Androscoggin
LACHOWICZ of Kennebec

Representatives:

FARNSWORTH of Portland
CASSIDY of Lubec
DORNEY of Norridgewock
GATTINE of Westbrook
McELWEE of Caribou
STUCKEY of Portland

Minority Report of the same Committee reporting **Ought Not to Pass** on same Bill.

Signed:

Senator:

HAMPER of Oxford

Representatives:

MALABY of Hancock
SANDERSON of Chelsea
SIROCKI of Scarborough

Representative BEAR of the Houlton Band of Maliseet Indians - of the House - supports the Majority **Ought to Pass** Report.

Came from the Senate with the Majority **OUGHT TO PASS** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.

READ.

Representative FARNSWORTH of Portland moved that the House **ACCEPT** the Majority **Ought to Pass** Report.

Representative FREDETTE of Newport **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought to Pass** Report.

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

The SPEAKER: The Chair recognizes the Representative from Chelsea, Representative Sanderson.

Representative **SANDERSON**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. In 2009, there was a Resolve to further regulate the use of tanning booths by minors here in the State of Maine. Forty-five months later, the rules adopted are just coming out now for adoption. Forty-five months later. These rules are quite restrictive and they are for minors under 14 years of age. They will prohibit the use of tanning devices, and for minors 14 years and older, they are going to require the tanning facility operator to confirm the identification of the minor and the minor's parent and legal guardian because 14 and 15-year-old minors who want to use a legal tanning booth must have a parent onsite with them while they use it. For 16 and 17 year-olds, the parents must physically go into the establishment and sign a permission slip after reading and understanding the required disclosures of the risks surrounding tanning. These new rules also require operator training. Passage of this legislation denying teenagers with consent by their parents will actually hurt more people than it helps, because what's going to happen is we are going to have, independent studies have shown, that teens will simply tan more aggressively outdoors or will turn to unregulated home tanning beds in the basements of their friends. Here we have the opportunity, with these rules in place now about to be adopted, to have these teens tan, who will do so, with or without our permission, those of us who are sitting in this chamber, but they will do so with a controlled environment with parental consent. Thank you.

The SPEAKER: The Chair recognizes the Representative from Gorham, Representative Sanborn.

Representative **SANBORN**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I stand in favor of LD 272, "An Act To Reduce Youth Cancer Risk." The facts are pretty straightforward as it relates to this bill. UV radiation from indoor tanning devices significantly raises the risk of melanoma, the most deadly form of skin cancer, and the rate of melanoma is on the rise. The World Health Organization International Agency for Research on Cancer lists UV radiation from tanning devices as a Class I carcinogen, the highest risk category that can be given for cancer. Melanoma is the second most common form of cancer in adolescence and youth 15 to 24 and the most common for ages 25 to 29. A study of young people calculated that indoor tanning directly caused three out of four melanomas occurring in persons under age 30. Despite the restrictions already in place in Maine, 14.2 percent of females in the ninth grade used indoor tanning in the past 12 months and that rate rises to 38 percent by the twelfth grade. Indoor tanning use by Maine teens exceeds the national average. Public awareness of the risk is suboptimal. This was illustrated to me recently right in this Legislature. A member of our caucus initially said that she would allow her daughter to tan in a tanning booth prior to prom until she became aware by discussing the need for this bill, that even a onetime exposure raises the risk of melanoma in a person under the age of 35 by 75 percent. Parents don't understand that they are putting their children at risk by allowing this form of tanning. Melanoma is a preventable disease to a large extent. If one must tan, there are other safer alternatives. By passing LD 272 to

prohibit minors under the age of 18 from using indoor tanning devices, we make people more aware of the risk. We can make a difference in the melanoma rate, and, most importantly, we can save young lives. Thank you and please follow my light.

The SPEAKER: The Chair recognizes the Representative from Hancock, Representative Malaby.

Representative **MALABY**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of reducing youth cancer, but I am opposed to this bill. This bill, in its essence, highlights the division and thought, if you will, between one side and the other. There are some of us here who feel that personal responsibility is essential to health care and to controlling its costs. There are others who feel that health care is a right and the state should provide it. I am troubled by the fact that we are not allowing the work of the 124th Legislature to be effectuated. They have adopted rules, they are stringent and we are bypassing them. I wonder, too, what is the role of the parents? Lastly, in order to reduce this risk, I wonder when this House will vote to ban the sun.

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

Representative **HARVELL**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. It might well be called "An Act to Neuter Parents." Every dystopia ever written from the beginning of time has had one major theme. That is to assault the family. Why, because it is an organic institution that actually is the greatest threat to the state in the annals of time. Why do we do this? What's the fun in actually giving parents information and allowing them to make the decision when you want to have Munchausen by proxy taking place, where you can keep a population sick and then become their savior? Already when you go to a tanning salon, they must actually read a statement on the potential risk. The parents know it. I say we let them make the decisions. I, for one, know that I don't want to be a parent of 1.3 million people.

The SPEAKER: The Chair recognizes the Representative from Chelsea, Representative Sanderson.

Representative **SANDERSON**: Thank you very much, Mr. Speaker. I would just like to add a couple of points here, Ladies and Gentlemen of the House. This was distributed to your desk at my request at one point, but I would like to remind you that the question is, is this a public health issue or is it a competitive issue? This is one of the points for you to ponder. Dermatology has lost \$5 billion in phototherapy business as clients are opting for more affordable self-treatment of cosmetic skin diseases and tanning salons. Dermatology uses identical sunbeds in their offices to treat cosmetic skin diseases. Phototherapy sessions cost as much as \$150 a session and are billed to insurance company. If artificial UV devices were dangerous in some report, why would dermatologists continue to use phototherapy sunbeds for the safe treatment – and it is deemed safe treatment – of cosmetic skin conditions. Also, the science doesn't support it. Professional training salons are not the problem. Banned proponents have misrepresented the World Health Organization's data on this topic, which actually points to medical use of sunbeds for the treatment of cosmetic skin diseases and unmonitored home tanning units. That's where they get their percentages from. They don't get it from professional tanning salons which are working under regulations. They are working on a controlled environment. Thank you very much.

The SPEAKER: The Chair recognizes the Representative from Yarmouth, Representative Cooper.

Representative **COOPER**: Thank you, Mr. Speaker. When my daughter was in high school, she was going to the prom and wanted to get a tan and I thought, well, if you do to a tanning

salon, surely it's safer than lying out in the sun because it's a constant stream of regulated radiation waves and so forth. But to make sure, I went to my pediatrician and spoke to her nurse, Annie Bryant, who said, actually it is more dangerous. The reason I bring this story up is that I see this bill as a public health issue that educates both children and their parents. I don't think it is widely known just how dangerous these tanning booths are, and this is a way to get that information across.

The SPEAKER: The Chair recognizes the Representative from North Yarmouth, Representative Graham.

Representative **GRAHAM**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this motion. If you look at me, I am a very pale, unless I kind of put the makeup on, Irish skinned lass who, when I was in high school, would go down to Sand Beach in Bar Harbor and lie really flat so I could get a tan. Well, it wasn't a tan. It was a really big burn. I had lots and lots of burns throughout my childhood adolescence because I didn't know it was a bad thing. Neither did my father, who was a surgeon, thought it was a bad thing. So, go forward, hey, I wanted to have a really good tan when I got married, baby. I was living in those tanning beds. Well, I don't have melanoma yet, but I have basal cell carcinoma. When I go to the doctor and I check off whether I have cancer or not, you know what? I do. I've had a least a dozen or more basal cell carcinomas because I burned as a child. If someone had told me that that was unsafe to be in tanning beds or to get sunburns, probably I wouldn't do it. This is a bill that says pay attention to the risks. Have clear informed consent. Because otherwise, the peer pressure that these adolescents have, particularly our young women who want to look bronze for their prom, will continue to do this. So I have cancer and the reason I have cancer is because I sat in the sun a lot. And, by the way, I still do, but I wear sunscreen. So please, I ask that you support the motion on the floor.

The SPEAKER: The Chair recognizes the Representative from Norridgewock, Representative Dorney.

Representative **DORNEY**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I hope that you will support this bill. I have been a family practitioner for 30 years. I have seen people with melanoma. I have seen people with skin cancers. This is a public health issue. We are having increasing numbers of skin cancers in this country. This is one thing that we can do to protect our children. Just like we have laws on how kids this age drive their cars, we have laws on tobacco. We have laws on alcohol use. This is a public health issue that we need to address and I appreciate what the last Legislature did to try to help this problem, but I actually think that we have to have more regulation to help protect the health of our children. I hope that you will support the bill. I have also had skin cancers myself and appreciate what Representative Graham has said.

The SPEAKER: A roll call has been ordered. The pending question before the House is Acceptance of the Majority Ought to Pass Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 8

YEA - Ayotte, Beaudoin, Beavers, Berry, Boland, Brooks, Campbell J, Carey, Casavant, Cassidy, Chapman, Chenette, Chipman, Cooper, Daughtry, Devin, Dickerson, Dill, Dion, Dorney, Evangelos, Farnsworth, Fowle, Frey, Gattine, Gideon, Gilbert, Goode, Graham, Grant, Hamann, Hayes, Herbig, Hickman, Hobbins, Hubbell, Jorgensen, Kent, Kornfield, Kruger, Kumiega, Kusiak, Lajoie, Libby N, Longstaff, Luchini, MacDonald W, Marks, Mastraccio, McCabe, McGowan, McLean, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau C,

Nelson, Noon, Peoples, Powers, Priest, Pringle, Rankin, Rochelo, Rotundo, Russell, Sanborn, Saucier, Schneck, Shaw, Stanley, Stuckey, Theriault, Tipping-Spitz, Treat, Verow, Villa, Volk, Welsh, Werts, Mr. Speaker.

NAY - Beaulieu, Bennett, Black, Campbell R, Chase, Clark, Cotta, Crafts, Cray, Crockett, Davis, DeChant, Doak, Dunphy, Duprey, Espling, Fitzpatrick, Fredette, Gifford, Gillway, Guerin, Harlow, Harvell, Jackson, Johnson D, Johnson P, Jones, Keschl, Kinney, Knight, Libby A, Lockman, Long, MacDonald S, Maker, Malaby, Marean, Mason, McClellan, McElwee, Nadeau A, Newendyke, Nutting, Parry, Pease, Peavey Haskell, Plante, Pouliot, Reed, Sanderson, Saxton, Short, Sirocki, Timberlake, Turner, Tyler, Wallace, Weaver, Willette, Wilson, Winchenbach, Winsor, Wood.

ABSENT - Beck, Bolduc, Briggs, Kaenrath, Peterson, Rykerson.

Yes, 82; No, 63; Absent, 6; Excused, 0.

82 having voted in the affirmative and 63 voted in the negative, with 6 being absent, and accordingly the Majority **Ought to Pass** Report was **ACCEPTED**.

The Bill was **READ ONCE** and was assigned for **SECOND READING** Wednesday, March 27, 2013.

CONSENT CALENDAR

First Day

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

(S.P. 91) (L.D. 255) Bill "An Act To Establish July 27th as Maine Korean War Veteran Recognition Day" (EMERGENCY) Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass**

(S.P. 158) (L.D. 416) Bill "An Act To Allow Complainants in Disciplinary Actions To Attend Informal Conferences Held by the State Board of Nursing in Executive Session" Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass**

(H.P. 298) (L.D. 426) Bill "An Act To Provide for the Continuity of a Veterinary Practice Subsequent to the Death or Incapacitation of the Owner" Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass**

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

(H.P. 205) (L.D. 296) Bill "An Act To Equalize the Fire Investigation and Prevention Tax Paid by Insurers" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass**

On motion of Representative DION of Portland, was **REMOVED** from the First Day Consent Calendar.

The Unanimous Committee Report was **READ**.

On further motion of the same Representative, **TABLED** pending **ACCEPTANCE** of the Committee Report and later today assigned.

CONSENT CALENDAR

Second Day

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

(S.P. 117) (L.D. 284) Bill "An Act To Amend the Duties of the Division of Forestry"

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

ENACTORS
Emergency Measure

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

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. 141 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.

Emergency Measure

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

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. 133 voted in favor of the same and 4 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

Acts

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

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

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

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

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

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

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

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

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.

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

21, 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 Strengthen Basic Telephone Service"
(H.P. 548) (L.D. 797)

(Committee on **ENERGY, UTILITIES AND TECHNOLOGY** suggested)

TABLED - March 5, 2013 (Till Later Today) by Representative HOBBS of Saco.

PENDING - **REFERENCE**.

Subsequently, the Bill was **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY**, ordered printed and sent for concurrence.

Bill "An Act To Create the Children's Wireless Protection Act"
(H.P. 711) (L.D. 1013)

- In House, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** on March 14, 2013.

- In Senate, **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** in **NON-CONCURRENCE**.

TABLED - March 21, 2013 (Till Later Today) by Representative BERRY of Bowdoinham.

PENDING - **FURTHER CONSIDERATION**.

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

SENATE PAPERS

Resolve, Regarding the Transfer of State Property To Assist the Save the Depot Project in Greenville

(S.P. 407) (L.D. 1170)

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.

Bill "An Act To Authorize a General Fund Bond Issue To Fund Main Street and Downtown Economic Development Projects"

(S.P. 400) (L.D. 1163)

Bill "An Act To Amend the Laws Governing Retirement Benefits for Capitol Police Officers"

(S.P. 412) (L.D. 1175)

Bill "An Act To Authorize a General Fund Bond Issue for the Maine Community Reinvestment and Job Creation Fund"

(S.P. 417) (L.D. 1180)

Bill "An Act To Authorize a General Fund Bond Issue To Support the Maine Technology Institute's Action Plan Implementation"

(S.P. 421) (L.D. 1223)

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

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

Bill "An Act To Repeal the Law Allowing Concealed Weapons in State Parks with Certain Exceptions"

(S.P. 410) (L.D. 1173)

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.

Bill "An Act To Reduce Obesity among Schoolchildren"

(S.P. 397) (L.D. 1160)

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.

Bill "An Act To Encourage the Use of Biofuels in the State"

(S.P. 415) (L.D. 1178)

Bill "An Act To Further Strengthen the Protection of Pregnant Women and Children from Toxic Chemicals"

(S.P. 418) (L.D. 1181)

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

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

Bill "An Act To Ensure Regulated Safe Access to Medical Marijuana"

(S.P. 398) (L.D. 1161)

Bill "An Act To Improve the Safety of Workers Who Provide Direct Mental Health and Social Services"

(S.P. 402) (L.D. 1165)

Bill "An Act Regarding Records Retention by Mental Health Practitioners"

(S.P. 403) (L.D. 1166)

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.

Resolve, To Establish the Commission To Study the Creation of a State and Federal Fish and Wildlife Museum at the Massabesic Experimental Forest in Alfred and Lyman (EMERGENCY)

(S.P. 411) (L.D. 1174)

Bill "An Act To Strengthen Maine's Wildlife Laws"

(S.P. 423) (L.D. 1225)

Came from the Senate, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed.

REFERRED to the Committee on **INLAND FISHERIES AND WILDLIFE** in concurrence.

Bill "An Act To Ensure the Rights of Patients"

(S.P. 399) (L.D. 1162)

Bill "An Act Regarding the Maine Guaranteed Access Reinsurance Association"

(S.P. 404) (L.D. 1167)

Bill "An Act To Require Health Insurers To Use One Geographic Area as Permitted by the Federal Patient Protection and Affordable Care Act"

(S.P. 413) (L.D. 1176)

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

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

Bill "An Act To Create the Brunswick Landing Job Increment Financing Fund"

(S.P. 416) (L.D. 1179)

Bill "An Act To Preserve the Dynamic Status Quo Pending Expiration of Collective Bargaining Agreements"

(S.P. 419) (L.D. 1221)

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

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

Bill "An Act To Support the Maine Downtown Center"

(S.P. 409) (L.D. 1172)

Came from the Senate, **REFERRED** to the Joint Select Committee on **MAINE'S WORKFORCE AND ECONOMIC FUTURE** and ordered printed.

REFERRED to the Joint Select Committee on **MAINE'S WORKFORCE AND ECONOMIC FUTURE** in concurrence.

Resolve, To Allow Certain Holders of Lobster and Crab Fishing Licenses To Harvest River Herring for Personal Use as Bait

(S.P. 408) (L.D. 1171)

Bill "An Act Regarding Advertising of Maine Shellfish"

(S.P. 422) (L.D. 1224)

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

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

Bill "An Act To Ensure Accountability in State Contracts"

(S.P. 406) (L.D. 1169)

Bill "An Act To Implement the Recommendations from the Discontinued and Abandoned Roads Stakeholder Group"

(S.P. 414) (L.D. 1177)

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

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

Bill "An Act To Allow Cooperative Housing Owners Who Are Blind To Qualify for the Property Tax Exemption"

(S.P. 401) (L.D. 1164)

Bill "An Act To Improve Maine Veterans' Property Tax Exemptions"

(S.P. 424) (L.D. 1226)

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

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

Resolve, To Establish the Commission To Study How To Improve Maine's Transportation Infrastructure (EMERGENCY)

(S.P. 405) (L.D. 1168)

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

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

Resolve, To Create a Task Force on Maine's Ethics and Transparency Laws (EMERGENCY)

(S.P. 420) (L.D. 1222)

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

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

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

On motion of Representative DILL of Old Town, the House adjourned at 11:25 a.m., until 10:00 a.m., Wednesday, March 27, 2013 in honor and lasting tribute to Russell W. Libby, of Mt. Vernon.