

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
26th Legislative Day
Thursday, March 28, 2013

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

Prayer by Kurt Nelson, Dean of Religious and Spiritual Life, Colby College, Waterville.

National Anthem by Sarah Ann Vigue, Dexter.

Pledge of Allegiance.

Doctor of the day, Samuel Cady, M.D., Yarmouth.

The Journal of yesterday was read and approved.

SENATE PAPERS

Bill "An Act To Improve Professional Training for Licensed Mental Health Clinicians"

(S.P. 432) (L.D. 1238)

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.

COMMUNICATIONS

The Following Communication: (H.P. 897)

**YORK SCHOOL DEPARTMENT
OFFICE OF THE SUPERINTENDENT OF SCHOOLS
469 U.S. ROUTE ONE
YORK, MAINE 03909-1638**

March 20, 2013

WHEREAS, the Governor's unprecedented biennial budget proposal places school districts and towns in an untenable and uncertain fiscal position during their budget planning; and

WHEREAS, the proposal falls \$200 million short of funding local schools at the 55% level passed in referendum; would continue cuts to the state's reimbursement of General Purpose Aid by an estimated \$12.6 million; would shift more than \$28 million in retirement costs onto school districts resulting in significant losses of local tax revenue; and

WHEREAS, the above shifts costs to towns, particularly the more than 70 minimum receivers in the state, whose only major means of raising revenue is property taxes, be it

RESOLVED, the York School Committee calls upon the Maine State Legislature to reject these proposals, identify harmful cost savings, and raise revenue in an equitable fashion to avoid this regressive tax shift.

Respectfully submitted,

S/Tim Fitzgerald, Chair

for the York School Committee

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

Sent for concurrence.

The Following Communication: (H.P. 898)

**ROCKPORT, MAINE
101 MAIN STREET
ROCKPORT, MAINE 04856**

March 11, 2013

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

WHEREAS, this biennial budget proposal calls for redirecting that portion of the sales and income tax revenues normally distributed to municipalities under the Revenue Sharing Program toward balancing the State Budget; and

WHEREAS, this biennial budget proposal calls for redirecting commercial vehicle excise tax revenues away from municipalities toward balancing the State Budget; and

WHEREAS, this biennial budget proposal dramatically curtails the Homestead and Circuit Breaker programs designed to reduce local resident property tax burdens for the purpose of balancing the State Budget; and

WHEREAS, this biennial budget proposal calls for the elimination of the BETR program that reimburses municipalities for lost personal property taxes for the purpose of balancing the State Budget; and

WHEREAS, this biennial budget proposal calls for drastically reducing funding to local schools (again failing to meet the Citizen Referendum mandate of 55% support) for the purpose of balancing the State Budget; therefore, be it

RESOLVED, that the Select Board for the Town of Rockport calls upon the Maine Legislature and Senator Edward Mazurek (Knox County) and Representative Joan Welsh (Camden-Rockport) to reject these proposals and restore revenue sharing to municipalities, retain full funding of General Assistance reimbursements, maintain the homestead and circuit breaker relief programs, restore excise taxes to previous levels, retain the BETR program and support to schools in order to avoid this regressive tax shift.

S/William Chapman, Chair

S/Charlton Ames, Vice-Chair

S/Tracy Lee Murphy, Member

S/Geoffrey Parker, Member

S/Kenneth McKinley, Member

S/Roger Moody, Interim Town Manager

March 14, 2013

A True Copy, Attest:

S/Linda M. Greenlaw, Town Clerk

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

Sent for concurrence.

The Following Communication: (H.C. 110)

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

March 28, 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 Inland Fisheries and Wildlife has approved the request by the Sponsor, Representative Briggs of Mexico, to report the following "Leave to Withdraw":

L.D. 543

An Act To Create Reciprocity of All-terrain Vehicle Registration with the State of New Hampshire

Pursuant to Joint Rule 310, the Committee on Education and Cultural Affairs has approved the request by the Sponsor, Representative Carey of Lewiston, to report the following "Leave to Withdraw":

L.D. 1002 An Act Regarding the Required Local Contribution in the School Funding Formula

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

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

The Following Communication: (H.C. 111)

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

March 28, 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:"

Health and Human Services

L.D. 650 Resolve, To Require the Department of Health and Human Services To Seek a Federal Waiver of Certain Requirements Regarding Contracting for Transportation Services under MaineCare

L.D. 710 Resolve, Requiring the Department of Health and Human Services To Adopt an Alternative MaineCare Nonemergency Transportation System to the Current Risk-based Prepaid Ambulatory Health Plan (EMERGENCY)

Inland Fisheries and Wildlife

L.D. 86 Resolve, Directing the Department of Inland Fisheries and Wildlife To Amend Its Process of Gathering Public Opinion on Rulemaking and Other Projects

Labor, Commerce, Research and Economic Development

L.D. 36 An Act To Amend the Laws Governing Record Keeping for Pawn Transactions

L.D. 116 An Act To Amend the Laws Governing Pine Tree Development Zones To Require Payment of a Livable Wage

L.D. 554 Resolve, Requiring the Department of Economic and Community Development To Market the Positive Attributes of the State of Maine

L.D. 732 An Act To Impose a Holding Period during Which a Dealer in Secondhand Precious Metals Must Retain Property

Taxation

L.D. 400 An Act To Amend the Maine Tree Growth Tax Law

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

CRIMINAL JUSTICE AND PUBLIC SAFETY

Bill "An Act To Allow Ignition Interlock Devices on Vehicles Operated by First-time Offenders of Operating Under the Influence"

(H.P. 899) (L.D. 1260)

Sponsored by Representative NUTTING of Oakland.

Cosponsored by Representative MALABY of Hancock, Senator PLUMMER of Cumberland and Representatives: CASAVANT of Biddeford, DION of Portland, PEASE of Morrill, TYLER of Windham.

EDUCATION AND CULTURAL AFFAIRS

Bill "An Act To Improve Access for Maine Students to Postsecondary Education"

(H.P. 900) (L.D. 1261)

Sponsored by Representative LIBBY of Lewiston.

Cosponsored by Senator MILLETT of Cumberland and Representatives: BEAULIEU of Auburn, CAREY of Lewiston, COTTA of China, DAUGHTRY of Brunswick, KNIGHT of Livermore Falls, MALABY of Hancock, POULIOT of Augusta, VOLK of Scarborough.

ENERGY, UTILITIES AND TECHNOLOGY

Bill "An Act To Reduce Energy Costs"

(H.P. 901) (L.D. 1262)

Sponsored by Representative FREDETTE of Newport.

INLAND FISHERIES AND WILDLIFE

Bill "An Act To Increase Funding for the Snowmobile Trail Fund and Adjust the Sales Tax Relating to Snowmobiles and Trail-grooming Equipment"

(H.P. 902) (L.D. 1263)

Sponsored by Representative STANLEY of Medway.

Bill "An Act Allowing the Harvesting of Yellow Perch with Seines" (EMERGENCY)

(H.P. 903) (L.D. 1264)

Sponsored by Representative KNIGHT of Livermore Falls.

Cosponsored by Senator THOMAS of Somerset and Representatives: BEAR of the Houlton Band of Maliseet Indians, DAVIS of Sangerville, DEVIN of Newcastle, DILL of Old Town, JACKSON of Oxford, KENT of Woolwich, MARKS of Pittston, SHAW of Standish.

Bill "An Act To Strengthen Maine's Assent Language for Participation in the Federal Aid in Wildlife Restoration Act"

(H.P. 904) (L.D. 1265)

Sponsored by Representative DAVIS of Sangerville.

Cosponsored by Senator DUTREMBLE of York and Representative: SHAW of Standish.

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

INSURANCE AND FINANCIAL SERVICES

Bill "An Act To Provide the Securities Administrator with the Power To Investigate Potential Violations Involving the Sale of Business Opportunities"

(H.P. 905) (L.D. 1266)

Sponsored by Representative FITZPATRICK of Houlton.

Cosponsored by Senator CUSHING of Penobscot and Representative: BECK of Waterville.

Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.

LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT

Bill "An Act To Recodify the Land Surveyor Licensing Laws"

(H.P. 906) (L.D. 1267)

Sponsored by Representative HERBIG of Belfast.

Cosponsored by Senator CUSHING of Penobscot and Representative: CAMPBELL of Newfield.

Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.

TRANSPORTATION

Bill "An Act To Update Driver Education Requirements"

(H.P. 907) (L.D. 1268)

Sponsored by Representative PEOPLES of Westbrook.

Cosponsored by Representatives: GATTINE of Westbrook, GRAHAM of North Yarmouth, MONAGHAN-DERRIG of Cape Elizabeth, VEROW of Brewer, Senator: MAZUREK of Knox.

Bill "An Act To Require an Independent Analysis of the Impact of and a Review Process for an East-west Highway prior to Development"

(H.P. 908) (L.D. 1269)

Sponsored by Representative CHAPMAN of Brooksville.

Cosponsored by Representatives: CASSIDY of Lubec, HARLOW of Portland.

VETERANS AND LEGAL AFFAIRS

Bill "An Act To Provide That Innkeepers and Certain Campground Operators Are Not Considered Landlords" (EMERGENCY)

(H.P. 909) (L.D. 1270)

Sponsored by Representative VEROW of Brewer.

Cosponsored by Senator THOMAS of Somerset and Representatives: BROOKS of Winterport, GRAHAM of North Yarmouth.

Bill "An Act To Increase Transparency in Reporting of Party Committees, Political Action Committees and Ballot Question Committees"

(H.P. 910) (L.D. 1271)

Sponsored by Representative CAREY of Lewiston.

Cosponsored by Senator TUTTLE of York and Representatives: BEAULIEU of Auburn, KESCHL of Belgrade, LUCHINI of Ellsworth, Senators: LANGLEY of Hancock, MASON of Androscoggin, PATRICK of Oxford, YOUNGBLOOD of Penobscot.

Bill "An Act To Amend the Process of Tenant Eviction"

(H.P. 911) (L.D. 1272)

Sponsored by Representative CASAVANT of Biddeford. (BY REQUEST)

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

ORDERS

On motion of Representative TREAT of Hallowell, the following Joint Resolution: (H.P. 896) (Cosponsored by Senator GRATWICK of Penobscot and Representatives: FREDETTE of Newport, GIFFORD of Lincoln, LAJOIE of Lewiston, WALLACE of Dexter)

JOINT RESOLUTION RECOGNIZING MAINE'S CREDIT UNIONS

WHEREAS, Maine's credit unions are member-owned and member-governed financial cooperatives dedicated and committed to serving the needs of their members and communities. The not-for-profit structure of credit unions provides each member with an equal voice and representation in the operations of the credit union. Serving members in all 16 Maine counties and in every community, Maine's credit unions operate with the primary purpose of benefiting the Maine consumers who use credit unions; and

WHEREAS, the economic benefit that Maine's credit unions provide to Maine consumers is approximately \$38,000,000 annually, as a result of lower and fewer fees on products and services, lower interest rates on loans and higher interest rates on savings; and

WHEREAS, Maine is once again ranked as the nation's 5th-strongest credit union state based on the percentage of the population that uses a credit union, a position Maine has held for 10 consecutive years. With more than 627,000 members, credit unions serve nearly one in every 2 Maine residents; and

WHEREAS, the 2,050 full-time and part-time employees of Maine's credit unions and the more than 1,000 unpaid volunteers who serve on credit union boards and committees demonstrate the core credit union values, philosophy and mission of people helping people by contributing to the communities they serve; and

WHEREAS, since 1990 Maine's credit unions and their members have raised \$4,800,000 to help end hunger in Maine. One hundred percent of all money that is raised through the Maine Credit Unions' Campaign for Ending Hunger stays in Maine and goes directly to assist thousands of Maine families and individuals who otherwise would go hungry. In addition to contributing thousands of dollars to food pantries in communities across the State, Maine's credit unions also help to provide funds for statewide initiatives to help end hunger, such as being the primary source of funding for the State's only Food Mobile. In partnership with the Good Shepherd Food-Bank, the Food Mobile has delivered over 2,693,000 pounds of food to food pantries in every Maine county since it began in 2005; and

WHEREAS, in 2012 Maine's credit unions contributed more than \$1,000,000 to a variety of causes and to a number of organizations, such as financial literacy programs, the American Red Cross and Special Olympics. In the past 10 years, members of Maine's credit unions contributed more than 256,000 hours, including a record of more than 41,500 hours last year, volunteering for organizations and activities in communities throughout the State, making a significant and positive impact not only on the organizations that received this assistance but also on the people who were served by and benefited from the services and resources provided; and

WHEREAS, since 1921 Maine's credit unions have been enhancing the lives of thousands of Maine people, who have been helped to financial success and stability. Throughout Maine, credit unions continue to play a vital economic and

socially responsible role in the lives of individuals and remain a local, significant and stable presence in the communities they serve; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-sixth Legislature, now assembled in the First Regular Session, take this opportunity to recognize the Maine Credit Union League and Maine's credit unions for their positive contributions and the significant role they have played in the lives of Maine citizens and their communities for more than 90 years. Their service and dedication to this State are a tribute to those values and principles that we all hold dear; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Maine Credit Union League and its 61 member credit unions.

READ.

The **SPEAKER:** The Chair recognizes the Representative from Hallowell, Representative Treat.

Representative **TREAT:** Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I just want to let you know that today is Credit Union Day. They will be in the Hall of Flags, members of your own communities that are on the boards or work for the credit unions around the State of Maine. They will be in the Hall of Flags today after 11 and you can read the Resolution for yourself. But I think, just very briefly, I would say that, both as the chair of the Insurance and Financial Services Committee on the House side and as a very satisfied customer of our local credit union, they are a great contributor to the economy of the State of Maine and to our financial services for everybody. So check them out and take a look at the Resolution.

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

Representative **FREDETTE:** Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I've had the opportunity to serve as a board member for a local credit union located in Newport and Pittsfield for approximately the last 16 years. What I'm amazed by is the community work that goes into credit unions. It's local money being invested by local people into the local credit unions, that is then lent out to local people by local decision-making. On Tuesday night, I also attended a dinner at our local credit union where the State of Maine Credit Union League has had a very effective "End Hunger" campaign in Maine, where they have raised substantial amounts of money towards ending hunger. At that event, our local credit union raised approximately \$20,000 that was given to various food pantries throughout our communities. And so my hat is off to those that are members of credit unions, those that serve on the boards of credit unions. The work that they do and what they contribute to this state is immense and I am proud to be a member. Thank you, Mr. Speaker.

Subsequently, the Joint Resolution was **ADOPTED.**
Sent for concurrence.

On motion of Representative RANKIN of Hiram, the following House Order: (H.O. 17)

ORDERED, that Representative Sheryl J. Briggs of Mexico be excused March 26 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Kenneth Wade Fredette of Newport be excused March 14 for legislative business.

AND BE IT FURTHER ORDERED, that Representative Paul E. Gilbert of Jay be excused March 21 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Roger A. Jackson of Oxford be excused March 12 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Megan M. Rochelo of Biddeford be excused March 21 for health reasons.

READ and PASSED.

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

Donald and Patricia Collins, of Caribou, on the occasion of their 65th wedding anniversary. Mr. and Mrs. Collins met at the University of Maine before Mr. Collins served overseas and became a decorated World War II infantryman. They later were married on February 28, 1948. They have been well-respected members of the community and involved in numerous state and local organizations, along with the family business, S.W. Collins Company. Mr. Collins was the Retail Lumber Dealers Association of Maine's first Lumber Person of the Year, is a past president of the Maine State Chamber of Commerce, served as a director of the former Aroostook Trust Company and Maine National Bank and was chairman of the University of Maine Foundation. Mrs. Collins was inducted into the Maine Women's Hall of Fame in 2005, was a member of the University of Maine System Board of Trustees, chaired the Maine Committee for Judicial Responsibility and Disability and led the Catholic Charities of Maine Board of Directors. We join the family and friends of Mr. and Mrs. Collins in extending to them our congratulations and best wishes for continued happiness;

(HLS 98)

Presented by Representative McELWEE of Caribou.
Cosponsored by Senator JACKSON of Aroostook.

On **OBJECTION** of Representative FREDETTE of Newport, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Recognizing:

Conor McCadden, of Calais, a junior at Calais High School, who won a gold medal in the science division at the 2013 Academic Decathlon. We extend our congratulations and best wishes to Conor on his achievement;

(HLS 99)

Presented by Representative MAKER of Calais.
Cosponsored by Senator BURNS of Washington.

On **OBJECTION** of Representative MAKER of Calais, was **REMOVED** from the Special Sentiment Calendar.

READ.

Recognizing:

the following members of the Calais High School Girls Basketball Team, the Blue Devils, who have won the 2013 Eastern Maine Class C Championship: players Jordan Hatch, Madison McVicar, Meaghan Cavanaugh, Mallory Black, Kaylee Johnson, Olivia Smith, Kate Cundiff, Sarah Smith, Jasmine Ross, Carson Hold, Taylorae Carter, Sierra Young and Paige Gillespie; head coach Dana Redding; assistant coaches Darcey Gillespie, Bill McVicar and Laverne Redding; and manager Brooke Smith. We extend our congratulations and best wishes to the members of the team on their accomplishment;

(HLS 100)

Presented by Representative MAKER of Calais.

Cosponsored by Senator BURNS of Washington.

On **OBJECTION** of Representative MAKER of Calais, was **REMOVED** from the Special Sentiment Calendar.

READ.

Recognizing:

Kristen Champagne, of Perry, a senior at Calais High School, who won a gold medal in the art division at the 2013 Academic Decathlon. We extend our congratulations and best wishes to Kristen on her achievement;

(HLS 101)

Presented by Representative MAKER of Calais.

Cosponsored by Senator BURNS of Washington, Representative SOCTOMAH of the Passamaquoddy Tribe.

On **OBJECTION** of Representative MAKER of Calais, was **REMOVED** from the Special Sentiment Calendar.

READ.

Recognizing:

Quinn Sluzenski, of Charlotte, a junior at Calais High School, who won a gold medal in the language and literature division at the 2013 Academic Decathlon. She was also one of the top scorers overall in the honors division. We extend our congratulations and best wishes to Quinn on her achievements;

(HLS 102)

Presented by Representative MAKER of Calais.

Cosponsored by Senator BURNS of Washington.

On **OBJECTION** of Representative MAKER of Calais, was **REMOVED** from the Special Sentiment Calendar.

READ.

The SPEAKER: The Chair recognizes the Representative from Calais, Representative Maker.

Representative **MAKER**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I am very proud today to have the representation from Calais. I am going to start with the Calais High School Academic Decathlon, who is led under the direction of Julia Berry and Stan Sluzenski. I have to say I pronounce this name wrong every time, so I've got to get a lesson on pronouncing this and I apologize. They spent close to 12 hours, on March 2, putting their knowledge against students from across the state in the subject area of Russia. The team earned medals in science, language and literature, music, social sciences, art, and mathematics, and economics. The team won 11 bronze, two silver and three gold medals. Today we are honoring the three that won the gold medals. I would like to say a little bit about each one of them because not only are they academic students, they are achievers in all areas.

Conor McCadden was on the varsity and JV football team. He was on the varsity tennis team. He was captain of the soccer team. He was on the student council, class president. He is on the National Honor Society, a member, concert band, band officer, math team. He is a volunteer at Calais Little League, many other things. He has done a lot of things other than just winning the gold.

Kristen Champagne also was honored. She received an award from the drama festival, being in the drama club. She is also an honor roll student and she is secretary/treasurer for SkillsUSA Team. She participated in track. She works on the yearbook and paints as a hobby.

Quinn is the class secretary. She is first violin in Eastport Strings, the local youth orchestra. She is a 3rd degree brown belt in kenpo karate. She is a two-time state gold medalist in prepared speech for the SkillsUSA. She is a filmmaking club

president. She is also on the National Honor Society. She is a baritone saxophonist in the school's concert band. She is an altar server, a volleyball manager. As you can tell, these students are not just our academic students. They are well-rounded young people.

Last but certainly not least, I would like to tell you about our Calais Lady Blue Devils. They finished the regular season at 18-0 and entered the tournament as the number one team. They gave us a ride of our life and kept us on the edge of our seats. They won their quarterfinal by coming from behind seven points and with 1 minute and 20 seconds left defeated Narraguagus by 1 point. In their semifinal, they defeated Lincoln, 46-45, another one that was very strong. I really was cheering hard this game because I would have never lived it down with being friends of the good Representative from Burlington and the Representative from Lincoln. Their final game was a little easier on my fingernails. They defeated Orono 63-54. In the state championship game, they lost to Waynflete of Portland for the Class C final 59-55. We were very proud of them. They were ahead through three periods and lost it in the last quarter. They kept us all tuned in to that game. Olivia Smith, who is only a sophomore, received an All-Tournament Honorable Mention; Meaghan Cavanaugh, a senior, received All-Tournament; and Madison McVicar, a sophomore, received All-Tournament and Class C MVP. You will see them again next year. They will be losing three seniors but will be left with the remainder of the team. Congratulations, Lady Blue Devils, and we will look forward to next year, doing this again as state champions. Go Blue Devils.

The SPEAKER: The Chair recognizes the Representative from Burlington, Representative Turner.

Representative **TURNER**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. As part of the Washington County delegation, I, too, wish to congratulate the Lady Blue Devils and also the gold medal winners. I look forward to next year. Thank you.

Subsequently, the Sentiments were **PASSED** and sent for concurrence.

Recognizing:

the Town of Columbia Falls, on the occasion of the 150th anniversary of its incorporation as a town. Formerly part of the Town of Columbia, the Town of Columbia Falls was incorporated on March 25, 1863. Situated on the falls of Pleasant River at the head of the tide, the town was well-placed to provide power for early saw and grist mills. We extend our congratulations and best wishes to the good citizens of the Town of Columbia Falls on the sesquicentennial celebration of their town;

(HLS 104)

Presented by Representative DOAK of Columbia Falls.

Cosponsored by Senator BURNS of Washington.

On **OBJECTION** of Representative DOAK of Columbia Falls, was **REMOVED** from the Special Sentiment Calendar.

READ.

The SPEAKER: The Chair recognizes the Representative from Columbia Falls, Representative Doak.

Representative **DOAK**: Mr. Speaker and Ladies and Gentlemen of the House of Representatives. I am pleased to recognize the 150th anniversary of the Town of Columbia Falls as an independent town, which is situated on the banks of the beautiful Pleasant River. A number of town residents, including Chuck Hammond, the committee chairman, have traveled to Augusta and I welcome them to the State House.

It was Native Americans who first came to the land that is

today Columbia Falls. It is here and in surrounding areas that they hunted and fished, had revered and sacred places and left us names such as Wescogus.

It is a pristine village with beautiful homes. One of the two oldest houses still standing in the town is the home of John and Mary Bucknam, built in 1789. I reside in this house, which is on the National Register of Historic Places in the State of Maine.

The town will be hosting a celebration the weekend of June 28, 29 and 30th. Some of the events include a parade, historic house tours and a fireworks display. I extend an invitation to all of you to attend the celebration and experience firsthand the beauty of our town and the fun events that are planned. Thank you, Mr. Speaker.

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

CONSENT ALENDAR
First Day

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

(H.P. 302) (L.D. 452) Bill "An Act Concerning Hurricane Deductibles" Committee on **INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-17)**

(H.P. 341) (L.D. 499) Bill "An Act To Promote Dental Care for Low-income Populations" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-18)**

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

CONSENT CALENDAR
Second Day

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

(S.P. 76) (L.D. 240) Bill "An Act To Allow Motor Fuel Taxable Sales Disclosure"

(S.P. 152) (L.D. 372) Bill "An Act To Transfer the Responsibilities of the Department of Public Safety, Maine Communications System Policy Board to the Bureau of Consolidated Emergency Communications"

(S.P. 224) (L.D. 634) Bill "An Act Regarding Permits for Final Disposition of Dead Human Bodies"

(S.P. 79) (L.D. 243) Resolve, To Direct the Department of Education To Amend Its Rules Regarding Restraint of Students (EMERGENCY) (C. "A" S-6)

(S.P. 82) (L.D. 246) Bill "An Act To Provide for the 2013 and 2014 Allocations of the State Ceiling on Private Activity Bonds" (C. "A" S-9)

(S.P. 93) (L.D. 260) Bill "An Act To Extend Funding for the Loring Job Increment Financing Fund" (C. "A" S-7)

(S.P. 131) (L.D. 351) Bill "An Act To Authorize the Provision of Insurance on Student Loans" (EMERGENCY) (C. "A" S-8)

(H.P. 213) (L.D. 304) Bill "An Act To Amend the Representation on the Telecommunications Relay Services Advisory Council"

(H.P. 307) (L.D. 457) Bill "An Act To Eliminate Certain Data Collection Requirements of the Forest Health and Monitoring Program of the Division of Forestry"

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** and sent for concurrence.

BILLS IN THE SECOND READING
House as Amended

Bill "An Act Concerning the Use of Tobacco Settlement Funds for Children's Health Care"

(H.P. 140) (L.D. 180)
(C. "A" H-10)

Bill "An Act To Adjust Maine's Minimum Wage Annually Based on Cost-of-living Changes"

(H.P. 430) (L.D. 611)
(C. "A" H-16)

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

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

UNFINISHED BUSINESS

The following matters, in the consideration of which the House was engaged at the time of adjournment yesterday, 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 Establish the Maine Length of Service Award Program"

(H.P. 819) (L.D. 1154)

- In House, **REFERRED** to the Committee on **TAXATION** on March 21, 2013.

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

TABLED - March 27, 2013 (Till Later Today) by Representative BERRY of Bowdoinham.

PENDING - FURTHER CONSIDERATION.

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

The SPEAKER: The Chair recognizes the Representative from Calais, Representative Maker, who wishes to address the House on the record.

Representative **MAKER**: Mr. Speaker, I feel like I am taking over this morning and I don't usually do this, but I am so proud of the City of Calais. This particular time I am standing on a prior chief of the City of Calais. He was a friend of mine and, as well, one of the longtime chiefs. Michael Milburn was born in Calais in 1951, son of the late Alvin and Priscilla Milburn. He attended Woodland High School and worked at Georgia Pacific for one year, and started M&M Contractors, which is now owned and operated by his son. Mike started his law enforcement career in Baileyville, where he patrolled for one year until being hired as an officer in Calais. He worked 36 years as a police officer; many of those years he served as our police chief in Calais. He retired in 2008. Michael enjoyed hunting, fishing, and playing softball for Smokey & The Bandits, and spending time at his camp in Tomah. But most important to Michael were those times spent with his family. He was a former member of the Rotary Club, Calais Lion's Club, Maine Chiefs of Police Association, the Blue Knights, and served on the Calais City Council for two years.

I had a close tie to Chief Milburn in many ways. Our son worked for him for several years and I also served with him on the Calais City Council, where we became great friends. He had a prime location spot for signs for elections and he always

welcomed my sign. Surviving are his loving wife of 41 years, Lynn Milburn of Calais; his two children, Missy Campbell and her husband, Bryan, of Baileyville and Michael J.P. Milburn and wife, Aleisha, of Calais; one sister, Pamela Towns, and her husband, Charles, of Baileyville; three grandchildren, Nathan and Mackenzie Campbell of Baileyville and Khloe Milburn of Calais. I would like to take this opportunity to especially thank his wife Lynn and their children, Missy and Michael, for giving up time with Mike to allow him to serve the City of Calais and the State of Maine. Thank you.

HOUSE DIVIDED REPORT - Majority (10) **Ought Not to Pass** - Minority (3) **Ought to Pass as Amended by Committee Amendment "A" (H-14)** - Committee on **TAXATION** on RESOLUTION, Proposing an Amendment to the Constitution of Maine To Permit the Legislature To Provide a One-year Period of Penalty Relief for Withdrawal of Forest Land from Current Use Valuation

(H.P. 89) (L.D. 107)

TABLED - March 27, 2013 (Till Later Today) by Representative BERRY of Bowdoinham.

PENDING - Motion of Representative TIPPING-SPITZ of Orono to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report. (Roll Call Ordered)

On motion of Representative GOODE of Bangor, **TABLED** pending the motion of Representative TIPPING-SPITZ of Orono to **ACCEPT** the Majority **Ought Not to Pass** Report and later today assigned. (Roll Call Ordered)

SENATE PAPERS

The following Joint Order: (S.P. 439)

ORDERED, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, April 2, 2013 at 10:00 in the morning.

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

Bill "An Act To Sustain Emergency Medical Services throughout the State"

(S.P. 435) (L.D. 1274)

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

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

Bill "An Act To Implement the Recommendations of the Maine Economic Growth Council Regarding Prosperity"

(S.P. 436) (L.D. 1275)

Bill "An Act To Provide Stable Funding for Research and Development in Maine"

(S.P. 437) (L.D. 1276)

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 Pertaining to the Closing of Municipal Roads for Community Use"

(S.P. 434) (L.D. 1273)

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.

CONSENT CALENDAR

First Day

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

(S.P. 144) (L.D. 364) Bill "An Act To Amend the Laws Regulating Suppliers of Agricultural, Construction, Industrial and Forestry Equipment" Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass**

(S.P. 70) (L.D. 234) Bill "An Act To Provide Tax Treatment Consistency for Limited Liability Companies and S Corporations" Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-11)**

(S.P. 161) (L.D. 430) Bill "An Act To Amend the Laws Regarding Who May Appeal a Reconsideration Decision to the Maine Board of Tax Appeals" Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-13)**

(S.P. 168) (L.D. 436) Bill "An Act To Raise the Maximum 529 Plan Contribution Tax Deduction" Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-10)**

(H.P. 447) (L.D. 655) Bill "An Act To Amend or Repeal Outdated or Underutilized Laws Related to Transportation" Committee on **TRANSPORTATION** reporting **Ought to Pass**

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

The Chair laid before the House the following item which was **TABLED** earlier in today's session:

HOUSE DIVIDED REPORT - Majority (10) **Ought Not to Pass** - Minority (3) **Ought to Pass as Amended by Committee Amendment "A" (H-14)** - Committee on **TAXATION** on RESOLUTION, Proposing an Amendment to the Constitution of Maine To Permit the Legislature To Provide a One-year Period of Penalty Relief for Withdrawal of Forest Land from Current Use Valuation

(H.P. 89) (L.D. 107)

Which was **TABLED** by Representative GOODE of Bangor pending the motion of Representative TIPPING-SPITZ of Orono to **ACCEPT** the Majority **Ought Not to Pass** Report and later today assigned. (Roll Call Ordered).

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

ROLL CALL NO. 14

YEA - Beaudoin, Beaulieu, Beavers, Beck, Berry, Black, Boland, Briggs, Brooks, Campbell J, Carey, Casavant, Cassidy, Chapman, Chenette, Chipman, Cooper, Daughtry, DeChant, Devin, Dickerson, Dill, Dion, Doak, Dorney, Espling, Evangelos, Farnsworth, Fitzpatrick, Fowle, Frey, Gattine, Gideon, Gilbert, Goode, Graham, Grant, Hamann, Harlow, Hayes, Herbig, Hickman, Hobbins, Hubbell, Jones, Jorgensen, Kaenrath, Kent, Keschl, Kinney, Knight, Kornfield, Kruger, Kumiega, Kusiak, Lajoie, Libby N, Longstaff, Luchini, MacDonald W, Marean, Marks, Mason, Mastraccio, McCabe, McGowan,

Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau C, Nelson, Noon, Nutting, Peoples, Plante, Powers, Priest, Pringle, Rankin, Rotundo, Russell, Rykerson, Sanborn, Saucier, Saxton, Schneck, Shaw, Short, Stanley, Stuckey, Timberlake, Tipping-Spitz, Treat, Tyler, Verow, Villa, Volk, Welsh, Werts, Mr. Speaker.

NAY - Bennett, Chase, Clark, Cotta, Crafts, Cray, Crockett, Davis, Dunphy, Duprey, Fredette, Gifford, Gillway, Guerin, Harvell, Jackson, Johnson D, Libby A, Lockman, Long, MacDonald S, Maker, Malaby, McClellan, McElwee, Nadeau A, Newendyke, Parry, Pease, Peavey Haskell, Pouliot, Reed, Sanderson, Sirocki, Theriault, Turner, Wallace, Weaver, Willette, Wilson, Winchenbach, Winsor, Wood.

ABSENT - Ayotte, Bolduc, Campbell R, Johnson P, McLean, Peterson, Rochelo.

Yes, 101; No, 43; Absent, 7; Excused, 0.

101 having voted in the affirmative and 43 voted in the negative, with 7 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

On motion of Representative **MAKER** of Calais, the House adjourned at 11:15 a.m., until 10:00 a.m., Tuesday, April 2, 2013 pursuant to the Joint Order (S.P. 439) and in honor and lasting tribute to Michael W. Milburn, of Calais.

The following item was taken up out of order by unanimous consent:

UNFINISHED BUSINESS

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

HOUSE DIVIDED REPORT - Majority (12) Ought Not to Pass - Minority (1) Ought to Pass as Amended by Committee Amendment "A" (H-11) - Committee on TAXATION on Bill "An Act To Exempt Members of the Houlton Band of Maliseet Indians from Property Tax"

(H.P. 277) (L.D. 402)

TABLED - March 27, 2013 (Till Later Today) by Representative **TIPPING-SPITZ** of Orono.

PENDING - ACCEPTANCE OF EITHER REPORT.

Subsequently, on motion of Representative **BERRY** of Bowdoinham the Bill and all accompanying papers were **INDEFINITELY POSTPONED** and sent for concurrence.

The **SPEAKER**: The Chair recognizes the Representative from North Yarmouth, Representative **Graham**, who wishes to address the House on the record.

Representative **GRAHAM**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Over 100 days ago, the small community of Newtown experienced an unbearable tragedy. We were all left wondering what we would do and how we would deal with it. I have a bill with an open jacket in the Speaker's office. My focus is to help teens move to young adulthood when they have ongoing behavioral and mental health problems. My bill is to bridge that gap. As I said, it's in the Speaker's office. It's an open jacket. I hope that we will have strong support from both sides of the aisle because it's something that we really need to pay attention to. Thank you, Mr. Speaker.

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