

# MAINE STATE LEGISLATURE

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Senate Legislative Record  
One Hundred and Twenty-Sixth Legislature  
State of Maine

Daily Edition

First Regular Session  
beginning December 5, 2012

beginning at Page 1

STATE OF MAINE  
ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE  
FIRST REGULAR SESSION  
JOURNAL OF THE SENATE

In Senate Chamber  
Tuesday  
February 19, 2013

Senate called to order by President Justin L. Alfond of Cumberland County.

Prayer by Pastor Doris Morgan, Bartlett Memorial United Methodist Church in Jay.

**PASTOR MORGAN:** Good morning. I'd like to start the services off by saying this is the day that the Lord has made and let us be gladdened. Let us rejoice and be glad in Him. Amen. Let us pray.

O God, our guide and guardian, You have led us apart from the busy world into the quiet of this Senate room of the State House. Thank You for these men and women serving in our State Senate. Like the elders of old, You have given them a task to perform for the good of the state of Maine. Grant them grace to be open to the spirit of truth and compassion. Grant them clarity of thought and speech so that they may consider every option available to them in making good and sound decisions. Enable them to do more perfectly the work to which You and the people of our state have entrusted to them, that they may not fear coming together for the common good of all. At the close of this day, give them rest and peaceful sleep, with the satisfaction from doing their best in service to the people in their districts and for those throughout our state. With thanksgiving and praise to You, God, from whom all blessings flow. May the peace of God keep your hearts and minds and guide your footsteps, coming and going out. Amen.

Pledge of Allegiance led by Senator Andre E. Cushing of Penobscot County.

Reading of the Journal of Thursday, February 14, 2013.

Doctor of the day, Charles Radis, DO of Peaks Island, Portland.

Off Record Remarks

The Chair noted the absence of the Senator from Hancock, Senator **LANGLEY** and the Senator from Kennebec, Senator **FLOOD** and further excused the same Senators from today's Roll Call votes.

COMMUNICATIONS

The Following Communication: S.C. 71

STATE OF MAINE  
126<sup>TH</sup> MAINE LEGISLATURE

February 14, 2013

Honorable Darek M. Grant  
Secretary of the Senate  
3 State House Station  
Augusta, ME 04333-0003

Dear Secretary Grant:

Pursuant to our authority under Title 12, Chapter 419 §4603 of the Maine Revised Statutes, we have appointed Representative Walter Kumiega of Little Deer Isle to the Atlantic States Marine Fisheries Commission.

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

Sincerely,

S/Justin L. Alfond  
President of the Senate

S/Mark W. Eves  
Speaker of the House

**READ and ORDERED PLACED ON FILE.**

The Following Communication: S.C. 73

STATE OF MAINE  
126<sup>TH</sup> MAINE LEGISLATURE

January 10, 2013

Chief Justice Leigh I. Saufley  
Maine Supreme Judicial Court  
Cumberland County Courthouse  
205 Newbury Street, Room 139  
Portland, Maine 04101

Dear Chief Justice Saufley:

We are pleased to invite you to address a Joint Session of the 126<sup>th</sup> Maine Legislature on Thursday, February 21, 2013 at 11:00 a.m. concerning the State of the Judiciary and any other matters that you may care to bring to our attention.

We look forward to seeing you then.

Sincerely,

S/Justin L. Alfond  
President of the Senate

S/Mark W. Eves  
Speaker of the House

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: S.C. 72

**STATE OF MAINE  
ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE  
COMMITTEE ON TAXATION**

February 12, 2013

Honorable Justin L. Alfond, President of the Senate  
Honorable Mark W. Eves, Speaker of the House  
126th Legislature  
State House  
Augusta, Maine 04333

Dear President Alfond and Speaker Eves:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Taxation has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 10 An Act To Provide a Property Tax Exemption for Family Burying Grounds
- L.D. 50 An Act To Exempt Fuel Used in Small Commercial Aircraft from Fuel Sales Tax
- L.D. 119 An Act To Exempt from the Use Tax \$1,000 of Internet Purchases from Out-of-state Sellers

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,

S/Sen. Anne Haskell  
Senate Chair

S/Rep. Adam Goode  
House Chair

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

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**SENATE PAPERS**

Bill "An Act To Authorize a General Fund Bond Issue To Invest in Transportation, Broadband Infrastructure, Downtown Revitalization, Land for Maine's Future Board and Training Facilities for Tourism-related Training in Labor Market Areas with Higher-than-average Unemployment"

S.P. 203 L.D. 513

Presented by Senator LACHOWICZ of Kennebec.  
Cosponsored by Representative KUSIAK of Fairfield and Senators: CRAVEN of Androscoggin, GRATWICK of Penobscot, JACKSON of Aroostook, MILLETT of Cumberland, PATRICK of Oxford, Representatives: BECK of Waterville, CHIPMAN of Portland, SHORT of Pittsfield.

On motion by Senator HILL of York, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed.

Sent down for concurrence.

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Bill "An Act To Allow County Jails To Apply Savings to Debt Service without a Reduction in State Payments"

S.P. 192 L.D. 502

Presented by Senator THOMAS of Somerset.  
Cosponsored by Senators: MASON of Androscoggin, WHITTEMORE of Somerset, YOUNGBLOOD of Penobscot, Representatives: GOODE of Bangor, GUERIN of Glenburn.

On motion by Senator GERZOFSKY of Cumberland, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed.

Sent down for concurrence.

---

Bill "An Act To Change the Budget Approval Process for Alternative Organizational Structures"

S.P. 211 L.D. 521

Presented by Senator BURNS of Washington.  
Cosponsored by Representative MAKER of Calais and Senator: HAMPER of Oxford, Representatives: CRAFTS of Lisbon, FITZPATRICK of Houlton, GIFFORD of Lincoln, TURNER of Burlington.

On motion by Senator MILLETT of Cumberland, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.

Sent down for concurrence.

LEGISLATIVE RECORD - SENATE, TUESDAY, FEBRUARY 19, 2013

Bill "An Act To Create the Integrated Manufacturing Program Fund"

S.P. 206 L.D. 516

Presented by Senator TUTTLE of York.  
Cosponsored by Representative BOLAND of Sanford and Senator: DUTREMBLE of York, Representatives: CAMPBELL of Newfield, CASAVANT of Biddeford, MASTRACCIO of Sanford, ROCHELO of Biddeford.

Committee on **EDUCATION AND CULTURAL AFFAIRS** suggested and ordered printed.

On motion by Senator **MILLETT** of Cumberland, **TABLED** until Later in Today's Session, pending **REFERENCE**.

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Bill "An Act Regarding the Law Pertaining to the Confidentiality of Enhanced 9-1-1 System Information and Records"

S.P. 188 L.D. 495

Presented by Senator BURNS of Washington.  
Cosponsored by Senator: VALENTINO of York.  
Submitted by the Department of Public Safety pursuant to Joint Rule 204.

Committee on **ENERGY, UTILITIES AND TECHNOLOGY** suggested and ordered printed.

On motion by Senator **CLEVELAND** of Androscoggin, **TABLED** until Later in Today's Session, pending **REFERENCE**.

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Resolve, To Ensure That Standards for Performance-based Contracts for Individuals with Intellectual Disabilities Include All Employment Options

S.P. 189 L.D. 496

Presented by Senator FLOOD of Kennebec.

Resolve, Directing the Department of Health and Human Services To Amend Its Rules To Improve the Oral Health Education of Children

S.P. 197 L.D. 507

Presented by Senator GRATWICK of Penobscot.  
Cosponsored by Representative MASTRACCIO of Sanford and Senators: CAIN of Penobscot, COLLINS of York, CRAVEN of Androscoggin, SAVIELLO of Franklin, TUTTLE of York, Representatives: PRINGLE of Windham, STUCKEY of Portland.

Bill "An Act Regarding the Annual Service Fee for Child Support Services Provided by the Department of Health and Human Services"

S.P. 205 L.D. 515

Presented by Senator MASON of Androscoggin.  
Cosponsored by Representative CRAFTS of Lisbon and Senators: LANGLEY of Hancock, PLUMMER of Cumberland, THIBODEAU of Waldo, THOMAS of Somerset, TUTTLE of York, WHITTEMORE of Somerset, Representative: TIMBERLAKE of Turner.

Bill "An Act To Restore Funding for Head Start"

S.P. 207 L.D. 517

Presented by Senator TUTTLE of York.  
Cosponsored by Representative FREDETTE of Newport and Senators: BOYLE of Cumberland, CAIN of Penobscot, CRAVEN of Androscoggin, DUTREMBLE of York, MILLETT of Cumberland, VALENTINO of York, Representatives: GRANT of Gardiner, MASTRACCIO of Sanford.

Bill "An Act To Protect Maine Consumers from Predatory Medical Pricing"

S.P. 210 L.D. 520

Presented by Senator PATRICK of Oxford.

On motion by Senator **CRAVEN** of Androscoggin, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

Sent down for concurrence.

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Bill "An Act To Allow Boards and Associations of Lakes and Ponds To Stock Fish"

S.P. 204 L.D. 514

Presented by Senator MASON of Androscoggin.  
Cosponsored by Representative CRAFTS of Lisbon and Senators: COLLINS of York, FLOOD of Kennebec, HAMPER of Oxford, WHITTEMORE of Somerset, Representatives: SHAW of Standish, TIMBERLAKE of Turner, WILLETTE of Mapleton.

On motion by Senator **DUTREMBLE** of York, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed.

Sent down for concurrence.

Resolve, Directing the Commissioner of Agriculture, Conservation and Forestry To Conduct an Internal Review of the Snowmobile Trail Fund (EMERGENCY)

S.P. 195 L.D. 505

Presented by Senator SAVIELLO of Franklin.  
Cosponsored by Representative LONG of Sherman and Senator: SHERMAN of Aroostook.

Committee on **INLAND FISHERIES AND WILDLIFE** suggested and ordered printed.

On motion by Senator **DUTREMBLE** of York, **TABLED** until Later in Today's Session, pending **REFERENCE**.

---

Resolve, Directing the Bureau of Insurance To Amend Its Rules Pertaining to Medicare Advantage Plans (EMERGENCY)

S.P. 196 L.D. 506

Presented by Senator LANGLEY of Hancock.  
Cosponsored by Senators: KATZ of Kennebec, WHITTEMORE of Somerset.

Bill "An Act To Require Health Insurance Coverage for Hearing Aids for Adults"

S.P. 213 L.D. 523

Presented by Senator VALENTINO of York.  
Cosponsored by Representative BECK of Waterville and Senators: CAIN of Penobscot, GRATWICK of Penobscot, LACHOWICZ of Kennebec, Representatives: BOLAND of Sanford, MAKER of Calais.

On motion by Senator **GRATWICK** of Penobscot, **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES** and ordered printed.

Sent down for concurrence.

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Bill "An Act To Amend the Limited Liability Company Laws"

S.P. 193 L.D. 503

Presented by Senator VALENTINO of York.  
Cosponsored by Representative PRIEST of Brunswick and Senators: CAIN of Penobscot, HASKELL of Cumberland, Representatives: DILL of Old Town, HOBBS of Saco, McCABE of Skowhegan, MITCHELL of the Penobscot Nation, PETERSON of Rumford, STUCKEY of Portland.  
Submitted by the Secretary of State pursuant to Joint Rule 204.

Bill "An Act To Amend the Guardian Ad Litem Laws"

S.P. 212 L.D. 522

Presented by Senator VALENTINO of York.  
Cosponsored by Representative PRIEST of Brunswick and Senator: BURNS of Washington, Representatives: CROCKETT of Bethel, GUERIN of Glenburn, MONAGHAN-DERRIG of Cape Elizabeth, VILLA of Harrison.

On motion by Senator **VALENTINO** of York, **REFERRED** to the Committee on **JUDICIARY** and ordered printed.

Sent down for concurrence.

---

Resolve, To Protect Concealed Handgun Permit Information on a Temporary Basis (EMERGENCY)

S.P. 214 L.D. 576

Presented by Senator JACKSON of Aroostook. (GOVERNOR'S BILL)  
Cosponsored by Representative McCABE of Skowhegan and Senator: THIBODEAU of Waldo, Representatives: FREDETTE of Newport, WILLETTE of Mapleton.

Committee on **JUDICIARY** suggested and ordered printed.

On motion by Senator **VALENTINO** of York, **TABLED** until Later in Today's Session, pending **REFERENCE**.

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Bill "An Act To Exempt Certain Supervised Medical Assistants from Licensing under the Medical Radiation Health and Safety Laws"

S.P. 199 L.D. 509

Presented by President ALFOND of Cumberland.  
Cosponsored by Representative HERBIG of Belfast and Senators: CRAVEN of Androscoggin, LACHOWICZ of Kennebec, MILLETT of Cumberland, PATRICK of Oxford, Representative: HAMANN of South Portland.

On motion by Senator **PATRICK** of Oxford, **REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed.

Sent down for concurrence.

---

Bill "An Act To Allow Licensed Foresters To Use Mechanics Liens"

S.P. 202 L.D. 512

Presented by Senator PLUMMER of Cumberland.  
Cosponsored by Representative TYLER of Windham and Senators: HASKELL of Cumberland, MASON of Androscoggin, TUTTLE of York, YOUNGBLOOD of Penobscot, Representative: WILSON of Augusta.

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

On motion by Senator **PATRICK** of Oxford, **REFERRED** to the Committee on **JUDICIARY**.

Sent down for concurrence.

---

Bill "An Act To Move Maine's Elver Fishery towards Sustainability"  
S.P. 190 L.D. 497

Presented by Senator GERZOFISKY of Cumberland.

On motion by Senator **JOHNSON** of Lincoln, **REFERRED** to the Committee on **MARINE RESOURCES** and ordered printed.

Sent down for concurrence.

---

Bill "An Act Regarding Maine Commercial Motor Carrier Safety Regulations"

S.P. 187 L.D. 494

Presented by Senator MAZUREK of Knox.  
Cosponsored by Representative: PARRY of Arundel.  
Submitted by the Department of Public Safety pursuant to Joint Rule 204.

Bill "An Act Regarding Enforcement of Commercial Vehicle Laws"  
S.P. 191 L.D. 501

Presented by Senator THOMAS of Somerset.  
Cosponsored by Representative PEAVER HASKELL of Milford and Senators: GERZOFISKY of Cumberland, JACKSON of Aroostook, Representatives: GIFFORD of Lincoln, PARRY of Arundel.

On motion by Senator **MAZUREK** of Knox, **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed.

Sent down for concurrence.

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Bill "An Act To Amend the Election Laws and Other Related Laws"

S.P. 194 L.D. 504

Presented by Senator TUTTLE of York.  
Cosponsored by Representative LUCHINI of Ellsworth and Senator: CAIN of Penobscot, Representatives: DILL of Old Town, FARNSWORTH of Portland, McCABE of Skowhegan, PETERSON of Rumford, RUSSELL of Portland, STUCKEY of Portland, TIPPING-SPITZ of Orono.  
Submitted by the Secretary of State pursuant to Joint Rule 204.

Bill "An Act To Remove the Disqualification of Full-time Law Enforcement Officers from Obtaining a Liquor License"  
S.P. 198 L.D. 508

Presented by Senator SAVIELLO of Franklin.  
Cosponsored by Representatives: BLACK of Wilton, GILBERT of Jay, HARVELL of Farmington.

Bill "An Act To Ensure Equity in Funding to State Postsecondary Institutions of Higher Learning"

S.P. 200 L.D. 510

Presented by Senator THOMAS of Somerset.  
Cosponsored by Representative DAVIS of Sangerville and Senators: BURNS of Washington, COLLINS of York, LANGLEY of Hancock, SHERMAN of Aroostook, Representatives: COTTA of China, NADEAU of Fort Kent.

Bill "An Act To Implement the National Popular Vote for President"

S.P. 201 L.D. 511

Presented by Senator WOODBURY of Cumberland.  
Cosponsored by Representative BROOKS of Winterport and Representatives: CAMPBELL of Newfield, CHIPMAN of Portland, EVANGELOS of Friendship.

Bill "An Act To Establish Ranked-choice Voting in the State"  
S.P. 208 L.D. 518

Presented by Senator WOODBURY of Cumberland.  
Cosponsored by Representative COOPER of Yarmouth, Representative RUSSELL of Portland and Senators: CLEVELAND of Androscoggin, HASKELL of Cumberland, LANGLEY of Hancock, Representatives: CHIPMAN of Portland, KNIGHT of Livermore Falls, KRUGER of Thomaston, KUMIEGA of Deer Isle, MORIARTY of Cumberland.

Bill "An Act To Establish Advance Deposit Wagering for Harness Racing"

S.P. 209 L.D. 519

Presented by Senator TUTTLE of York.  
Cosponsored by Representative LONGSTAFF of Waterville.

On motion by Senator **TUTTLE** of York, **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS** and ordered printed.

Sent down for concurrence.

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All matters thus acted upon were ordered sent down forthwith for concurrence.

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## REPORTS OF COMMITTEES

### House

#### Change of Committee

The Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Resolve, Regarding Legislative Review of Portions of Chapter 4: Rules of Practice, a Major Substantive Rule of the Department of Agriculture, Conservation and Forestry (EMERGENCY)

H.P. 32 L.D. 37

Reported that the same be **REFERRED** to the Committee on **JUDICIARY**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **JUDICIARY**.

Report **READ** and **ACCEPTED**, in concurrence.

On motion by Senator **JACKSON** of Aroostook, **REFERRED** to the Committee on **JUDICIARY**, in concurrence.

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**Pursuant to Statute**

The Committee on **JUDICIARY** on Bill "An Act To Implement the Recommendations of the Right To Know Advisory Committee Concerning Public Records Exceptions"

H.P. 292 L.D. 420

Reported that the same be **REFERRED** to the Committee on **JUDICIARY**, pursuant to the Maine Revised Statutes, Title 1, section 411, subsection 6, paragraph G.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **JUDICIARY**.

Report **READ** and **ACCEPTED**, in concurrence.

On motion by Senator **VALENTINO** of York, Bill and accompanying papers **REFERRED** to the Committee on **JUDICIARY**, in concurrence.

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**Senate**

**Ought to Pass**

Senator **CRAVEN** for the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Provide Support Services to Adults with Intellectual Disabilities or Autistic Disorder"

S.P. 18 L.D. 29

Reported that the same **Ought to Pass**.

Report **READ** and **ACCEPTED**.

**READ ONCE.**

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.**

---

Senator **CRAVEN** for the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Provide Home and Community Services for Individuals with Intellectual Disabilities or Autism"

S.P. 19 L.D. 30

Reported that the same **Ought to Pass**.

Report **READ** and **ACCEPTED**.

**READ ONCE.**

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.**

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**Ought to Pass As Amended**

Senator **HILL** for the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act To Make Supplemental Appropriations and Allocations for the Expenditures of State Government and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2013" (EMERGENCY)

S.P. 86 L.D. 250

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-1)**.

Report **READ** and **ACCEPTED**.

**READ ONCE.**

Committee Amendment "A" (S-1) **READ**.

On motion by Senator **GOODALL** of Sagadahoc, **TABLED** until Later in Today's Session, pending **ADOPTION** of Committee Amendment "A" (S-1).

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**SECOND READERS**

The Committee on **Bills in the Second Reading** reported the following:

**Senate**

Bill "An Act To Expand the Types of Vaccines That May Be Administered by Pharmacists"

S.P. 21 L.D. 32

**READ A SECOND TIME** and **PASSED TO BE ENGROSSED.**

Sent down for concurrence.

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All matters thus acted upon were ordered sent down forthwith for concurrence.

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Senate at Ease.

Senate called to order by the President.

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Off Record Remarks

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**ORDERS OF THE DAY**

**Unfinished Business**

The following matters in the consideration of which the Senate was engaged at the time of Adjournment had preference in the Orders of the Day and continued with such preference until disposed of as provided by Senate Rule 516.

The Chair laid before the Senate the following Tabled and Later Assigned (2/14/13) matter:

Bill "An Act To Ensure the Confidentiality of Concealed Weapons Permit Holder Information" (EMERGENCY)  
H.P. 250 L.D. 345

Tabled - February 14, 2013, by Senator **VALENTINO** of York

Pending - **REFERENCE**

(Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** suggested and ordered printed.)

(In House, February 12, 2013, **REFERRED** to the Committee on **JUDICIARY**.)

On motion by Senator **VALENTINO** of York, **REFERRED** to the Committee on **JUDICIARY** and ordered printed, in concurrence.

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The Chair laid before the Senate the following Tabled and Later Assigned (2/14/13) matter:

JOINT RESOLUTION - Memorializing Gerald C. Crommett of Passadumkeag  
SLS 73

Tabled - February 14, 2013, by Senator **KATZ** of Kennebec

Pending - **ADOPTION**

(In Senate, February 14, 2013, **READ**.)

**READ.**

**THE PRESIDENT:** The Chair recognizes the Senator from Penobscot, Senator Cushing.

Senator **CUSHING:** Thank you Mr. President. Ladies and gentlemen of the Senate, I rise today to pay homage to a man who lived a full and productive life and left a legacy that, although of a simple nature, leaves a message for all who wish to learn something by. I'd like to share with you a brief poem that I received from a friend that I think clearly indicates something that highlights my father-in-law's life and also how we may reflect on our lives. It's called The Dash and it was written by Linda Ellis.

Consider the implications of your own life's choices. I read of a man who stood to speak at the funeral of a friend. He referred to the dates on her tombstone from the beginning to the end. He noted that first came the date of her birth and spoke of the following date with tears, but he said what mattered most was the dash between those years. The dash represents all the time that she spent alive on earth and now only those who loved her know what the little line is worth, for it matters not how much we own, the cars, the house, the cash. What matters is how we live and love and how we spend our dash. So think about this long and hard. Are there things you'd like to change? For you never know how much time is left. You could be at dash mid-range. If we could just slow down enough to consider what is true and real and to always try to understand the way other people feel and be less quick to anger and show appreciation more and love the people in our lives like we've never loved before. If we treat each other with respect and more often wear a smile, remembering that this special dash might only last a little while. So when your eulogy is being read, with your life's actions to rehash, would you be proud of things they say about how you spent your dash.

Gerald Crommett was one of those who lived his dash well. Like many in our state, he came from humble beginnings and earned his living through hard work and perseverance. Still, at 75 years of age, he was, in fact, heading to work on the morning that his life ended. He built a large business that brokered millions of pounds of fish to various parts of the world, but he chose to stay in his hometown of Passadumkeag and never lost his connection to Maine. He shared generously with his community, providing jobs for many many young people over the years, and always tried to find the best in those he dealt with. He loved life and his family and worked tirelessly to provide both a good living and a good life for them. I'm both proud and honored to have known this man and had the privilege of being part of his extended family. On a personal note, I wish to express our gratitude for all of those of you and others who offered us their support, prayers, and best wishes during this difficult time. It's easier to carry these burdens when others help with the load. To the many friends and neighbors who helped with the search and the final preparations, words cannot express our thanks. For the authorities who served us, the State Police, the sheriff's department, and especially the Warden's Service, you have our respect and profound gratitude for your professional and compassionate service. In closing, I leave you with one of my father-in-law's favorite quotes, which captures the essence of how he lived, "You can't be a beacon if your light don't shine." Thank you, Mr. President.

**ADOPTED.**

Sent down for concurrence.

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Senate at Ease.

Senate called to order by the President.

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The Chair laid before the Senate the following Tabled and Later Assigned (2/14/13) matter:

Bill "An Act To Provide Economic Development in Aroostook County through Expanded Sale and Lease of State-owned Land" S.P. 186 L.D. 493

Tabled - February 14, 2013, by Senator **LACHOWICZ** of Kennebec

Pending - **REFERENCE**

(Committee on **STATE AND LOCAL GOVERNMENT** suggested and ordered printed.)

On motion by Senator **GOODALL** of Sagadahoc, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY**.

Sent down for concurrence.

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Off Record Remarks

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Senate at Ease.

Senate called to order by the President.

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The Chair laid before the Senate the following Tabled and Later Today Assigned matter:

Resolve, To Protect Concealed Handgun Permit Information on a Temporary Basis (EMERGENCY) S.P. 214 L.D. 576

Tabled - February 19, 2013, by Senator **VALENTINO** of York

Pending - **REFERENCE**

(Committee on **JUDICIARY** suggested and ordered printed.)

Under suspension of the Rules, **READ TWICE**, without reference to a Committee.

On motion by Senator **JACKSON** of Aroostook, Senate Amendment "A" (S-2) **READ**.

**THE PRESIDENT:** The Chair recognizes the Senator from Aroostook, Senator Jackson.

Senator **JACKSON:** Thank you Mr. President. Ladies and gentlemen of the Senate, this amendment clears up two things. During this period law enforcement will have access to the concealed weapons permits and also during this period we are not creating any new class under the concealed weapons permit. After the April 30<sup>th</sup> deadline all conceal weapons permits will be the same as they were before. We're trying to take a thoughtful approach to this and I think this amendment makes it clear that we're doing what's best for the citizens of the state.

On further motion by same Senator, Senate Amendment "A" (S-2) **ADOPTED**.

**PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-2).**

Ordered sent down forthwith for concurrence.

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All matters thus acted upon were ordered sent down forthwith for concurrence.

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Out of order and under suspension of the Rules, the Senate considered the following:

#### **PAPERS FROM THE HOUSE**

##### **House Papers**

Bill "An Act To Permit Tribal Members To Have Access to Wood Fiber for Fuel, Shelter and Traditional Woodcraft Production" H.P. 342 L.D. 500

Bill "An Act To Increase the Membership of the Land for Maine's Future Board" H.P. 343 L.D. 524

Bill "An Act To Promote Industrial Hemp" H.P. 344 L.D. 525

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

On motion by Senator **JACKSON** of Aroostook, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed, in concurrence.

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Bill "An Act To Allow a Municipality To Prohibit a Sex Offender from Residing within 750 Feet of a Recreational Facility" H.P. 340 L.D. 498

Bill "An Act To Allow for the Disposition of Certain Items Confiscated from Criminals Convicted of Sexual Exploitation of Minors" H.P. 345 L.D. 526

Bill "An Act To Protect Elders and Vulnerable Adults from Exploitation" H.P. 346 L.D. 527

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

On motion by Senator **GOODALL** of Sagadahoc, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed, in concurrence.

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Out of order and under suspension of the Rules, the Senate considered the following:

**PAPERS FROM THE HOUSE**

**House Papers**

Bill "An Act To Require Parental Consent for a School To Conduct Mental Health or Behavioral Screening on a Student"  
H.P. 347 L.D. 528

Resolve, Directing the Department of Education To Develop Safety Standards for School Access (EMERGENCY)  
H.P. 348 L.D. 529

Bill "An Act To Apply the Standard of Best Educational Interest to Superintendent Agreements for Transfer Students"  
H.P. 349 L.D. 530

Bill "An Act To Allow Students To Audit Classes at University of Maine System Campuses"  
H.P. 350 L.D. 531

Bill "An Act To Amend the Laws Governing the Maine State Library"  
H.P. 351 L.D. 532

Bill "An Act To Eliminate the Requirement That Local Funding Follow a Pupil to a Charter School"  
H.P. 352 L.D. 533

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

On motion by Senator **MILLETT** of Cumberland, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed, in concurrence.

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Out of order and under suspension of the Rules, the Senate considered the following:

**PAPERS FROM THE HOUSE**

**House Papers**

Bill "An Act To Promote Dental Care for Low-income Populations"  
H.P. 341 L.D. 499

Bill "An Act To Improve Care Coordination for Persons with Mental Illness"  
H.P. 353 L.D. 534

Bill "An Act To Promote Greater Flexibility in the Provision of Long-term Care Services"  
H.P. 354 L.D. 535

Bill "An Act To Improve the Efficiency of Use of MaineCare Funds"  
H.P. 355 L.D. 536

Bill "An Act To Help Maine Residents Receive Private Health Care Insurance"  
H.P. 356 L.D. 537

Bill "An Act To Align Costs Recognized for Transfer of Nursing Facilities and Residential Care Facilities with Ordinary Commercial and Government Contracting Standards"  
H.P. 357 L.D. 538

Bill "An Act To Ensure Parity in the Ability To Counsel Patients"  
H.P. 358 L.D. 539

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

On motion by Senator **CRAVEN** of Androscoggin, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed, in concurrence.

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Out of order and under suspension of the Rules, the Senate considered the following:

**PAPERS FROM THE HOUSE**

**House Papers**

Bill "An Act To Amend the Laws Governing Complimentary Hunting, Trapping and Fishing Licenses for Disabled Veterans"  
H.P. 360 L.D. 541

Bill "An Act To Remove the Limit on the Retention of Live Smelts" (EMERGENCY)  
H.P. 361 L.D. 542

Bill "An Act To Create Reciprocity of All-terrain Vehicle Registration with the State of New Hampshire"  
H.P. 362 L.D. 543

Bill "An Act To Give Certain Landowners First Priority for Antlerless Deer Permits"  
H.P. 363 L.D. 544

Bill "An Act To Enhance the Protection of Native Fish Species"  
H.P. 364 L.D. 545

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

On motion by Senator **DUTREMBLE** of York, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed, in concurrence.

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Bill "An Act To Amend the Laws Governing the Discharge of a Firearm or Crossbow near a Dwelling or Building"  
H.P. 359 L.D. 540

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

On motion by Senator **DUTREMBLE** of York, **TABLED** until Later in Today's Session, pending **REFERENCE**.

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Out of order and under suspension of the Rules, the Senate considered the following:

#### **PAPERS FROM THE HOUSE**

##### **House Papers**

Bill "An Act To Improve Transparency and Oversight of the Maine Guaranteed Access Reinsurance Association and To Make Changes Necessary To Comply with Federal Law"  
H.P. 365 L.D. 546

Bill "An Act To Ensure the Accountability of Taxpayer Funds and State Collaboration, Planning and Oversight in the Implementation and Operation of a Health Exchange in Maine"  
H.P. 366 L.D. 547

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

On motion by Senator **GRATWICK** of Penobscot, **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES** and ordered printed, in concurrence.

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Bill "An Act To Amend the Laws Governing the Award of Spousal Support in Divorce Actions"  
H.P. 367 L.D. 548

Bill "An Act To Allow a Person Who Is 21 Years of Age or Older To Expunge Certain Criminal Convictions"  
H.P. 368 L.D. 549

Bill "An Act To Require Probate Judges, Registers of Probate and Registers of Deeds To Be Appointed"  
H.P. 369 L.D. 550

Bill "An Act To Establish Certification Standards for Guardians Ad Litem"  
H.P. 370 L.D. 551

Bill "An Act To Expedite Court Proceedings by Providing Funds for Additional District Court Personnel"  
H.P. 371 L.D. 552

Come from the House, **REFERRED** to the Committee on **JUDICIARY** and ordered printed.

On motion by Senator **VALENTINO** of York, **REFERRED** to the Committee on **JUDICIARY** and ordered printed, in concurrence.

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Out of order and under suspension of the Rules, the Senate considered the following:

#### **PAPERS FROM THE HOUSE**

##### **House Papers**

Bill "An Act To Remove the Statement of Oral Condition as a Requirement for Denturists Making Partial Dentures"  
H.P. 372 L.D. 553

Resolve, Requiring the Department of Economic and Community Development To Market the Positive Attributes of the State of Maine  
H.P. 373 L.D. 554

Resolve, Directing the Nursing Home Administrators Licensing Board To Amend Its Rules To Permit Certain Registered Nurses To Serve as Administrators of Nursing Facilities and To Change Provisions Governing Continuing Education Requirements  
H.P. 374 L.D. 555

Bill "An Act To Modernize the Statutes Governing Physician Assistants"  
H.P. 375 L.D. 556

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

On motion by Senator **PATRICK** of Oxford, **REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed, in concurrence.

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Bill "An Act To Change the Age at Which a Person Qualifies for a Fee Reduction for a Lobster and Crab Fishing License"  
H.P. 376 L.D. 557

Comes from the House, **REFERRED** to the Committee on **MARINE RESOURCES** and ordered printed.

On motion by Senator **JOHNSON** of Lincoln, **REFERRED** to the Committee on **MARINE RESOURCES** and ordered printed, in concurrence.

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Out of order and under suspension of the Rules, the Senate considered the following:

#### **PAPERS FROM THE HOUSE**

##### **House Papers**

Resolve, To Erect a State Monument to Franco-Americans  
H.P. 377 L.D. 558

Bill "An Act To Change Document Filing Fees for County  
Registries of Deeds"  
H.P. 378 L.D. 559

Bill "An Act To Establish Maine Seniors Day"  
H.P. 379 L.D. 560

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

On motion by Senator **LACHOWICZ** of Kennebec, **REFERRED** to  
the Committee on **STATE AND LOCAL GOVERNMENT** and  
ordered printed, in concurrence.

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Bill "An Act To Support Maine Farms and Alleviate Hunger"  
H.P. 380 L.D. 561

Bill "An Act Related to Service Charges in Lieu of Property Taxes  
on Tax-exempt Property"  
H.P. 381 L.D. 562

Bill "An Act To Clarify Tax Increment Financing"  
H.P. 382 L.D. 563

Come from the House, **REFERRED** to the Committee on  
**TAXATION** and ordered printed.

On motion by Senator **HASKELL** of Cumberland, **REFERRED** to  
the Committee on **TAXATION** and ordered printed, in  
concurrence.

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Out of order and under suspension of the Rules, the Senate  
considered the following:

**PAPERS FROM THE HOUSE**

**House Papers**

Resolve, To Allow Maine Drivers To Use Bioptic or Telescopic  
Spectacles When Driving Class C Motor Vehicles and When  
Testing for a Class C Driver's License  
H.P. 383 L.D. 564

Resolve, To Establish a Task Force To Study the Feasibility of  
Imposing Tolls on Interstate 95  
H.P. 384 L.D. 565

Resolve, To Enhance and Encourage Economic Development of  
the Lower Penobscot River Basin by Improving Rail  
Transportation  
H.P. 385 L.D. 566

Bill "An Act To Amend the Definition of 'Special Mobile  
Equipment' in the Motor Vehicle Laws"  
H.P. 386 L.D. 567

Resolve, To Name Bridge Number 2975 in Kenduskeag the  
Kenduskeag Veterans Bridge  
H.P. 387 L.D. 568

Resolve, To Study the Impact of Higher Maine Turnpike Tolls on  
Workers, Businesses and Economic Development  
(EMERGENCY)  
H.P. 388 L.D. 569

Bill "An Act To Create a Vintage Car Category in the Motor  
Vehicle Laws"  
H.P. 389 L.D. 570

Resolve, To Require Signs Recognizing the 45th Parallel North in  
Maine  
H.P. 390 L.D. 571

Come from the House, **REFERRED** to the Committee on  
**TRANSPORTATION** and ordered printed.

On motion by Senator **MAZUREK** of Knox, **REFERRED** to the  
Committee on **TRANSPORTATION** and ordered printed, in  
concurrence.

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Out of order and under suspension of the Rules, the Senate  
considered the following:

**PAPERS FROM THE HOUSE**

**House Papers**

Bill "An Act Regarding Games of Chance Operated by  
Snowmobile Clubs"  
H.P. 391 L.D. 572

RESOLUTION, Proposing an Amendment to the Constitution of  
Maine To Restrict the Voting Privileges of Persons Incarcerated  
for Murder or Class A Crimes  
H.P. 392 L.D. 573

Bill "An Act To Amend the Laws Governing Reapportionment To  
Conform to the Constitution of Maine"  
H.P. 393 L.D. 574

Bill "An Act To Amend the Laws Relating to Radon Testing"  
H.P. 394 L.D. 575

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

On motion by Senator **TUTTLE** of York, **REFERRED** to the  
Committee on **VETERANS AND LEGAL AFFAIRS** and ordered  
printed, in concurrence.

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Senate at Ease.

Senate called to order by the President.

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**ORDERS OF THE DAY**

The Chair laid before the Senate the following Tabled and Later Today Assigned matter:

Bill "An Act To Create the Integrated Manufacturing Program Fund"

S.P. 206 L.D. 516

Tabled - February 19, 2013, by Senator **MILLETT** of Cumberland

Pending - **REFERENCE**

(Committee on **EDUCATION AND CULTURAL AFFAIRS** suggested and ordered printed.)

On motion by Senator **MILLETT** of Cumberland, **REFERRED** to the Joint Select Committee on **MAINE'S WORKFORCE AND ECONOMIC FUTURE**.

Sent down for concurrence.

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The Chair laid before the Senate the following Tabled and Later Assigned (1/15/13) matter:

Bill "An Act To Reduce Air Pollution from Trains"

S.P. 17 L.D. 28

Tabled - January 15, 2013, by Senator **BOYLE** of Cumberland

Pending - **REFERENCE**

(Committee on **ENVIRONMENT AND NATURAL RESOURCES** suggested and ordered printed.)

On motion by Senator **BOYLE** of Cumberland, **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and ordered printed.

Sent down for concurrence.

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Senate at Ease.

Senate called to order by the President.

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Out of order and under suspension of the Rules, the Senate considered the following:

**ENACTORS**

The Committee on **Engrossed Bills** reported as truly and strictly engrossed the following:

**Emergency Resolve**

Resolve, To Protect Concealed Handgun Permit Information on a Temporary Basis

S.P. 214 L.D. 576  
(S "A" S-2)

**THE PRESIDENT:** The Chair recognizes the Senator from Waldo, Senator Thibodeau.

Senator **THIBODEAU:** Thank you Mr. President. Ladies and gentlemen of the Senate, I just rise this afternoon to just point out and thank the Administration and the Chief Executive for bringing forward this very important bill. The efforts and hard work that went into that on Friday should not go unnoticed. I want to thank you, Mr. President, for your willingness to work with us and bring forward a piece of legislation that is very important to the people of the state of Maine. I think each one of us has received tremendous amounts of e-mails and personal contacts about this issue. I know that Senator Jackson's willingness to sponsor this legislation was tremendously important because him being involved in the shepherding through of this bill through the processes was incredibly important. I would also recognize that is an event that, well, is rare; to take a bill in one day and get it down to the Governor's Office, to the Chief Executive, for his signature. I applaud your efforts, each and every one of you that was involved in this process. You know, just a few weeks ago we began the 126<sup>th</sup> Maine Legislature and we were all told that it was going to be the most divisive Legislature that there had been in years, and maybe in the history of the institution, and that we couldn't work together, that we couldn't resolve the issues, and that it would be a very partisan battle. Who could have imagined that our very first opportunity to have a roll call vote would result in a bill that was brought forward by the Chief Executive, sponsored by the Majority Party, and, indeed, probably will receive unanimous support here in the Senate. I think it's a day that the folks back home would be very proud of this institution. I'm incredibly proud of this institution for having taken the action that they have. With that, Mr. President, I would request a roll call.

On motion by Senator **THIBODEAU** of Waldo, supported by a Division of one-fifth of the members present and voting, a Roll Call was ordered.

**THE PRESIDENT:** The Chair recognizes the Senator from Sagadahoc, Senator Goodall.

Senator **GOODALL:** Thank you Mr. President. Men and women of the Senate, I rise today to state that I support this measure and I would encourage all of us to do so. In addition, I rise to state the importance of moving forward with this temporary measure, a measure that is concerning the process, a process that will allow us to have a deliberative and thoughtful conversation about this issue as well as the recommendation that there is a larger conversation out there going on across the country and here in the state of Maine. This process will allow both sides to understand our differences, work towards a resolution, as well as take into important consideration our Right To Know laws. It's a just over 60 day temporary measure that will allow that to happen. I think that it's important that we take this step forward. I think it's important that we recognize the importance of each of our

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opinions, concerns about public safety, and concerns about Right To Know, as well as the larger conversation that we're having here in the state as well as around the country. For that reason, Mr. President, I would encourage all of us to support this bill.

memory of and lasting tribute to Gerald C. Crommett of Passadumkeag.

**THE PRESIDENT:** The pending question before the Senate is Final Passage. A Roll Call has been ordered. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#2)**

YEAS: Senators: BOYLE, BURNS, CAIN, CLEVELAND, COLLINS, CRAVEN, CUSHING, DUTREMBLE, GERZOFSKY, GOODALL, GRATWICK, HAMPER, HASKELL, HILL, JACKSON, JOHNSON, KATZ, LACHOWICZ, MASON, MAZUREK, MILLETT, PATRICK, PLUMMER, SAVIELLO, SHERMAN, THIBODEAU, THOMAS, TUTTLE, VALENTINO, WHITTEMORE, WOODBURY, YOUNGBLOOD, THE PRESIDENT - JUSTIN L. ALFOND

NAYS: Senators: None

EXCUSED: Senators: FLOOD, LANGLEY

This being an Emergency Measure and having received the affirmative vote of 33 Members of the Senate, with no Senators having voted in the negative, and 33 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

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Senator **GOODALL** of Sagadahoc was granted unanimous consent to address the Senate off the Record.

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Senator **KATZ** of Kennebec was granted unanimous consent to address the Senate off the Record.

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Senator **CAIN** of Penobscot was granted unanimous consent to address the Senate off the Record.

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All matters thus acted upon were ordered sent down forthwith for concurrence.

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On motion by Senator **GOODALL** of Sagadahoc, **ADJOURNED**, until Thursday, February 21, 2013, at 10:00 in the morning, in