

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
Thursday
February 28, 2013

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

Prayer by Senator Margaret M. Craven of Androscoggin County.

SENATOR CRAVEN: Thank you Mr. President. Good morning. I invite you to be in a state of mindfulness, to be grateful for the endless gifts provided to us by our universe. May today there be peace within. May you trust your highest power that you're exactly where you are meant to be. May you not forget the infinite possibilities that are born of faith. May you trust those gifts that you have received and pass on the love that has been given to you. May you be content knowing you are a child of God. Let this presence settle into your bones and allow your soul the freedom to sing, dance, and bask in the sun. It is there for each and every one of you. Blessings for a productive day.

Pledge of Allegiance led by Senator Dawn Hill of York County.

Reading of the Journal of Tuesday, February 26, 2013.

Doctor of the day, Charles Pattavina, MD, FACEP, Winterport.

Off Record Remarks

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

ORDERS

Joint Order

On motion by Senator **GOODALL** of Sagadahoc, the following Joint Order:

S.P. 285

Ordered, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, March 5, 2013 at 10:00 in the morning.

READ and PASSED.

Sent down for concurrence.

PAPERS FROM THE HOUSE

Non-Concurrent Matter

Bill "An Act To Amend the Law Governing Appeals of Final Agency Action on Applications Concerning Wind Energy Development"

S.P. 83 L.D. 247

In Senate, February 7, 2013, on motion by Senator **VALENTINO** of York, **REFERRED** to the Committee on **JUDICIARY** and ordered printed.

Comes from the House, **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed, in **NON-CONCURRENCE**.

On motion by Senator **GOODALL** of Sagadahoc, **TABLED** until Later in Today's Session, pending **FURTHER CONSIDERATION**.

Non-Concurrent Matter

Bill "An Act To Encourage Workforce Development in the Heating, Ventilation, Air Conditioning, Efficiency and Energy Conservation Trades and Reduce Carbon Dioxide Emissions"
S.P. 84 L.D. 248

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

In Senate, February 7, 2013, on motion by Senator **BOYLE** of Cumberland, **REFERRED** to the Joint Select Committee on **MAINE'S WORKFORCE AND ECONOMIC FUTURE** and ordered printed.

Comes from the House, **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed, in **NON-CONCURRENCE**.

On motion by Senator **GOODALL** of Sagadahoc, the Senate **RECEDED** and **CONCURRED**.

House Papers

Bill "An Act To Preserve and Ensure Equitable Funding of Maine's Commercial Racetracks"

H.P. 321 L.D. 471

Committee on **VETERANS AND LEGAL AFFAIRS** suggested and ordered printed.

Comes from the House, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY**.

Senator **TUTTLE** of York moved to **REFER** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY**, in concurrence.

On motion by Senator **JACKSON** of Aroostook, **TABLED** until Later in Today's Session, pending the motion by Senator **TUTTLE** of York to **REFER** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY**, in concurrence.

Bill "An Act To Require Investigation and Prosecution of Assaults by Law Enforcement Officers against Unarmed Individuals"
H.P. 477 L.D. 685

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

Comes from the House, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY**.

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

Bill "An Act To Improve Access to Career and Technical Schools"
H.P. 487 L.D. 715

Comes 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.

Bill "An Act To Make Bylaws and Minutes of Board Meetings of Publicly Funded Hospitals Subject to the Freedom of Access Act"
H.P. 476 L.D. 684

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

Comes from the House, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**.

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

Resolve, To Establish the Advisory Committee To Update Rules Regulating Commercial Whitewater Rafting (EMERGENCY)
H.P. 444 L.D. 652

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

Comes from the House, with the Resolve and accompanying papers **INDEFINITELY POSTPONED**.

On motion by Senator **DUTREMBLE** of York, Resolve and accompanying papers **INDEFINITELY POSTPONED**, in concurrence.

Bill "An Act To Nullify the Federal Patient Protection and Affordable Care Act of 2010"

H.P. 472 L.D. 680

Committee on **INSURANCE AND FINANCIAL SERVICES** suggested and ordered printed.

Comes from the House, **REFERRED** to the Committee on **JUDICIARY**.

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

Bill "An Act To Enhance and Encourage Economic Development of the Lower Penobscot River Basin by Creating a Niche Port Plan"

H.P. 401 L.D. 582

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

Comes from the House, **REFERRED** to the Committee on **TRANSPORTATION**.

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

Bill "An Act To Reimburse Philip Wolley for Litigation Expenses Incurred in Connection with His Termination and Reinstatement as a State Employee"

H.P. 451 L.D. 659

Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** suggested and ordered printed.

Comes from the House, **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS**.

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

COMMUNICATIONS

The Following Communication: H.P. 494

**TOWN OF THOMASTON
P.O. BOX 299
THOMASTON, MAINE 04861-0299**

RESOLUTION

The Town of Thomaston Board of Selectmen requests the Maine Legislature and US Congressional Delegation to consider a constitutional amendment reversing rulings that equate corporations and unions with persons and treat money as free speech. In addition to this long-term reform, we ask for immediate legislation establishing rules of disclosure and appropriations toward the public financing of elections.

Given under our hands this 28th day of January in the year of Our Lord Two Thousand Thirteen.

THOMASTON BOARD OF SELECTMEN:

S/Lee-Ann Upham, Chairman
S/William Hahn, Vice Chairman
S/Peter Lammert
S/Jonathan Eaton
S/Greg Hamlin

Comes from the House, **READ** and **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS**.

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

The Following Communication: S.C. 102

**STATE OF MAINE
ONE HUNDRED AND TWENTY SIXTH LEGISLATURE
COMMITTEE ON LABOR, COMMERCE, RESEARCH AND
ECONOMIC DEVELOPMENT**

February 26, 2013

The Honorable Justin L. Alford
President of the Senate of Maine
126th Maine State Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Labor, Commerce, Research and Economic Development has had under consideration the nomination of John Moncure of Harpswell, for reappointment as a member of the Midcoast Regional Redevelopment Authority.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS Senators 1 Cushing of Penobscot
Representatives 10 Herbig of Belfast, Campbell of Newfield, Duprey of Hampden, Gilbert of Jay, Hamann of South Portland, Lockman of Amherst, Mason of Topsham, Mastraccio of Sanford, Volk of Scarborough, Winchenbach of Waldoboro

NAYS 0

ABSENT 2 Sen. Patrick of Oxford, Sen. Cleveland of Androscoggin

Eleven of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of John Moncure of Harpswell, for reappointment as a member of the Midcoast Regional Redevelopment Authority be confirmed.

Signed,

S/John L. Patrick
Senate Chair

S/Erin D. Herbig
House Chair

READ and ORDERED PLACED ON FILE.

The Chair noted the absence of the Senator from Cumberland, Senator **WOODBURY** and further excused the same Senator from today's Roll Call votes.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 126th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#3)

YEAS: Senators: None

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

Representatives 9 Herbig of Belfast, Campbell of Newfield, Duprey of Hampden, Gilbert of Jay, Lockman of Amherst, Mason of Topsham, Mastraccio of Sanford, Volk of Scarborough, Winchenbach of Waldoboro

NAYS 0

EXCUSED: Senator: WOODBURY

ABSENT 3 Sen. Cleveland of Androscoggin, Sen. Cushing of Penobscot, Rep. Hamann of South Portland

No Senator having voted in the affirmative and 34 Senators having voted in the negative, with 1 Senator being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **John Moncure** of Harpswell for reappointment as a member of the Midcoast Regional Redevelopment Authority was **CONFIRMED**.

Ten of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of John G. Peters of Harpswell, for appointment as a member of the Midcoast Regional Redevelopment Authority be confirmed.

The Secretary has so informed the Speaker of the House of Representatives.

Signed,

S/John L. Patrick
Senate Chair

The Following Communication: S.C. 105

S/Erin D. Herbig
House Chair

**STATE OF MAINE
ONE HUNDRED AND TWENTY SIXTH LEGISLATURE
COMMITTEE ON LABOR, COMMERCE, RESEARCH AND
ECONOMIC DEVELOPMENT**

READ and ORDERED PLACED ON FILE.

February 26, 2013

The President laid before the Senate the following: "Shall the recommendation of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** be overridden?"

The Honorable Justin L. Alfond
President of the Senate of Maine
126th Maine State Legislature
State House
Augusta, Maine 04333-0003

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 126th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

Dear Mr. President:

The Secretary opened the vote.

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Labor, Commerce, Research and Economic Development has had under consideration the nomination of John G. Peters of Harpswell, for appointment as a member of the Midcoast Regional Redevelopment Authority.

ROLL CALL (#4)

YEAS: Senators: None

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

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

YEAS Senators 1 Patrick of Oxford

EXCUSED: Senator: WOODBURY

No Senator having voted in the affirmative and 34 Senators having voted in the negative, with 1 Senator being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **John G. Peters** of Harpswell for appointment as a member of the Midcoast Regional Redevelopment Authority was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

The Following Communication: S.C. 103

**STATE OF MAINE
ONE HUNDRED AND TWENTY SIXTH LEGISLATURE
COMMITTEE ON LABOR, COMMERCE, RESEARCH AND
ECONOMIC DEVELOPMENT**

February 26, 2013

The Honorable Justin L. Alford
President of the Senate of Maine
126th Maine State Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Labor, Commerce, Research and Economic Development has had under consideration the nomination of Susan B. Snowden of Scarborough, for reappointment to the Finance Authority of Maine.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	2	Patrick of Oxford, Cushing of Penobscot
	Representatives	10	Herbig of Belfast, Campbell of Newfield, Duprey of Hampden, Gilbert of Jay, Hamann of South Portland, Lockman of Amherst, Mason of Topsham, Mastraccio of Sanford, Volk of Scarborough, Winchenbach of Waldoboro
NAYS		0	
ABSENT		1	Sen. Cleveland of Androscoggin

Twelve of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Susan B. Snowden of Scarborough, for reappointment to the Finance Authority of Maine be confirmed.

Signed,

S/John L. Patrick
Senate Chair

S/Erin D. Herbig
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 126th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#5)

YEAS: Senators: None

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

EXCUSED: Senator: WOODBURY

No Senator having voted in the affirmative and 34 Senators having voted in the negative, with 1 Senator being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Susan B. Snowden** of Scarborough for reappointment to the Finance Authority of Maine was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

The Following Communication: S.C. 104

**STATE OF MAINE
ONE HUNDRED AND TWENTY SIXTH LEGISLATURE
COMMITTEE ON LABOR, COMMERCE, RESEARCH AND
ECONOMIC DEVELOPMENT**

February 26, 2013

The Honorable Justin L. Alfond
President of the Senate of Maine
126th Maine State Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Labor, Commerce, Research and Economic Development has had under consideration the nomination of Donna L. Talarico of North Yarmouth, for appointment as a member of the Maine State Housing Authority.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	2	Patrick of Oxford, Cushing of Penobscot
	Representatives	7	Herbig of Belfast, Campbell of Newfield, Duprey of Hampden, Gilbert of Jay, Lockman of Amherst, Mason of Topsham, Winchenbach of Waldoboro
NAYS		0	
ABSENT		4	Sen. Cleveland of Androscoggin, Rep. Hamann of South Portland, Rep. Mastraccio of Sanford, Rep. Volk of Scarborough

Nine of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Donna L. Talarico of North Yarmouth, for appointment as a member of the Maine State Housing Authority be confirmed.

Signed,

S/John L. Patrick
Senate Chair

S/Erin D. Herbig
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 126th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#6)

YEAS: Senators: None

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

EXCUSED: Senator: WOODBURY

No Senator having voted in the affirmative and 34 Senators having voted in the negative, with 1 Senator being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Donna L. Talarico** of North Yarmouth for appointment as a member of the Maine State Housing Authority was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

The Following Communication: S.C. 80

**STATE OF MAINE
126TH LEGISLATURE
OFFICE OF THE PRESIDENT**

February 22, 2013

Honorable Darek Grant
Secretary of the Senate
3 State House Station
Augusta, ME 04333

Dear Secretary Grant:

Pursuant to our authority under Title 12, MRSA, §6447, we are pleased to make the following appointments to the Lobster Management Policy Council:

Senator Chris Johnson of Lincoln

LEGISLATIVE RECORD - SENATE, THURSDAY, FEBRUARY 28, 2013

Senator Edward Mazurek of Knox

Please let us know if you have any questions regarding these appointments.

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. 83

**STATE OF MAINE
126TH LEGISLATURE
OFFICE OF THE PRESIDENT**

February 22, 2013

Honorable Darek Grant
Secretary of the Senate
3 State House Station
Augusta, ME 04333

Dear Secretary Grant:

Pursuant to my authority under Title 5, MRSA, §20065, I am pleased to appoint Senator John Tuttle of York to the Substance Abuse Services Commission.

Please let me know if you have any questions regarding this appointment.

Sincerely,

S/Justin L. Alfond
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 84

**STATE OF MAINE
126TH LEGISLATURE
OFFICE OF THE PRESIDENT**

February 22, 2013

Honorable Darek Grant
Secretary of the Senate
3 State House Station
Augusta, ME 04333

Dear Secretary Grant:

Pursuant to my authority under Title 5, MRSA, §24001, I have made the following appointments to the Maine Children's Growth Council:

Senator Justin Alfond of Cumberland
Senator Brian Langley of Hancock

Please let me know if you have any questions regarding these appointments.

Sincerely,

S/Justin L. Alfond
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 85

**STATE OF MAINE
126TH LEGISLATURE
OFFICE OF THE PRESIDENT**

February 22, 2013

Honorable Darek Grant
Secretary of the Senate
3 State House Station
Augusta, ME 04333

Dear Secretary Grant:

Pursuant to my authority under Title 7, MRSA, §125, I am pleased to appoint Senator James Boyle of Cumberland to the Board of Agriculture.

Please let me know if you have any questions regarding this appointment.

Sincerely,

S/Justin L. Alfond
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 86

**STATE OF MAINE
126TH LEGISLATURE
OFFICE OF THE PRESIDENT**

February 22, 2013

Honorable Darek Grant
Secretary of the Senate
3 State House Station
Augusta, ME 04333

Dear Secretary Grant:

Pursuant to my authority under Title 5, MRSA, §3371, I have made the following appointments to the Maine Fire Protection Services Commission:

Senator David Dutremble of York
Senator David Burns of Washington

Please let me know if you have any questions regarding these appointments.

Sincerely,

S/Justin L. Alfond
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 87

**STATE OF MAINE
126TH LEGISLATURE
OFFICE OF THE PRESIDENT**

February 22, 2013

Honorable Darek Grant
Secretary of the Senate
3 State House Station
Augusta, ME 04333

Dear Secretary Grant:

Pursuant to my authority under Title 5, MRSA, §19202, I am pleased to appoint Senator John Cleveland of Androscoggin to the Maine HIV Advisory Committee.

Please let me know if you have any questions regarding this appointment.

Sincerely,

S/Justin L. Alfond
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 88

**STATE OF MAINE
126TH LEGISLATURE
OFFICE OF THE PRESIDENT**

February 22, 2013

Honorable Darek Grant
Secretary of the Senate
3 State House Station
Augusta, ME 04333

Dear Secretary Grant:

Pursuant to my authority under Title 3, MRSA, §231, I am pleased to make the following appointments to the New England Eastern Canada Legislative Commission:

Senator Troy Jackson of Aroostook
Senator Roger Sherman of Aroostook

Please let me know if you have any questions regarding these appointments.

Sincerely,

S/Justin L. Alfond
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 89

**STATE OF MAINE
126TH LEGISLATURE
OFFICE OF THE PRESIDENT**

February 22, 2013

Honorable Darek Grant
Secretary of the Senate
3 State House Station
Augusta, ME 04333

Dear Secretary Grant:

Pursuant to my authority under Title 3, MRSA, §227, I am pleased to make the following appointments to the Maine-Canadian Legislative Advisory Commission:

Senator Troy Jackson of Aroostook
Senator Roger Sherman of Aroostook

Please let me know if you have any questions regarding these appointments.

Sincerely,

S/Justin L. Alfond
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 90

**STATE OF MAINE
126TH LEGISLATURE
OFFICE OF THE PRESIDENT**

February 22, 2013

Honorable Darek Grant
Secretary of the Senate
3 State House Station
Augusta, ME 04333

Dear Secretary Grant:

Pursuant to my authority under Title 3, MRSA, §168-B, I am pleased to make the following appointments to the Legislative Youth Advisory Council:

Senator Dawn Hill of York
Senator Garrett Mason of Androscoggin

Please let me know if you have any questions regarding these appointments.

Sincerely,

S/Justin L. Alford
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 91

**STATE OF MAINE
126TH LEGISLATURE
OFFICE OF THE PRESIDENT**

February 22, 2013

Honorable Darek Grant
Secretary of the Senate
3 State House Station
Augusta, ME 04333

Dear Secretary Grant:

Pursuant to my authority under Title 22, MRSA, §3739, I am pleased to appoint Senator Colleen Lachowicz of Kennebec to the Child Care Advisory Council.

Please let me know if you have any questions regarding this appointment.

Sincerely,

S/Justin L. Alford
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 92

**STATE OF MAINE
126TH LEGISLATURE
OFFICE OF THE PRESIDENT**

February 22, 2013

Honorable Darek Grant
Secretary of the Senate
3 State House Station
Augusta, ME 04333

Dear Secretary Grant:

Pursuant to my authority under Title 20-A MRSA, §11053, I am pleased to appoint Senator Emily Cain of Penobscot to the New England Board of Higher Education.

Please let me know if you have any questions regarding this appointment.

Sincerely,

S/Justin L. Alford
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 93

**STATE OF MAINE
126TH LEGISLATURE
OFFICE OF THE PRESIDENT**

February 22, 2013

Honorable Darek Grant
Secretary of the Senate
3 State House Station
Augusta, ME 04333

Dear Secretary Grant:

Pursuant to my authority under Title 17-A, MRSA, §1353, I am pleased to appoint Senator Stan Gerzofsky of Cumberland to serve as a consultant to the Criminal Law Advisory Commission, as the Senate chair of the joint standing committee of the Legislature having jurisdiction over the Maine Criminal Code and the Maine Juvenile Code.

Please let me know if you have any questions regarding this appointment.

Sincerely,

S/Justin L. Alfond
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 94

**STATE OF MAINE
126TH LEGISLATURE
OFFICE OF THE PRESIDENT**

February 22, 2013

Honorable Darek Grant
Secretary of the Senate
3 State House Station
Augusta, ME 04333

Dear Secretary Grant:

Pursuant to my authority under Title 10, MRSA, §11, I am pleased to appoint to make the following appointments to the Citizen Trade Policy Commission:

Senator Troy Jackson of Aroostook
Senator John Patrick of Oxford
Senator Roger Sherman of Aroostook

Please let me know if you have any questions regarding these appointments.

Sincerely,

S/Justin L. Alfond
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 95

**STATE OF MAINE
126TH LEGISLATURE
OFFICE OF THE PRESIDENT**

February 22, 2013

Honorable Darek Grant
Secretary of the Senate
3 State House Station
Augusta, ME 04333

Dear Secretary Grant:

Pursuant to my authority under Title 1, MRSA, §411, I am pleased to appoint Senator Linda Valentino of York to the Right to Know Advisory Committee.

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

Sincerely,

S/Justin L. Alfond
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 96

**STATE OF MAINE
126TH LEGISLATURE
OFFICE OF THE PRESIDENT**

February 22, 2013

Honorable Darek Grant
Secretary of the Senate
3 State House Station
Augusta, ME 04333

Dear Secretary Grant:

Pursuant to my authority under 22 MRSA §3883, I am pleased to appoint Senator Margaret Craven of Androscoggin to the Maine Children's Trust Incorporated.

Please let me know if you have any questions regarding this appointment.

Sincerely,

S/Justin L. Alfond
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 97

**STATE OF MAINE
126TH LEGISLATURE
OFFICE OF THE PRESIDENT**

February 22, 2013

Honorable Darek Grant
Secretary of the Senate
3 State House Station
Augusta, ME 04333

Dear Secretary Grant:

Pursuant to my authority under Title 20-A, MRSA, §12304, I am pleased to appoint Senator Geoffrey Gratwick of Penobscot to the Advisory Committee on Dental Education.

Please let me know if you have any questions regarding this appointment.

Sincerely,

S/Justin L. Alfond
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 106

**STATE OF MAINE
ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE
COMMITTEE ON HEALTH AND HUMAN SERVICES**

February 26, 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 Health and Human Services has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 77 An Act To Require Health Care Practitioners To
Distribute Free Samples of Medication in
Certain Circumstances

We have also notified the sponsor and cosponsors of the Committee's action.

Sincerely,

S/Sen. Margaret M. Craven
Senate Chair

S/Rep. Richard R. Farnsworth
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 98

**STATE OF MAINE
ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE
COMMITTEE ON INSURANCE AND FINANCIAL SERVICES**

February 19, 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 Insurance and Financial Services has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 70 An Act To Require Full Disclosure by Insurance
Carriers Using Credit Ratings

We have also notified the sponsor and cosponsors of the Committee's action.

Sincerely,

S/Sen. Geoffrey M. Gratwick
Senate Chair

S/Rep. Sharon Anglin Treat
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 99

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

February 19, 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 bill out "Ought Not to Pass":

L.D. 73 An Act To Exempt Persons 65 Years of Age or
Older Whose Income Is below the Poverty Line
from Paying Property Taxes on Their Homes

We have also notified the sponsor and cosponsors of the Committee's action.

Sincerely,

S/Sen. Anne M. Haskell
Senate Chair

S/Rep. Adam A. Goode
House Chair

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

The Following Communication: S.C. 107

**STATE OF MAINE
ONCE HUNDRED AND TWENTY-SIXTH LEGISLATURE
COMMITTEE ON TRANSPORTATION**

February 26, 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 Transportation has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 75 An Act To Ensure Pedestrian Safety in Roundabouts

We have also notified the sponsor and cosponsors of the Committee's action.

Sincerely,

S/Sen. Edward J. Mazurek
Senate Chair

S/Rep. Charles K. Theriault
House Chair

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

The Following Communication: S.C. 100

**STATE OF MAINE
ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE
COMMITTEE ON VETERANS AND LEGAL AFFAIRS**

February 21, 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 Veterans and Legal Affairs has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 121 An Act To Amend the Laws Governing the Operation of Tournament Games by Charitable Organizations

We have also notified the sponsor and cosponsors of the Committee's action.

Sincerely,

S/Sen. John L. Tuttle
Senate Chair

S/Rep. Louis J. Luchini
House Chair

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

The Following Communication: S.C. 101

TOWN OF PITTSFIELD RESOLUTION

Be It Resolved by the Pittsfield Town Council:

Whereas, the Pittsfield Town Council is deeply concerned and wishes to express its opposition to multiple proposals to Shift the Burden of Funding State Government to Municipalities through the Property Tax and to the Property Tax Payer.

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

Whereas, the proposal to suspend municipal revenue sharing would result in a loss of over \$372,299 in revenues, which represents 23.1% of the Town's Revenue Budget and \$1.66 on the property tax rate;

Whereas, the proposal to redirect the commercial excise tax would result in a loss of approximately \$124,640 or 7.7% of the Town's Revenue Budget and \$.56 on the property tax rate;

Whereas, in the second year of the biennium, the business equipment tax reimbursement program would be eliminated which provides a reimbursement to the Town of \$239,607 and represents \$1.07 on the property tax rate if the funds are not otherwise reimbursed;

Whereas, SAD #53 would be required to pay additional monies to fund Teacher Retirement under the Governor' budget proposal which would affect the school budget and ultimately be reflected in the community's assessment;

Whereas, eliminating the homestead exemption in FY 15 for those under 65 will increase taxes for those residents by \$185.00 in that year if the Town's tax rate remains the same;

Whereas, low and moderate income residents under the age of 65 who now qualify for the state property tax circuit breaker program will no longer qualify for it in the coming budget year;

Whereas, if enacted, these changes reflect 3 1% of the Municipality's revenue sources as a base plus the BETE Revenue, excluding impacts on the school assessment;

Whereas, to replace these revenues through property taxation, the Town's tax rate would need to be increased by \$3.29 mills without including the impact of SAD#53's assessment and before considering any needs of the community in its budget;

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

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

Signed February 19, 2013 by the Pittsfield Town Council:

S/Gary R. Jordan, Jr.
Mayor

S/Michael A. Cianchette
Councilor

S/Timothy P. Nichols
Deputy Mayor

S/Caleb K. Curtis
Councilor

S/Donna M. Chale
Councilor

S/Heather J. Donahue
Councilor

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

SENATE PAPERS

Bill "An Act To Promote Sustainable Food Policies"
S.P. 283 L.D. 745

Presented by President ALFOND of Cumberland.
Cosponsored by Representative McCABE of Skowhegan and
Senators: BOYLE of Cumberland, JACKSON of Aroostook,
Representative: GOODE of Bangor.

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

Sent down for concurrence.

Bill "An Act To Allow Charter Schools To Request Waivers from Certain Requirements"
S.P. 267 L.D. 729

Presented by Senator MASON of Androscoggin.

Bill "An Act To Amend the Regional School Unit Budget Validation Process"
S.P. 280 L.D. 742

Presented by Senator VALENTINO of York.

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

Sent down for concurrence.

Resolve, Directing the Department of Environmental Protection To Add a Flame Retardant to the Lists of Chemicals of Concern and of High Concern
S.P. 273 L.D. 735

Presented by Senator SAVIELLO of Franklin.
Cosponsored by Senators: BOYLE of Cumberland, GOODALL of Sagadahoc, KATZ of Kennebec, LANGLEY of Hancock,
Representative: BLACK of Wilton.

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

Sent down for concurrence.

Resolve, Directing the Department of Health and Human Services To Provide an Exception to the 60-day Limit on Out-of-state Services under the MaineCare Section 21 Waiver Program
S.P. 284 L.D. 746

Presented by Senator WOODBURY of Cumberland.

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

Sent down for concurrence.

Bill "An Act To Protect Maine's Loons by Banning Lead Sinkers and Jigs"

S.P. 268 L.D. 730

Presented by Senator HASKELL of Cumberland.
Cosponsored by Representative SHAW of Standish and Senators: CLEVELAND of Androscoggin, JACKSON of Aroostook, Representatives: BLACK of Wilton, CRAFTS of Lisbon, DAVIS of Sangerville, ESPLING of New Gloucester, JONES of Freedom, WOOD of Sabattus.

Bill "An Act To Establish the Review Board of Appeals To Review the Denial of Hunting and Fishing Licenses"

S.P. 274 L.D. 736

Presented by Senator JACKSON of Aroostook.
Cosponsored by Representative WOOD of Sabattus and Senators: DUTREMBLE of York, HASKELL of Cumberland, PATRICK of Oxford, SAVIELLO of Franklin, Representatives: McCABE of Skowhegan, SHAW of Standish.

Bill "An Act To Promote the Northern Maine Economy and Support Maine's Sporting Camp Tradition"

S.P. 276 L.D. 738

Presented by Senator JACKSON of Aroostook.
Cosponsored by Representative WOOD of Sabattus and Senators: DUTREMBLE of York, HASKELL of Cumberland, TUTTLE of York, Representative: SHAW of Standish.

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

Sent down for concurrence.

Bill "An Act Establishing Health Care Practitioner Transparency Requirements"

S.P. 265 L.D. 727

Presented by Senator GRATWICK of Penobscot.
Cosponsored by Representative SANBORN of Gorham and Senators: CAIN of Penobscot, CRAVEN of Androscoggin, HASKELL of Cumberland, LACHOWICZ of Kennebec, LANGLEY of Hancock, SAVIELLO of Franklin, WHITTEMORE of Somerset, Representative: TREAT of Hallowell.

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

Sent down for concurrence.

Bill "An Act To Adopt the Uniform Parentage Act"

S.P. 264 L.D. 726

Presented by Senator YOUNGBLOOD of Penobscot.
Cosponsored by Senator: KATZ of Kennebec, Representatives: BEAVERS of South Berwick, CAMPBELL of Orrington, CHAPMAN of Brooksville, GIDEON of Freeport, McLEAN of Gorham, RUSSELL of Portland.

Bill "An Act To Improve the Child Support Collection Process"

S.P. 271 L.D. 733

Presented by Senator JOHNSON of Lincoln.
Cosponsored by Representative BEAULIEU of Auburn and Senators: CRAVEN of Androscoggin, LACHOWICZ of Kennebec, MILLETT of Cumberland, VALENTINO of York.

Bill "An Act To Extend the Statute of Limitations on Certain Civil Professional Negligence Suits"

S.P. 282 L.D. 744

Presented by Senator VALENTINO of York.
Cosponsored by Senator: TUTTLE of York, Representatives: DeCHANT of Bath, HAYES of Buckfield, MAKER of Calais, MONAGHAN-DERRIG of Cape Elizabeth, TURNER of Burlington, VILLA of Harrison.

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

Sent down for concurrence.

Bill "An Act To Impose a Holding Period during Which a Dealer in Secondhand Precious Metals Must Retain Property"

S.P. 270 L.D. 732

Presented by Senator KATZ of Kennebec.
Cosponsored by Representative FITZPATRICK of Houlton, Representative DION of Portland and Representative: GRAHAM of North Yarmouth.

Resolve, To Establish a Task Force To Study Economic Development in Rural Areas

S.P. 277 L.D. 739

Presented by Senator SHERMAN of Aroostook.
Cosponsored by Representative STANLEY of Medway and Senator: JACKSON of Aroostook, Representatives: BLACK of Wilton, DAVIS of Sangerville, GIFFORD of Lincoln, HARVELL of Farmington, LONG of Sherman, TIMBERLAKE of Turner.

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 Promote Workforce Development and Training in the Heating, Ventilation, Air Conditioning and Energy Efficiency and Conservation Trades"

S.P. 275 L.D. 737

Presented by Senator GERZOFISKY of Cumberland.
Cosponsored by Senator: DUTREMBLE of York, Representative: CAREY of Lewiston.

On motion by Senator **GOODALL** of Sagadahoc, **REFERRED** to the Joint Select Committee on **MAINE'S WORKFORCE AND ECONOMIC FUTURE** and ordered printed.

Sent down for concurrence.

Bill "An Act To Increase the Number of Elver Harvesting Licenses and Preserve the Fishery through Conservation"

S.P. 269 L.D. 731

Presented by Senator MAZUREK of Knox.
Cosponsored by Representative WELSH of Rockport and Senators: JACKSON of Aroostook, LACHOWICZ of Kennebec.

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

Sent down for concurrence.

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Require That the Attorney General Be Elected by Popular Vote

S.P. 278 L.D. 740

Presented by Senator SHERMAN of Aroostook.
Cosponsored by Representative WILLETTE of Mapleton.

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

Sent down for concurrence.

Bill "An Act To Amend the Laws Dealing with the Taxing of Extended Warranty Claims for Trucks"

S.P. 266 L.D. 728

Presented by Senator THOMAS of Somerset.
Cosponsored by Representative DUNPHY of Embden and Senators: LANGLEY of Hancock, MAZUREK of Knox, SHERMAN of Aroostook, THIBODEAU of Waldo, WHITTEMORE of Somerset, Representative: AYOTTE of Caswell.

Bill "An Act Relating to the Sales Tax Exemption on Depreciable Equipment Used in Commercial Wood Harvesting"

S.P. 272 L.D. 734

Presented by Senator JACKSON of Aroostook.
Cosponsored by Senators: HASKELL of Cumberland, HILL of York, PATRICK of Oxford, Representatives: GOODE of Bangor, JONES of Freedom, McCABE of Skowhegan, TIPPING-SPITZ of Orono.

Bill "An Act To Promote Fairness in the Sales Tax Exemption for Vehicles Used in Interstate Commerce"

S.P. 279 L.D. 741

Presented by Senator THOMAS of Somerset.
Cosponsored by Representative GIFFORD of Lincoln and Senators: COLLINS of York, SHERMAN of Aroostook, WHITTEMORE of Somerset, Representatives: BROOKS of Winterport, DAVIS of Sangerville, FREDETTE of Newport, HARVELL of Farmington, TIMBERLAKE of Turner.

Bill "An Act To Extend and Improve the Maine Seed Capital Tax Credit Program"

S.P. 281 L.D. 743

Presented by Senator VALENTINO of York.
Cosponsored by Representative HOBBS of Saco and Senators: President ALFOND of Cumberland, CAIN of Penobscot, DUTREMBLE of York, GOODALL of Sagadahoc, WOODBURY of Cumberland, Representatives: BENNETT of Kennebunk, BERRY of Bowdoinham, KNIGHT of Livermore Falls.

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

Sent down for concurrence.

**Pursuant to Statutes
Judicial Compensation Commission**

Senator VALENTINO for the **Judicial Compensation Commission**, pursuant to the Maine Revised Statutes, Title 4, section 1701 asked leave to report that the accompanying Bill "An Act To Implement the Recommendations of the Judicial Compensation Commission" (EMERGENCY)

S.P. 263 L.D. 725

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

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

On motion by Senator **VALENTINO** of York, **REFERRED** to the Committee on **JUDICIARY** and ordered printed pursuant to Joint Rule 218.

Sent down for concurrence.

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

Off Record Remarks

REPORTS OF COMMITTEES

House

Ought to Pass

The Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Abolish the Trustees of Public Cemeteries for the City of Waterville" (EMERGENCY)

H.P. 88 L.D. 106

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

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **TAXATION** on Bill "An Act To Allow the Maine Potato Board To Have Access to Information Regarding the Potato Tax" (EMERGENCY)

H.P. 13 L.D. 9

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

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

SECOND READERS

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

House

Bill "An Act To Correct an Inconsistency in Maine's Apprenticeship Laws"

H.P. 85 L.D. 103

Bill "An Act To Make Changes to the Educators for Maine Program"

H.P. 94 L.D. 112

Bill "An Act To Make Changes to the Maine College Savings Program"

H.P. 95 L.D. 113

READ A SECOND TIME and **PASSED TO BE ENGROSSED**, in concurrence.

Senate

Bill "An Act To Fully Fund the Homemaker Services Program"

S.P. 12 L.D. 20

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

Sent down for concurrence.

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

Senate at Ease.

Senate called to order by the President.

ORDERS OF THE DAY

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

Bill "An Act To Preserve and Ensure Equitable Funding of Maine's Commercial Racetracks"

H.P. 321 L.D. 471

Tabled - February 28, 2013, by Senator **JACKSON** of Aroostook

Pending - motion by Senator **TUTTLE** of York to **REFER** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY**, in concurrence

(Committee on **VETERANS AND LEGAL AFFAIRS** suggested and ordered printed.)

(In House, February 26, 2013, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY**.)

On motion by Senator **JACKSON** of Aroostook, Bill and accompanying papers **INDEFINITELY POSTPONED**, in **NON-CONCURRENCE**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (2/26/13) matter:

Bill "An Act To Amend the Workers' Compensation Self-insurance Laws"

S.P. 255 L.D. 706

Tabled - February 26, 2013, by Senator **JACKSON** of Aroostook

Pending - **REFERENCE**

(Committee on **INSURANCE AND FINANCIAL SERVICES** suggested and ordered printed.)

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

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (2/26/13) matter:

Bill "An Act To Encourage the Use of Career Interest and Aptitude Tests in Higher Education"

H.P. 462 L.D. 670

Tabled - February 26, 2013, by Senator **MILLETT** of Cumberland

Pending - **REFERENCE**

(In House, February 26, 2013, **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.

The Chair laid before the Senate the following Tabled and Later Assigned (2/26/13) matter:

Bill "An Act Concerning Postsecondary Tuition Waivers for Children of Veterans"

H.P. 469 L.D. 677

Tabled - February 26, 2013, by Senator **TUTTLE** of York

Pending - **REFERENCE**

(In House, February 26, 2013, **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.

Off Record Remarks

RECESSED until the sound of the bell.

After Recess

Senate called to order by the President.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Authorize a General Fund Bond Issue To Fund the Construction of a New State Archives Facility"

H.P. 532 L.D. 781

Bill "An Act To Authorize a General Fund Bond Issue To Support Science, Technology, Engineering and Mathematics Education To Enhance Economic Development"

H.P. 533 L.D. 782

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

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

Bill "An Act To Require Firearms Used in the Commission of Certain Acts To Be Civilly Forfeited to the State and Destroyed"

H.P. 497 L.D. 724

Bill "An Act To Amend the Laws Governing Reciprocity for Concealed Handguns Permits"

H.P. 522 L.D. 771

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Ensure the Proper Treatment of Bullying Situations in Schools"

H.P. 496 L.D. 723

Bill "An Act To Make the Completion of an Internship a Requirement for High School Graduation"

H.P. 501 L.D. 750

Bill "An Act To Limit the Effect of Standardized Tests on Teacher Evaluations"

H.P. 502 L.D. 751

Bill "An Act To Implement the Recommendations of the Task Force on Franco-Americans Regarding the Reporting of Franco-American Ethnicity Data"

H.P. 523 L.D. 772

Resolve, To Enhance the Study of Franco-American History in Schools

H.P. 524 L.D. 773

Bill "An Act To Change the Voting Requirements for the Withdrawal of a Municipality from a Regional School Unit" (EMERGENCY)

H.P. 534 L.D. 783

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.

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

PAPERS FROM THE HOUSE

House Papers

Resolve, Regarding a Fire and Police Protocols Pilot Program for E-9-1-1 Call Processing

H.P. 525 L.D. 774

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

On motion by Senator **CLEVELAND** of Androscoggin, **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed, in concurrence.

Bill "An Act To Restore the Resource Development Centers to Full Operation"

H.P. 503 L.D. 752

Bill "An Act To Prohibit the Sale of High-caffeine Energy Drinks to Persons under 18 Years of Age"

H.P. 504 L.D. 753

Bill "An Act To Encourage Transparency in the Disclosing of the Ingredients in Vaccinations for Children"

H.P. 505 L.D. 754

Bill "An Act To Require Estimates of Patient Costs Prior to Treatment"

H.P. 506 L.D. 755

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.

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 Hunting Laws as They Pertain to the Training of Dogs"

H.P. 508 L.D. 757

Bill "An Act To Protect Boats, Moorings and Docks in the Inland Waters of the State"

H.P. 509 L.D. 758

Bill "An Act To Require a Nonresident To Hire a Maine Guide To Hunt Sea Ducks"

H.P. 526 L.D. 775

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.

Bill "An Act Regarding Subrogation of Medical Payments Coverage"

H.P. 507 L.D. 756

Bill "An Act To Amend the Laws Related to Rate and Form Filings"

H.P. 527 L.D. 776

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.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Hold Harmless a Municipality For Volunteer or Unpaid Labor"

H.P. 510 L.D. 759

Bill "An Act Regarding Informed Consent to an Abortion"

H.P. 511 L.D. 760

Bill "An Act To Protect Working Mothers Who Breast-feed"

H.P. 528 L.D. 777

Bill "An Act To Ensure the Periodic Review and Revision of Statutory Provisions"

H.P. 536 L.D. 785

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.

Resolve, To Establish a Task Force To Review Section 8 Housing Construction Standards

H.P. 495 L.D. 722

Bill "An Act To Protect Doctors Who Prescribe a Complementary Course of Treatment and To Provide Insurance Coverage for That Treatment"

H.P. 498 L.D. 747

Bill "An Act To Clarify the Agricultural Exemption to the Workers' Compensation Laws"

H.P. 512 L.D. 761

Bill "An Act To Ensure the Voluntary Membership of Public Employees in Unions"

H.P. 537 L.D. 786

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.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act Regarding the Passage of River Herring on the St. Croix River" (EMERGENCY)

H.P. 499 L.D. 748

Bill "An Act To Develop Principles To Guide Fisheries Management Decisions"

H.P. 529 L.D. 778

Come 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.

Bill "An Act To Encourage Municipal Infrastructure Improvement"

H.P. 538 L.D. 787

Comes 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.

Bill "An Act To Facilitate Collection of Property Taxes on Personal Property"

H.P. 513 L.D. 762

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

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

Bill "An Act To Limit Contributions to Candidates for Maine Offices to Maine Residents"
H.P. 518 L.D. 767

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

Bill "An Act To Increase Access to Voter Lists"
H.P. 519 L.D. 768

PAPERS FROM THE HOUSE

Bill "An Act To Create Fairness in Political Party Enrollment Deadlines"
H.P. 520 L.D. 769

House Papers

Resolve, Directing the Department of Transportation and the Maine Turnpike Authority To Conduct a Study Regarding the Need for a Passenger Transit Service Linking Municipalities from Portland North to Lewiston and Auburn
H.P. 514 L.D. 763

Bill "An Act Regarding Corporate and Other Entity Campaign Advertising Disclosure and Accountability"
H.P. 521 L.D. 770

Resolve, Directing the Department of Transportation To Conduct a Traffic Study To Consider Whether To Open Water Street in Augusta to 2-way Traffic
H.P. 515 L.D. 764

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

Bill "An Act To Amend the Law Regarding Motorcycle Registration Expiration Dates"
H.P. 516 L.D. 765

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

Bill "An Act To Require a Public Notification and Hearing Process before Any Toll Increase by the Maine Turnpike Authority and Establish a Formal Grievance Process"
H.P. 530 L.D. 779

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

Bill "An Act To Reduce Conflicts of Interest in the Motor Vehicle Inspection Program"
H.P. 531 L.D. 780

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

Bill "An Act To Provide Vehicle Owners and Repair Facilities Access to Vehicle Diagnostic and Repair Information and Equipment"
H.P. 539 L.D. 788

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

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

On motion by Senator **GOODALL** of Sagadahoc, **ADJOURNED**, pursuant to the Joint Order, to Tuesday, March 5, 2013, at 10:00 in the morning.

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Define 'Brand' under the Liquor Laws"
H.P. 517 L.D. 766