

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
March 5, 2013

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

Prayer by Pastor Maggie Edmundson, Winthrop Center Friends
Church in Winthrop.

PASTOR EDMUNDSON: Our God, we gather in prayer to open our hearts and minds to Your constant presence within us and in everything around us. We are grateful for this time of stillness before we begin the business of this day; a time to consciously center ourselves in You and set our intention to be anchored in Your spirit; to measure truth, not by expedience or cultural norms but by the light of Your truth, which each of us is capable of knowing. We come to You today knowing how much anxiety and fear there is in our state and in our world and how bone-deep our weariness can be when we contemplate how far we are from Your vision for a just and compassionate society, and when we contemplate the enormity of the work we are asked to do. Yet the words of the prophet Isaiah still speak to us today. You give power to the faint and strengthen the powerless. Even youths will faint and be weary and the young will fall exhausted, but those who wait upon You shall renew their strength. They shall mount up with wings like eagles. They shall run and not be weary. They shall walk and not faint. Give us the vision to see new possibilities and to look forward with courage, knowing that if we ask You will guide us and that your guidance always brings that which is best for everyone, not just for those with the loudest voices or capabilities to persuade. May we hold fast to trust and to justice. You are companion to the poor. You have promised to lift up the powerless and cast down the powerful; to gather the outcasts, heal the broken hearted, and bind up their wounds. You have promised release to the captives, recovery of sight to the blind, and freedom for those who are oppressed. You have called us to be the hands and feet which do that work on this earth. May all here be filled with courage and wisdom. May we be instruments of Your peace; sowing love where there is hatred, faith where there is doubt, hope where there is despair, where there is darkness light, and where there is sadness joy. I invite you to still your minds and spend a moment or two in silent communion with one another and with the sacred unity which hold us all. Amen.

Pledge of Allegiance led by Senator Patrick S.A. Flood of
Kennebec County.

Reading of the Journal of Thursday, February 28, 2013.

Doctor of the day, Brian Kaufman, DO, FACP of Sanford.

Off Record Remarks

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Prohibit the Taking or Possession of a Natural Resource That Is on the Land of Another"
H.P. 500 L.D. 749

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

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

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

Bill "An Act To Impose Penalties for Residential Mortgage Loan Fraud and False Representation Concerning Title"
H.P. 535 L.D. 784

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 Change the Schedule for the Beginning of the Biennial Budget Cycle"
H.P. 58 L.D. 80

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

Comes from the House, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**.

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

COMMUNICATIONS

The Following Communication: S.C. 109

**STATE OF MAINE
126TH MAINE LEGISLATURE**

January 30, 2013

James H. Page, Chancellor
University of Maine System
16 Central Street
Bangor, ME 04401

Dear Chancellor Page:

We are pleased to invite you to address a Joint Session of the 126th Maine Legislature on Thursday, March 7, 2013 at 11:00 a.m. concerning the State of the University of Maine System and any other matters that you may care to bring to our attention. You will address the Joint Convention following John Fitzsimmons, President of the Maine Community College System and William Brennan, President of the Maine Maritime Academy.

We look forward to seeing you then

Sincerely,

S/Justin L. Alford
President of the Senate

S/Mark W. Eves
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 110

**STATE OF MAINE
126TH MAINE LEGISLATURE**

January 30, 2013

John Fitzsimmons, President
Maine Community College System
131 State House Station
Augusta, ME 04333

Dear President Fitzsimmons:

We are pleased to invite you to address a Joint Session of the 126th Maine Legislature on Thursday, March 7, 2013 at 11:00 a.m. concerning the State of the Maine Community College System and any other matters that you may care to bring to our attention.

On the same day, following your address, William J. Brennan, President of the Maine Maritime Academy and James Page, Chancellor of the University of Maine System will be addressing the Joint Convention.

We look forward to seeing you then

Sincerely,

S/Justin L. Alford
President of the Senate

S/Mark W. Eves
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 111

**STATE OF MAINE
126TH MAINE LEGISLATURE**

January 30, 2013

William J. Brennan, President
Maine Maritime Academy
Box C-03
Castine, ME 04420

Dear President Brennan:

We are pleased to invite you to address a Joint Session of the 126th Maine Legislature on Thursday, March 7, 2013 at 11:00 a.m. concerning the State of the Maine Maritime Academy and any other matters that you may care to bring to our attention. You will address the Joint Convention directly following John Fitzsimmons, President of the Maine Community College System.

On the same day, following your address, James Page, Chancellor of the University of Maine System will be addressing the Joint Convention.

We look forward to seeing you then

Sincerely,

S/Justin L. Alford
President of the Senate

S/Mark W. Eves
Speaker of the House

READ and ORDERED PLACED ON FILE.

SENATE PAPERS

LEGISLATIVE RECORD - SENATE, TUESDAY, MARCH 5, 2013

Bill "An Act To Authorize a General Fund Bond Issue To Reduce the Cost of Shipping for Maine Businesses, Attract Tourists and Facilitate the Development of Commuter Rail Transportation"
S.P. 299 L.D. 874

Presented by Senator MAZUREK of Knox.
Cosponsored by Representative THERIAULT of Madawaska and Senator: PATRICK of Oxford, Representatives: EVANGELOS of Friendship, VEROW of Brewer.

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

Sent down for concurrence.

Bill "An Act To Establish Positive Reentry Parole"
S.P. 298 L.D. 873

Presented by Senator TUTTLE of York.
Cosponsored by Representative BOLAND of Sanford and Senators: MASON of Androscoggin, WHITTEMORE of Somerset.

Bill "An Act Regarding the Sexual Assault Forensic Examiner Advisory Board"
S.P. 308 L.D. 883

Presented by Senator GERZOFISKY of Cumberland.
Cosponsored by Representative GRAHAM of North Yarmouth. Submitted by the Department of the Attorney General pursuant to Joint Rule 204.

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

Sent down for concurrence.

Bill "An Act To Assist York County Community College"
S.P. 287 L.D. 862

Presented by Senator TUTTLE of York.

Bill "An Act To Expand Funding for Early Childhood Education"
S.P. 293 L.D. 868

Presented by Senator LACHOWICZ of Kennebec.
Cosponsored by Representative STUCKEY of Portland and Senators: CRAVEN of Androscoggin, GRATWICK of Penobscot, MILLETT of Cumberland, Representatives: BECK of Waterville, CHIPMAN of Portland, HICKMAN of Winthrop, JONES of Freedom, MOONEN of Portland.

Bill "An Act To Change the Process for Student Transfers from an Alternative Organizational Structure"
S.P. 305 L.D. 880

Presented by Senator BURNS of Washington.

Cosponsored by Representative TURNER of Burlington and Senators: CUSHING of Penobscot, MASON of Androscoggin, SHERMAN of Aroostook, Representatives: CROCKETT of Bethel, MAKER of Calais.

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

Sent down for concurrence.

Resolve, To Reduce Greenhouse Gases and Consumer Energy Costs
S.P. 288 L.D. 863

Presented by Senator YOUNGBLOOD of Penobscot.
Cosponsored by Senators: PLUMMER of Cumberland, THIBODEAU of Waldo, THOMAS of Somerset, Representatives: BEAVERS of South Berwick, HARVELL of Farmington, JOHNSON of Eddington, RUSSELL of Portland.

Resolve, To Establish a Working Group To Study Issues Relating to Broadband Infrastructure Deployment
S.P. 301 L.D. 876

Presented by Senator JOHNSON of Lincoln.
Cosponsored by Representative THERIAULT of Madawaska and Senators: CLEVELAND of Androscoggin, JACKSON of Aroostook, MAZUREK of Knox, Representative: RUSSELL of Portland.

Bill "An Act To Remove Obsolete Provisions of the Electric Industry Restructuring Laws"
S.P. 310 L.D. 885

Presented by Senator CLEVELAND of Androscoggin.
Cosponsored by Representative HOBBS of Saco. Submitted by the Public Utilities Commission pursuant to Joint Rule 204.

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

Sent down for concurrence.

Bill "An Act To Establish the Geospatial Data Reserve Fund"
S.P. 302 L.D. 877

Presented by Senator SAVIELLO of Franklin.
Cosponsored by Representative KESCHL of Belgrade.

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

Sent down for concurrence.

Bill "An Act To Improve the Unused Pharmaceutical Disposal Program"

S.P. 306 L.D. 881

Presented by Senator CRAVEN of Androscoggin.
Cosponsored by Representative SANDERSON of Chelsea and Representative: GATTINE of Westbrook.
Submitted by the Department of the Attorney General pursuant to Joint Rule 204.

Bill "An Act To Amend the Laws Governing Confidentiality of Health Care Information To Enhance Public Safety"
S.P. 307 L.D. 882

Presented by Senator CRAVEN of Androscoggin.
Cosponsored by Representative GATTINE of Westbrook.
Submitted by the Department of the Attorney General pursuant to Joint Rule 204.

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 Increase State Wildlife Revenues and Grow the Hunting and Fishing Industries"

S.P. 304 L.D. 879

Presented by Senator TUTTLE of York.

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 Regarding Service of Small Claims Notices"
S.P. 289 L.D. 864

Presented by Senator COLLINS of York.
Cosponsored by Senator: BURNS of Washington.

Bill "An Act To Relax Divorce Requirements for Victims of Domestic Violence"
S.P. 294 L.D. 869

Presented by Senator LACHOWICZ of Kennebec.
Cosponsored by Representative CHIPMAN of Portland and Senators: CRAVEN of Androscoggin, GRATWICK of Penobscot, MILLETT of Cumberland, Representative: HICKMAN of Winthrop.

Bill "An Act To Protect Victims of Domestic Violence by Waiving Their Filing Fees in Divorce Actions"
S.P. 296 L.D. 871

Presented by Senator LACHOWICZ of Kennebec.
Cosponsored by Representative GATTINE of Westbrook and Senators: CRAVEN of Androscoggin, GRATWICK of Penobscot, MAZUREK of Knox, Representatives: CASSIDY of Lubec, FARNSWORTH of Portland, JONES of Freedom.

Bill "An Act To Improve the Quality of Guardian ad Litem Services for the Children and Families of Maine"
S.P. 297 L.D. 872

Presented by Senator DUTREMBLE of York.
Cosponsored by Representative KESCHL of Belgrade, Representative VILLA of Harrison and Senators: GERZOFOSKY of Cumberland, PATRICK of Oxford, Representatives: BROOKS of Winterport, KNIGHT of Livermore Falls, POWERS of Naples, VEROW of Brewer.

Bill "An Act To Improve Death Investigations"
S.P. 309 L.D. 884

Presented by Senator GERZOFOSKY of Cumberland.
Cosponsored by Representative GRAHAM of North Yarmouth.
Submitted by the Department of the Attorney General pursuant to Joint Rule 204.

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

Sent down for concurrence.

Bill "An Act To Streamline, Amend and Clarify Certain Professional and Occupational Licensing Statutes"
S.P. 292 L.D. 867

Presented by Senator PATRICK of Oxford.
Cosponsored by Representative MASON of Topsham and Senator: CUSHING of Penobscot, Representative: CAMPBELL of Newfield.
Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.

Bill "An Act To Buy American-made Products"
S.P. 311 L.D. 890

Presented by Senator JACKSON of Aroostook.
Cosponsored by Representative GILBERT of Jay and Senators: President ALFOND of Cumberland, BOYLE of Cumberland, CAIN of Penobscot, CUSHING of Penobscot, DUTREMBLE of York, GERZOFOSKY of Cumberland, GOODALL of Sagadahoc, GRATWICK of Penobscot, HASKELL of Cumberland, HILL of York, LACHOWICZ of Kennebec, MAZUREK of Knox, PATRICK of Oxford, SAVIELLO of Franklin, SHERMAN of Aroostook, TUTTLE of York, VALENTINO of York, Representatives: AYOTTE of Caswell, BEAVERS of South Berwick, BLACK of Wilton, CAMPBELL of Newfield, CAREY of Lewiston, CHENETTE of Saco, CHIPMAN of Portland, COOPER of Yarmouth, DAUGHTRY of Brunswick, DION of Portland, EVANGELOS of Friendship, Speaker EVES of North Berwick, GIDEON of Freeport, GOODE of Bangor, GRAHAM of North Yarmouth, GRANT of Gardiner, HAMANN of South Portland, HARLOW of

LEGISLATIVE RECORD - SENATE, TUESDAY, MARCH 5, 2013

Portland, HARVELL of Farmington, HAYES of Buckfield, HERBIG of Belfast, HICKMAN of Winthrop, JOHNSON of Eddington, JONES of Freedom, KAENRATH of South Portland, KENT of Woolwich, KUMIEGA of Deer Isle, LAJOIE of Lewiston, LIBBY of Lewiston, LONGSTAFF of Waterville, LUCHINI of Ellsworth, MARKS of Pittston, MASON of Topsham, MASTRACCIO of Sanford, McCABE of Skowhegan, McLEAN of Gorham, MITCHELL of the Penobscot Nation, MONAGHAN-DERRIG of Cape Elizabeth, MORIARTY of Cumberland, MORRISON of South Portland, NADEAU of Winslow, NOON of Sanford, PLANTE of Berwick, PRIEST of Brunswick, PRINGLE of Windham, ROTUNDO of Lewiston, RUSSELL of Portland, SANBORN of Gorham, SHAW of Standish, STANLEY of Medway, STUCKEY of Portland, THERIAULT of Madawaska, TIPPING-SPITZ of Orono, TREAT of Hallowell, VILLA of Harrison.

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 Regarding Contract Indemnification"
S.P. 290 L.D. 865

Presented by Senator CUSHING of Penobscot.
Cosponsored by Representative WILLETTE of Mapleton and Senators: COLLINS of York, MASON of Androscoggin, THIBODEAU of Waldo, WHITTEMORE of Somerset, YOUNGBLOOD of Penobscot, Representatives: BLACK of Wilton, CRAY of Palmyra, LOCKMAN of Amherst.

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

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

Bill "An Act To Provide a Preference for Maine Bidders on State Contracts"
S.P. 303 L.D. 878

Presented by Senator LACHOWICZ of Kennebec.
Cosponsored by Representative BECK of Waterville and Senators: BOYLE of Cumberland, JACKSON of Aroostook, MAZUREK of Knox, Representatives: JONES of Freedom, LONGSTAFF of Waterville.

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 Create an Income Tax Credit for Educational Supplies Purchased by Public School Employees"
S.P. 291 L.D. 866

Presented by Senator GOODALL of Sagadahoc.
Cosponsored by Senators: JACKSON of Aroostook, LANGLEY of Hancock, MILLETT of Cumberland, SAVIELLO of Franklin, Representative: MOONEN of Portland.

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

Sent down for concurrence.

Resolve, Regarding a Study by the Department of Transportation of the Most Efficient Options for Improving East-west Transit and Transportation
S.P. 295 L.D. 870

Presented by Senator MAZUREK of Knox.
Cosponsored by Representative KUMIEGA of Deer Isle and Senators: JACKSON of Aroostook, SAVIELLO of Franklin, THOMAS of Somerset, VALENTINO of York, Representative: WELSH of Rockport.

Resolve, Directing the Department of Transportation and the Maine Turnpike Authority To Conduct a Study of Possible Connector Roads in Androscoggin and Franklin Counties
S.P. 300 L.D. 875

Presented by Senator CLEVELAND of Androscoggin.
Cosponsored by Senators: CRAVEN of Androscoggin, MASON of Androscoggin, Representatives: BEAULIEU of Auburn, BOLDUC of Auburn, KNIGHT of Livermore Falls, WERTS of Auburn.

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

Sent down for concurrence.

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

ORDERS

Joint Order

Expression of Legislative Sentiment recognizing:

Rebecca Connors and her daughter, Brianna Mannisto, of Augusta, whose acts of heroism during an apartment fire saved the lives of 6 people, including a 6-month-old baby. On January 10, 2013, Ms. Connors was picking up her daughter at a school near an apartment building, when Brianna noticed smoke coming from the apartment building. A propane tank in the apartment building exploded, and Brianna ran into the school to make certain schoolchildren who were outside were brought inside and to call 911. Ms. Connors ran into the burning apartment building to alert residents, pounding on doors and shouting. All 6 people who were in the apartment building got out safely. The very serious fire involved more than 60 firefighters from 10 different departments. We send our appreciation to Rebecca Connors and Brianna Mannisto for their selfless acts of heroism and we extend our best wishes to them;

SLS 100

Sponsored by Senator KATZ of Kennebec.
Cosponsored by Representatives: FOWLE of Vassalboro,
POULIOT of Augusta, WILSON of Augusta.

READ.

THE PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Katz.

Senator **KATZ:** Thank you very much Mr. President. I would like to speak to this briefly, if I could. Ladies and gentlemen of the Senate, January 10th of this year began as a very ordinary day here in Augusta. We were in session that day. Less than a half a mile from here, over on Sewall Street, a fire broke out in an apartment building right across the street from St. Michael's School. Sixty firefighters responded that day from ten fire departments. Fortunately no one was hurt. Brianna Mannisto, who is seated over here, was 12 years old and a seventh grade student that day. She wasn't feeling well. It was actually very lucky that she was sick because she called her mother, Rebecca Connors, who is here as well, and she came to pick up her daughter. As Brianna was leaving school she noticed that there was smoke coming from the building across the street. She ran back into the schoolyard, not knowing what was going on. She heard an explosion, which turned out to be a propane tank, but nobody knew what it was at that time. There was a schoolyard full of kids. She helped get the kids back into the school as the fire was spreading. She ran to her Principal's office and got the teachers to help as well. Her mother, Becky, however, ran in the opposite direction; across the street to the burning apartment building and went right into the building and started banging on doors to make sure that everybody was getting out. Among those people whom door she banged was a mother who was sleeping with her 6 month old baby. At that point there was a second explosion. Due to Rebecca's actions, all six of the people who were in that building were able to get out before there was a real tragedy. The fire left a building that was badly damaged. It left a number of people homeless, but no one lost their lives that day. It is an honor, Mr. President, for me to welcome, and for the Senate to welcome, here today Rebecca and Brianna; who are here with her brother, Conner; Rebecca's mom, Sue; and Brianna's dad, Joe. It's an honor to have them here. Thank you very much, Mr. President.

PASSED.

Sent down for concurrence.

THE PRESIDENT: The Chair would please ask Becky, Brianna, and their family to please rise and accept the warm greetings of the Maine State Senate.

Joint Resolution

On motion by Senator **MILLETT** of Cumberland (Cosponsored by Representative MacDONALD of Boothbay and Senators: President ALFOND of Cumberland, BOYLE of Cumberland, BURNS of Washington, CAIN of Penobscot, CLEVELAND of Androscoggin, COLLINS of York, CRAVEN of Androscoggin, CUSHING of Penobscot, DUTREMBLE of York, FLOOD of Kennebec, GERZOFKY of Cumberland, GOODALL of Sagadahoc, GRATWICK of Penobscot, HAMPER of Oxford, HASKELL of Cumberland, HILL of York, JACKSON of Aroostook, JOHNSON of Lincoln, KATZ of Kennebec, LACHOWICZ of Kennebec, LANGLEY of Hancock, MASON of Androscoggin, MAZUREK of Knox, PATRICK of Oxford, PLUMMER of Cumberland, SAVIELLO of Franklin, SHERMAN of Aroostook, THIBODEAU of Waldo, THOMAS of Somerset, TUTTLE of York, VALENTINO of York, WHITEMORE of Somerset, WOODBURY of Cumberland, YOUNGBLOOD of Penobscot, Representatives: AYOTTE of Caswell, BEAR of the Houlton Band of Maliseet Indians, BEAUDOIN of Biddeford, BEAULIEU of Auburn, BEAVERS of South Berwick, BECK of Waterville, BENNETT of Kennebunk, BERRY of Bowdoinham, BLACK of Wilton, BOLAND of Sanford, BOLDUC of Auburn, BRIGGS of Mexico, BROOKS of Winterport, CAMPBELL of Newfield, CAMPBELL of Orrington, CAREY of Lewiston, CASAVANT of Biddeford, CASSIDY of Lubec, CHAPMAN of Brooksville, CHASE of Wells, CHENETTE of Saco, CHIPMAN of Portland, CLARK of Easton, COOPER of Yarmouth, COTTA of China, CRAFTS of Lisbon, CRAY of Palmyra, CROCKETT of Bethel, DAUGHTRY of Brunswick, DAVIS of Sangerville, DeCHANT of Bath, DEVIN of Newcastle, DICKERSON of Rockland, DILL of Old Town, DION of Portland, DOAK of Columbia Falls, DORNEY of Norridgewock, DUNPHY of Embden, DUPREY of Hampden, ESPLING of New Gloucester, EVANGELOS of Friendship, Speaker EVES of North Berwick, FARNSWORTH of Portland, FITZPATRICK of Houlton, FOWLE of Vassalboro, FREDETTE of Newport, FREY of Bangor, GATTINE of Westbrook, GIDEON of Freeport, GIFFORD of Lincoln, GILBERT of Jay, GILLWAY of Searsport, GOODE of Bangor, GRAHAM of North Yarmouth, GRANT of Gardiner, GUERIN of Glenburn, HAMANN of South Portland, HARLOW of Portland, HARVELL of Farmington, HAYES of Buckfield, HERBIG of Belfast, HICKMAN of Winthrop, HOBBS of Saco, HUBBELL of Bar Harbor, JACKSON of Oxford, JOHNSON of Eddington, JOHNSON of Greenville, JONES of Freedom, JORGENSEN of Portland, KAENRATH of South Portland, KENT of Woolwich, KESCHL of Belgrade, KINNEY of Limington, KNIGHT of Livermore Falls, KORNFELD of Bangor, KRUGER of Thomaston, KUMIEGA of Deer Isle, KUSIAK of Fairfield, LAJOIE of Lewiston, LIBBY of Waterboro, LIBBY of Lewiston, LOCKMAN of Amherst, LONG of Sherman, LONGSTAFF of Waterville, LUCHINI of Ellsworth, MacDONALD of Old Orchard Beach, MAKER of Calais, MALABY of Hancock, MAREAN of Hollis, MARKS of Pittston, MASON of Topsham, MASTRACCIO of

Sanford, McCABE of Skowhegan, McCLELLAN of Raymond, McELWEE of Caribou, McGOWAN of York, MITCHELL of the Penobscot Nation, MONAGHAN-DERRIG of Cape Elizabeth, MOONEN of Portland, MORIARTY of Cumberland, MORRISON of South Portland, NADEAU of Fort Kent, NADEAU of Winslow, NELSON of Falmouth, NEWENDYKE of Litchfield, NOON of Sanford, NUTTING of Oakland, PARRY of Arundel, PEASE of Morrill, PEAVEY HASKELL of Milford, PEOPLES of Westbrook, PETERSON of Rumford, PLANTE of Berwick, POULIOT of Augusta, POWERS of Naples, PRIEST of Brunswick, PRINGLE of Windham, RANKIN of Hiram, REED of Carmel, ROCHELO of Biddeford, ROTUNDO of Lewiston, RUSSELL of Portland, RYKERSON of Kittery, SANBORN of Gorham, SANDERSON of Chelsea, SAUCIER of Presque Isle, SAXTON of Harpswell, SCHNECK of Bangor, SHAW of Standish, SHORT of Pittsfield, SIROCKI of Scarborough, SOCTOMAH of the Passamaquoddy Tribe, STANLEY of Medway, STUCKEY of Portland, THERIAULT of Madawaska, TIMBERLAKE of Turner, TIPPING-SPITZ of Orono, TREAT of Hallowell, TURNER of Burlington, TYLER of Windham, VEROW of Brewer, VILLA of Harrison, VOLK of Scarborough, WALLACE of Dexter, WEAVER of York, WELSH of Rockport, WERTS of Auburn, WILLETTE of Mapleton, WILSON of Augusta, WINCHENBACH of Waldoboro, WINSOR of Norway, WOOD of Sabattus), the following Joint Resolution:

S.P. 286

JOINT RESOLUTION RECOGNIZING MAINE ADULT EDUCATION

WHEREAS, since 1871 Maine's public schools have supported the development of an adult education system that has grown and adapted to meet the needs of people throughout the State; and

WHEREAS, Maine's adult education programs are uniquely positioned to provide adults with the opportunity to learn where they live in all parts of Maine, with services in 85% of municipalities; and

WHEREAS, adult education programs are vital to the workforce and to development that is essential to Maine's economy and are working actively with partners in providing programs and courses specifically designed to help educate the workforce and prepare Maine adults for success, including:

1. Direct service to Maine adults who have experienced job loss or who need skill improvement to obtain employment;
2. Career preparation and courses in partnership with postsecondary and workforce institutions for Maine workers, plus certificate programs, including the implementation of the WorkReady program focusing on workforce development skills for success on the job;
3. Literacy and English as a second language programs and successful family literacy programs combining adult education and early childhood and parenting instruction;
4. High school completion and general educational development programs, with 2,491 credentials awarded in Maine in 2012;

5. Comprehensive college transition programs in place in 22 regions covering every county in Maine, which provide career guidance, orientation to college and refresher and prerequisite classes for adults seeking college success;

6. Community education, including a vibrant array of self-supporting courses contributing to the quality of life in Maine communities, offering the opportunity for Mainers of all ages to share talents and learn from others; and

7. A new emphasis on collaboration through the use of distance learning and video-conferencing, bringing new learning opportunities to rural communities; and

WHEREAS, the Maine Adult Education Association's web portal system of coordinated websites for local programs allowing statewide searching for courses and online registration and payment, has received 1.3 million visits and over 6.9 million page views in the past 5 years, with visits up 6 percent from 2011 to 2012, and Maine adult education programs are educating Maine people about the use of the Internet through the ConnectME program; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-sixth Legislature now assembled in the First Regular Session, on behalf of the people we represent, pause to acknowledge and express our appreciation and strong support of Maine's adult education programs, which uniquely meet the needs of the communities they serve and provide a vital system of service to the population of the State as new challenges are faced in this period of economic uncertainty; and be it further

RESOLVED: That a suitable copy of this resolution, duly authenticated by the Secretary of State, be transmitted to the Department of Education.

READ.

On motion by Senator **GOODALL** of Sagadahoc, **TABLED** until Later in Today's Session, pending the motion by Senator **MILLETT** of Cumberland to **ADOPT**.

Joint Resolution in Memoriam:

WHEREAS, the Legislature has learned with deep regret of the death of:

Harold O. Bouchard, of Hermon, a prominent businessman in the community, known for his philanthropy and community service. Mr. Bouchard, the 7th of 16 children, grew up on a potato farm. He moved to Bangor in 1958 with a single dump truck and went on to launch a successful heavy hauling business with a fleet of 100 trucks and 175 employees. In 1991, Mr. Bouchard spun off the logging side of his business to form Comstock Woodlands, which was named the Forest Resource Association's Business of the Year for 2012. He was a founding member of the American Loggers Council and the Professional Logging Contractors of Maine, and was involved with numerous industry associations, such as the Maine Forest Products Council, the Forest Resource Association, the Maine Motor Transportation Association, Associated General Contractors of Maine and the Northeast Loggers Association, which in 1991 named him Outstanding Logger of the Year. He was named the Hampden Business Association's 2001 Person of the Year and in 2003 received the Bangor Region Chamber of Commerce's Norbert X. Dowd Award for his contributions to his industry and for his community service. Mr. Bouchard was strongly involved with fund-raising efforts aimed at bringing state-of-the-art cancer treatment to Eastern Maine Medical Center and its Lafayette Family Cancer Center named its infusion room the "Harold O. Bouchard Family Living Room" in his honor. Mr. Bouchard is known as a man who never forgot where he came from and he always helped others along the way. He will be greatly missed and long remembered by his loving family, his many friends and those whose lives he touched;

SLS 98

Sponsored by Senator JACKSON of Arostook.
Cosponsored by Senators: CUSHING of Penobscot, GRATWICK of Penobscot, THIBODEAU of Waldo, Representatives: DUPREY of Hampden, REED of Carmel.

READ.

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

Senator **JACKSON:** Thank you Mr. President. Ladies and gentlemen of the Senate, you might wonder why I'm on this memoriam. The reason is because back in the 1990's I spent a number of years working in the logging industry in Northern Maine. I had the opportunity to work for H.O. Bouchard Company way up on the Golden Road, about 20 miles from the Quebec border. It's hard to get up and recognize someone, certainly for me, but for Harold I certainly wanted to get up and say how important he was to me and my profession. Like I said, I think I was 23 years old at the time. It was the first time that I had stayed away from home all week. It was a five hour drive. Harold was probably the best employer I'd ever had. He taught me a lot. He was the type of guy that would get into a truck in a heartbeat and do the job himself. He was always kidding around, a hard worker. Someone who originally came out of Fort Kent; I currently represent his brother now. He, to me, was the epitome of a guy that started out on his own, put together a business, worked hard, and got up and made his business a success. He's known statewide. Numerous people in my area have worked for him. He is the only person I ever worked for as a logger that supplied health insurance and paid holidays. He did everything for his employees. I just generally enjoyed being around the man. He always was cracking jokes. You knew when Harold was

around. He was not a real big man, as far as to look at him, but boy he knew how to make a room know he was in it. I just always enjoyed him. I thank him for him and his company and his son, Brian, for everything they did for me while I worked for him. They showed me a lot of things that I didn't realize the logging industry could supply. I just certainly wanted to get up today and say that, as a young man, what a great impact they made on my life. I really appreciate that. I'm sorry that he's gone. I'm sorry for his family. Thank you very much, Mr. President.

THE PRESIDENT: The Chair recognizes the Senator from Somerset, Senator Thomas.

Senator **THOMAS:** Thank you Mr. President. Ladies and gentlemen of the Senate, I didn't know Harold well, but I knew of him and I was around him a fair amount through the years because we both worked in the same industry. He's proof, as far as I'm concerned, that hard work, honesty, and wisdom will give you success. I don't know of anybody who worked any harder than Harold Bouchard. He could get more trips in a day, whether he was hauling gravel or logs, than anybody I know. It paid off in the end. If you did business with Harold he treated you honestly. He was wise. I can't talk about Harold Bouchard without telling a little story. He bought an old pick-up truck to plow his yard with there in Hermon. He wanted it inspected so he could go back and forth. The dealership had promised him that they would put in a new windshield. I happened to be there the day that he picked it up. They were trying to weasel out of putting in a windshield. It was expensive. He looked at it and he said, "I thought you were going to put a new windshield in that?" They said, "Oh no, it will be okay." He said, "Oh." He reached over and he grabbed a truck axle and he stove it, he shoved it, right through the windshield. He said, "Put a windshield in that." Thank you.

ADOPTED.

Sent down for concurrence.

REPORTS OF COMMITTEES

House

Ought to Pass

The Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Extend the Hours for the Sale of Liquor on Sunday When St. Patrick's Day Is on a Sunday" (EMERGENCY)
H.P. 177 L.D. 216

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.

Senate

Ought to Pass

Senator JACKSON for the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act To Eliminate the Commercial Standard for Maine White-cedar Shingles"
S.P. 115 L.D. 282

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator JACKSON for the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act To Eliminate the Elm Tree Restoration Fund"
S.P. 116 L.D. 283

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator MILLETT for the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Amend the Student Membership Criteria of the State Board of Education" (EMERGENCY)
S.P. 80 L.D. 244

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 Regarding Registration of Fetal Deaths"
S.P. 89 L.D. 253

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

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

Senate at Ease.

Senate called to order by the President.

SECOND READERS

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

House

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

Bill "An Act To Abolish the Trustees of Public Cemeteries for the City of Waterville" (EMERGENCY)
H.P. 88 L.D. 106

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

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 (2/26/13) matter:

Bill "An Act To Return Local Revenue Sharing to Full Funding" (EMERGENCY)
S.P. 262 L.D. 713

Tabled - February 26, 2013, by Senator **CAIN** of Penobscot

Pending - **REFERENCE**

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

On motion by Senator **HILL** of York, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** 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 Protect Maine Food Consumers' Right To Know about Genetically Engineered Food and Seed Stock"
H.P. 490 L.D. 718

Tabled - February 26, 2013, by Senator **PATRICK** of Oxford

Pending - **REFERENCE**

(In House, February 26, 2013, **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 **AGRICULTURE, CONSERVATION AND FORESTRY**, in **NON-CONCURRENCE**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (2/28/13) 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

Tabled - February 28, 2013, by Senator **GOODALL** of Sagadahoc

Pending - **FURTHER CONSIDERATION**

(In Senate, February 7, 2013, **REFERRED** to the Committee on **JUDICIARY** and ordered printed.)

(In House, February 26, 2013, **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY**, in **NON-CONCURRENCE**.)

Senator **GOODALL** of Sagadahoc moved the Senate **RECEDE** and **CONCUR**.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#7)

YEAS: Senators: BOYLE, CAIN, CLEVELAND, CRAVEN, DUTREMBLE, GERZOFSKY, GOODALL, GRATWICK, HASKELL, HILL, JACKSON, JOHNSON, LACHOWICZ, MAZUREK, MILLETT, PATRICK, SHERMAN, TUTTLE, VALENTINO, WOODBURY, THE PRESIDENT - JUSTIN L. ALFOND

NAYS: Senators: BURNS, COLLINS, CUSHING, FLOOD, HAMPER, KATZ, LANGLEY, MASON, PLUMMER, SAVIELLO, THIBODEAU, THOMAS, WHITTEMORE, YOUNGBLOOD

21 Senators having voted in the affirmative and 14 Senators having voted in the negative, the motion by Senator **GOODALL** of Sagadahoc to **RECEDE** and **CONCUR**, **PREVAILED**.

Off Record Remarks

Senate at Ease.

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 Lessen the Impact of High Feed and Fuel Costs on Maine Dairy Farmers"

H.P. 540 L.D. 789

Bill "An Act Regarding the Use of Mobile Poultry Processing Units"

H.P. 587 L.D. 836

Bill "An Act To Clarify the Laws Establishing the Department of Agriculture, Conservation and Forestry" (EMERGENCY)

H.P. 588 L.D. 837

Resolve, To Establish a Working Group To Study Issues Relating to Liability of Apiary Owners and Operators

H.P. 589 L.D. 838

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.

Bill "An Act To Repeal the Bonding Authority of the Maine Governmental Facilities Authority"

H.P. 541 L.D. 790

Comes 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.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act Regarding Fire Escapes for Certain Buildings"
H.P. 571 L.D. 820

Bill "An Act To Amend the Laws Governing the Licensing of Technicians Involved in a Display of Fireworks or Special Effects"
H.P. 590 L.D. 839

Bill "An Act To Amend the Law Regulating the Use of Explosives"
H.P. 591 L.D. 840

Bill "An Act To Prevent Offensive Touching of a Person Seeking Access to Public Facilities"
H.P. 592 L.D. 841

Bill "An Act To Facilitate the Use of Electronic Monitoring To Prevent Domestic Violence"
H.P. 593 L.D. 842

Bill "An Act To Provide Funding to the Judicial Branch to Facilitate Reporting to the National Instant Criminal Background Check System"
H.P. 615 L.D. 888

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 Increase Transparency and Improve Equity in Appeals to Superintendents' Agreements"
H.P. 542 L.D. 791

Bill "An Act To Ensure That Essential Programs and Services Targeted Funding Follows the Secondary Student"
H.P. 543 L.D. 792

Bill "An Act To Allocate the Balance of Funds Not Expended by the Task Force on Franco-Americans" (EMERGENCY)
H.P. 572 L.D. 821

Bill "An Act To Establish a Program To Invite Legislators To Visit Public School Classrooms"
H.P. 573 L.D. 822

Bill "An Act To Require Institutions of Higher Learning To Comply with the Federal Americans with Disabilities Act"
H.P. 574 L.D. 823

Bill "An Act To Promote the Financial Literacy of High School Students"
H.P. 594 L.D. 843

Bill "An Act To Adjust Funding Forwarded from School Districts to Charter Schools"
H.P. 616 L.D. 889

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

Bill "An Act To Amend the Net Energy Billing Program To Allow Participation by Certain Municipal Entities"
H.P. 546 L.D. 795

Resolve, To Enhance Economic Development by Encouraging Businesses Adjacent to Electric Power Generators To Obtain Power Directly
H.P. 547 L.D. 796

Bill "An Act To Eliminate the Opt-out Charges for Smart Meters"
H.P. 577 L.D. 826

Bill "An Act To Increase Access to Natural Gas"
H.P. 578 L.D. 827

Come 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.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act Clarifying the Department of Environmental Protection's Authority Relating to Compensation for Development Activity under the Natural Resources Protection Act"
H.P. 544 L.D. 793

Bill "An Act To Amend Setback Requirements and Standards Related to Species Migration under the Laws Regulating Development near Vernal Pools"
H.P. 545 L.D. 794

Resolve, Directing the Department of Environmental Protection To Develop a Rural Land Use Development Process
H.P. 575 L.D. 824

Resolve, To Study Climate Change and Implement the Recommendations of the Department of Environmental Protection Report on Climate Change
H.P. 576 L.D. 825

Resolve, To Require a Study of the Availability of Food Packaging without Bisphenol A
H.P. 595 L.D. 844

Bill "An Act To Change the Classification of the Lower Androscoggin River"
H.P. 596 L.D. 845

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

On motion by Senator **BOYLE** of Cumberland, **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** 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, To Extend the Deadline for the Department of Health and Human Services To Submit a Report on Persons with Intellectual Disabilities or Autism (EMERGENCY)
H.P. 552 L.D. 801

Bill "An Act To Encourage Alternative Forms of Treatment for Opiate or Opioid Addiction by Prohibiting MaineCare Coverage for Medication-assisted Treatment for Addiction"
H.P. 553 L.D. 802

Bill "An Act Regarding Certain Aspects of Infant Care in Child Care Facilities"
H.P. 554 L.D. 803

Bill "An Act To Improve Preventive Dental Health Care and Reduce Costs in the MaineCare Program"
H.P. 555 L.D. 804

Bill "An Act To Improve the Administration of the Child Care Subsidy Program and To Prevent Erroneous Termination of Child Care Services"
H.P. 579 L.D. 828

Resolve, To Complete the Timely and Appropriate Redesign of Shared Living Services for Adults with Intellectual Disabilities or Autism (EMERGENCY)
H.P. 580 L.D. 829

Bill "An Act To Improve and Modernize the Authority of Local Health Officers"
H.P. 597 L.D. 846

Resolve, To Address Changes Needed for Providers of Private Nonmedical Institution Services
H.P. 598 L.D. 847

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 Permit Night Hunting of Coyotes on Sunday"
H.P. 549 L.D. 798

Resolve, To Allow Use of Live Bait for Fishing in the Allagash Wilderness Waterway and Fish River Waterway
H.P. 550 L.D. 799

Bill "An Act To Expand Migratory Waterfowl Hunting Opportunities"

H.P. 551 L.D. 800

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 To Allow the Purchase of Workers' Compensation Insurance Coverage for Domestic Employees from an Insurance Company That Provides Liability Insurance for Homeowners or Tenants"

H.P. 557 L.D. 806

Bill "An Act To Create an Open Enrollment Period Consistent with Federal Regulations for Health Insurance Exchanges"

H.P. 563 L.D. 812

Bill "An Act To Clarify the Right To Name a 3rd Party To Receive Notification of Policy Cancellation"

H.P. 599 L.D. 848

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 Further Protect Pregnant Women under the Maine Human Rights Act"

H.P. 581 L.D. 830

Bill "An Act To Validate Certain Real Estate Transactions Entered into by a Corporation while Its Charter Was Suspended"

H.P. 600 L.D. 849

Resolve, To Study the Issue of Inheritance of Digital Assets

H.P. 601 L.D. 850

Bill "An Act To Require the Return of Excess Funds by a Municipality That Forecloses on Real Estate"

H.P. 602 L.D. 851

Bill "An Act To Amend Certain Provisions of Law Affecting the Judicial Branch"

H.P. 603 L.D. 852

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.

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 Concerning Metal Dealers"

H.P. 559 L.D. 808

Bill "An Act To Create a License for Metal Dealers"

H.P. 560 L.D. 809

Bill "An Act To Prohibit Mandatory Membership in a Union or Payment of Agency Fees as a Condition of Employment"

H.P. 582 L.D. 831

Resolve, Requiring the Department of Labor To Establish a Fund To Assist Unemployed Individuals Lacking Transportation to Job Interviews

H.P. 604 L.D. 853

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.

Resolve, To Amend the Lobster Trap Tag System Rules for Certain Zones

H.P. 561 L.D. 810

Bill "An Act To Provide Guidance for the Development of Marine Fisheries Management Plans"

H.P. 562 L.D. 811

Bill "An Act To Enable Small-scale Cooperative Management of Sea Urchin Resources"

H.P. 583 L.D. 832

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.

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 the Sale of Maine Milk"
H.P. 564 L.D. 813
- Bill "An Act To Clarify the Request for Proposal Process"
H.P. 565 L.D. 814
- Bill "An Act To Allow Municipalities To Place Liens for Failure To Pay Storm Water Assessments"
H.P. 584 L.D. 833
- Resolve, To Create a Study Group To Research the Possibility of a Virtual Legislature (EMERGENCY)
H.P. 606 L.D. 855
- RESOLUTION, Proposing an Amendment to the Constitution of Maine To Require State Officers To Be Elected by a Majority of Voters
H.P. 607 L.D. 856
- Bill "An Act To Partially Fund Tax Breaks for the Wealthy by Eliminating Certain Gubernatorial Benefits"
H.P. 609 L.D. 858

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.

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

PAPERS FROM THE HOUSE

House Papers

- Bill "An Act To Tax Political Action Committees"
H.P. 566 L.D. 815
- Bill "An Act To Reduce the Property Tax Burden and Improve the Circuitbreaker Program"
H.P. 567 L.D. 816
- Bill "An Act To Make the Income Tax More Equitable for Citizens of the State"
H.P. 585 L.D. 834

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.

Resolve, To Require That a Sign Directing Motorists To Gould Academy Be Placed on the Maine Turnpike
H.P. 568 L.D. 817

Resolve, Directing the Department of Transportation and the Maine Turnpike Authority To Assess the Effects of Funding and Policy Decisions on the Maine Turnpike and I-295 between Portland and Augusta
H.P. 569 L.D. 818

Resolve, To Equalize Tolls on Highways in the State
H.P. 570 L.D. 819

Bill "An Act To Improve Organ Donation Awareness"
H.P. 586 L.D. 835

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.

Bill "An Act To Increase Ethics and Transparency in Government Service"
H.P. 610 L.D. 859

Bill "An Act To Require That the Governor, Senators and Members of the House of Representatives Be Elected by the Ranked-choice Voting Method"
H.P. 611 L.D. 860

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.

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

PAPERS FROM THE HOUSE

**Pursuant to Statute
Criminal Law Advisory Commission**

Representative DION submitted the Report of the **Criminal Law Advisory Commission**, pursuant to the Maine Revised Statutes, Title 17-A, section 1354, subsection 2 and asked leave to report that the accompanying Bill "An Act To Repeal a Specialized Form of the Generic Crime of Theft by Unauthorized Taking or Transfer"

H.P. 614 L.D. 887

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

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

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

On motion by Senator **GERZOFSKY** of Cumberland, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed pursuant to Joint Rule 218, in concurrence.

**Pursuant to Statute
Maine Health Data Organization**

Representative FARNSWORTH submitted the Report of the **Maine Health Data Organization**, pursuant to the Maine Revised Statutes, Title 5, section 8072 and asked leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 270: Uniform Reporting System for Quality Data Sets, a Major Substantive Rule of the Maine Health Data Organization (EMERGENCY)

H.P. 613 L.D. 886

Be **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed pursuant to Joint Rule 218.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed pursuant to Joint Rule 218.

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

On motion by Senator **CRAVEN** of Androscoggin, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed pursuant to Joint Rule 218, in concurrence.

All matters thus acted upon, with exception of those matters being held, were ordered sent down forthwith for concurrence.

Senator **CRAVEN** of Androscoggin was granted unanimous consent to address the Senate off the Record.

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

Senator **LANGLEY** of Hancock was granted unanimous consent to address the Senate off the Record.

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

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

Senator **JOHNSON** of Lincoln was granted unanimous consent to address the Senate off the Record.

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

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

Senator **TUTTLE** of York was granted unanimous consent to address the Senate off the Record.

Senator **JACKSON** of Aroostook was granted unanimous consent to address the Senate off the Record.

On motion by Senator **JACKSON** of Aroostook, **ADJOURNED** to Thursday, March 7, 2013, at 10:00 in the morning.