

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
April 25, 2013

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

Prayer by Senator Troy D. Jackson of Aroostook County.

SENATOR JACKSON: I guess, off the record, yesterday my good friend, Senator Thibodeau, said that I wanted to be behind this and I thought to myself that maybe that was never going to happen, or that I'd have as much a chance as him. Here I am today. Good morning. I'm 44 years old and at this point I'm not even close to the person that I'd like to be. The older I get it obviously becomes more apparent to me that time is very precious. I really don't know that I'm ever going to become that person, so with the prayer I've selected this morning I'd pray for all of us, that we are able to become better as a parent, better as a spouse, better to our friends, better to our constituents, and better at removing any hate in our heart with the hope that when we lay down and close our eyes we may be blessed to know that we had done something good for the people.

O Great Spirit, whose voice I hear in the winds and whose breath gives life to all of the world, hear me. I am small and weak. I need Your strength and wisdom. Let me walk in beauty and make my eyes ever behold the red and purple sunset. Make my hands respect the things that You have made and my ears sharp to hear Your voice. Make me wise so that I may understand the things that You have taught my people. Let me learn the lessons You have hidden in every leaf and every rock. Make me always ready to come to You with clean hands and straight eyes, so when the light fades as a fading sunset my spirit may come to You without any shame. Amen.

Pledge of Allegiance led by Senator Ronald F. Collins of York County.

Reading of the Journal of Wednesday, April 24, 2013.

Doctor of the day, Thomas Dancoes, DO, FACEP of Hampden.

Off Record Remarks

Out of order and under suspension of the Rules, on motion by Senator **GOODALL** of Sagadahoc, the following Joint Order:
S.P. 534

Ordered, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, April 30, 2013 at 10:00 in the morning.

READ and PASSED.

Ordered sent down forthwith for concurrence.

PAPERS FROM THE HOUSE

Joint Resolution

The following Joint Resolution:

H.P. 1031

**JOINT RESOLUTION DESIGNATING OCTOBER 27, 2013
AS KYLE ST. CLAIR DAY**

WHEREAS, Kyle St. Clair, a happy and brave 8-year-old boy from Scarborough, lived an inspirational life of resilience against tremendous adversity and was loved and admired by thousands throughout the community; and

WHEREAS, Kyle was born prematurely on October 27, 2004 with a lung disease and severe dysmotility, a disease that prevented his digestive system from functioning properly and spent his first 9 months of life in the Neonatal Intensive Care Unit at Maine Medical Center; and

WHEREAS, Kyle endured more than 50 painful surgeries and invasive tests and procedures to improve the quality of his life, and his courage and loving spirit captured the hearts of the Scarborough area; and

WHEREAS, Kyle attended kindergarten and first grade at Blue Point Primary School and drew strong support from people in all walks of life, including the Scarborough High School football team and its boosters, who befriended him and held numerous fund-raisers for him; and

WHEREAS, Kyle, with his family, organized multiple charity efforts to benefit institutions such as the Barbara Bush Children's Hospital at Maine Medical Center and he had his own original project of sending out "Live for Today" cards and urging people to do something nice for someone else before passing the card along; and

WHEREAS, Kyle passed away on January 8, 2013 at home and surrounded by his loving family; 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, take this opportunity to honor the life of a little boy who inspired so many people by declaring that October 27, 2013 is Kyle St. Clair Day in the State; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the family of Kyle St. Clair in his memory.

Comes from the House, **READ** and **ADOPTED**.

READ and **ADOPTED**, in concurrence.

COMMUNICATIONS

The Following Communication: S.C. 273

**PISCATAQUIS COUNTY COMMISSIONERS
163 EAST MAIN STREET
DOVER-FOXCROFT, ME 04426**

April 22, 2013

The Honorable Justin L. Alfond President of the Senate
3 State House Station
Augusta, ME 04333-0003

Dear Honorable Justin L. Alfond,

Pursuant to Sec. 7 and Sec. 37 of Public Law 2011, c. 682, one member of the newly created Land Use Planning Commission must be nominated by each of the 8 counties with the most acreage in the unorganized or de-organized areas subject to the jurisdiction of the commission.

Piscataquis County contains the second largest acreage in the unorganized and de-organized areas subject to the jurisdiction of the commission, second to Aroostook County (2,554,281.34 acres), thereby making Piscataquis County one of the two counties to be the first to nominate an individual to the new Land Use Planning Commission.

The Piscataquis County Commissioners voted 2-1 on April 19, 2013 to nominate **Everett Worcester of Orneville Township** to the Land Use Planning Commission. The Commissioners would like to bring his name forward to the joint standing committee of the Legislature having jurisdiction over conservation matters and to the Maine Senate for confirmation.

Thank you for your consideration of Everett Worcester. Please feel free to contact me with any further questions you may have and the date for the confirmation hearing.

Sincerely,

S/Marilyn Tourtelotte Piscataquis County Manager

READ and **ORDERED PLACED ON FILE**.

The Following Communication: S.C. 261

**STATE OF MAINE
ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE
COMMITTEE ON AGRICULTURE, CONSERVATION AND
FORESTRY**

April 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 Agriculture, Conservation and Forestry has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 476 Resolve, Directing the Department of Agriculture, Conservation and Forestry To Develop a Policy To Reduce Food Waste in All State-funded Institutions
- L.D. 630 An Act To Reserve Ten Percent of Campsites at State Parks for Maine Residents
- L.D. 1170 Resolve, Regarding the Transfer of State Property To Assist the Save the Depot Project in Greenville

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

Sincerely,

S/Sen. Troy D. Jackson
Senate Chair

S/Rep. James F. Dill
House Chair

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

The Following Communication: S.C. 262

**STATE OF MAINE
ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE
COMMITTEE ON ENERGY, UTILITIES AND TECHNOLOGY**

April 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 Energy, Utilities and Technology has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 1012 An Act Regarding Automated Calls

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

Sincerely,

S/Sen. John J. Cleveland
Senate Chair

S/Rep. Barry J. Hobbins
House Chair

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

The Following Communication: S.C. 263

**STATE OF MAINE
ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE
COMMITTEE ON INLAND FISHERIES AND WILDLIFE**

April 16, 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 Inland Fisheries and Wildlife has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 98 Resolve, Directing the Department of Inland Fisheries and Wildlife To Study Issues Related to Bear Hunting and Management

L.D. 599 An Act To Review Possible Expansion of Dip Net Fishing in Northern Maine

L.D. 758 An Act To Protect Boats, Moorings and Docks in the Inland Waters of the State

L.D. 775 An Act To Require a Nonresident To Hire a Maine Guide To Hunt Sea Ducks

L.D. 800 An Act To Expand Migratory Waterfowl Hunting Opportunities

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

Sincerely,

S/Sen. David E. Dutremble
Senate Chair

S/Rep. Michael A. Shaw
House Chair

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

The Following Communication: S.C. 264

**STATE OF MAINE
ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE
COMMITTEE ON INLAND FISHERIES AND WILDLIFE**

April 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 Inland Fisheries and Wildlife has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 1117 An Act To Amend the Laws Governing Muzzle-loading Hunting Season

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

Sincerely,

S/Sen. David E. Dutremble
Senate Chair

S/Rep. Michael A. Shaw
House Chair

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

The Following Communication: S.C. 265

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

April 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. 448 An Act To Authorize the State Employee Health Commission's Preferred Provider Program

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. 266

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

April 18, 2013

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

Dear President Alfond and Speaker Eves:

Pursuant to Joint Rule 310, we are writing to notify you that we have approved the request by the bill sponsor Sen. Cushing of Penobscot, to report the following bill Leave to Withdraw:

L.D. 651 An Act To Amend the Captive Insurance Laws

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. 267

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

April 12, 2013

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

Dear President Alfond and Speaker Eves:

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

L.D. 308 An Act To Require the Attorney General To Consult with Federally Recognized Indian Tribes before Issuing an Opinion on Federal Legislation Affecting the Maine Indian Claims Settlement Act of 1980

L.D. 686 Resolve, To Increase Funding for Indigent Legal Aid Provided to Wabanaki Tribal Members

L.D. 733 An Act To Improve the Child Support Collection Process

L.D. 869 An Act To Relax Divorce Requirements for Victims of Domestic Violence

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

L.D. 1000 An Act To Protect Maine Consumers

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

Sincerely,

S/Sen. Linda M. Valentino
Senate Chair

S/Rep. Charles R. Priest
House Chair

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

The Following Communication: S.C. 268

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

April 16, 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 Marine Resources has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 497 An Act To Move Maine's Elver Fishery towards Sustainability

L.D. 778 An Act To Develop Principles To Guide Fisheries Management Decisions

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

Sincerely,

S/Sen. Christopher K. Johnson
Senate Chair

S/Rep. Walter A. Kumiega
House Chair

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

The Following Communication: S.C. 269

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

April 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. 562 An Act Related to Service Charges in Lieu of Property Taxes on Tax-exempt Property

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. 270

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

April 22, 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 bills out "Ought Not to Pass":

L.D. 767 An Act To Limit Contributions to Candidates for Maine Offices to Maine Residents

L.D. 921 Resolve, Directing the Commission on Governmental Ethics and Election Practices To Improve Public Access to Campaign Finance Information

L.D. 1077 An Act To Amend the Maine Clean Election Act and Campaign Finance Laws

We have also notified the sponsors and cosponsors of each bill listed 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. 271

**STATE OF MAINE
OFFICE OF THE ATTORNEY GENERAL**

April 23, 2013

The Honorable Justin L. Alfond, President
Maine State Senate
3 State House Station
Augusta, Maine 04333

The Honorable Mark W. Eves, Speaker
Maine House of Representatives
2 State House Station
Augusta, Maine 04333

The Honorable John L. Patrick, Senate Chair
The Honorable Erin D. Herbig, House Chair
Committee on Labor, Commerce, Research and Economic
Development

The Honorable John J. Cleveland, Senate Chair
The Honorable Barry J. Hobbins, House Chair
Committee on Energy, Utilities and Technology
100 State House Station
Augusta, Maine 04333

Re: 2013 Attorney General Report to the Legislature under the
Petroleum Market Share Act

Dear President Alfond, Speaker Eves, Senators Patrick and
Cleveland, and Representatives Herbig and Hobbins:

I am pleased to make this report in accordance with the
Petroleum Market Share Act (P.M.S.A.), 10 M.R.S. § 1677. The
P.M.S.A. requires the Attorney General to make a report to the
Legislature describing the concentration of retail outlets in the
State, including a recommendation as to whether additional
legislation is needed to further limit or curtail the activity of
refiners operating retail outlets.

Enclosed is a report describing concentration of retail outlets in
the State. The report, which is based on data collected from
wholesalers of both motor fuel oil and home heating oil, includes
maps depicting relative concentration in designated markets
throughout the State. This report is also available on the Attorney
General's website at:

[http://www.maine.gov/aq/consumer/docs/2010%20PMSA%20Rep
ort.pdf](http://www.maine.gov/aq/consumer/docs/2010%20PMSA%20Report.pdf).

Since no refiners of petroleum products operate retail outlets in
this State, we have no recommend no legislation to limit or curtail
such operations.

I appreciate this opportunity to provide this information and hope
it is useful.

Sincerely,

S/Janet T. Mills
Attorney General

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

The Following Communication: S.C. 272

**STATE OF MAINE
OFFICE OF THE ATTORNEY GENERAL**

April 24, 2013

The Honorable Justin L. Alfond
President Maine State Senate
The Honorable Mark W. Eves
Speaker Maine House of Representatives
State House Augusta, ME 04333

Re: Public Access Ombudsman Report

Dear President Alfond and Speaker Eves:

Pursuant to 5 M.R.S. § 200-1, the Public Access Ombudsman is
pleased to submit its first report. A copy of the full report has been
put on-line at the State of Maine FOAA website at
www.maine.gov/foaa.

Sincerely,

S/Brenda L. Kiely
Public Access Ombudsman

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

SENATE PAPERS

Bill "An Act To Authorize a General Fund Bond Issue To Ensure Clean Water and Safe Communities"

S.P. 539 L.D. 1455

Presented by Senator GOODALL of Sagadahoc.
Cosponsored by Representative BERRY of Bowdoinham and Senators: BOYLE of Cumberland, HASKELL of Cumberland, HILL of York, JACKSON of Aroostook, SAVIELLO of Franklin, Representatives: BLACK of Wilton, KESCHL of Belgrade, McCABE of Skowhegan.

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 Increase the Transparency of Charges and Expenses of Hospitals That Receive State Funding"

S.P. 537 L.D. 1453

Presented by Senator GRATWICK of Penobscot.
Cosponsored by Representative CHAPMAN of Brooksville and Senators: CRAVEN of Androscoggin, JOHNSON of Lincoln, LACHOWICZ of Kennebec, LANGLEY of Hancock, SAVIELLO of Franklin, WHITTEMORE of Somerset, WOODBURY of Cumberland, Representative: JORGENSEN of Portland.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Bill "An Act To Amend the Law Governing Provider Contracts with Insurance Companies"

S.P. 540 L.D. 1466

Presented by Senator GOODALL of Sagadahoc.
Cosponsored by Senators: GRATWICK of Penobscot, PATRICK of Oxford, WOODBURY of Cumberland, Representatives: BECK of Waterville, GRAHAM of North Yarmouth.

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

Sent down for concurrence.

Bill "An Act To Require the Membership of the State Workforce Investment Board To Include Representatives of the Local Workforce Investment Boards"

S.P. 535 L.D. 1451

Presented by Senator PATRICK of Oxford.
Cosponsored by Representative HERBIG of Belfast and Senators: GERZOFOSKY of Cumberland, JACKSON of Aroostook, JOHNSON of Lincoln, TUTTLE of York, Representatives: GILBERT of Jay, MASON of Topsham, MASTRACCIO of Sanford, SCHNECK of Bangor.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

Sent down for concurrence.

Bill "An Act To Allow Municipalities with Shellfish Conservation Ordinances To Request Permission To Prohibit Marine Worm Harvesting"

S.P. 536 L.D. 1452

Presented by Senator GERZOFOSKY of Cumberland.
Cosponsored by Representative PRIEST of Brunswick and Senators: CRAVEN of Androscoggin, HASKELL of Cumberland, JOHNSON of Lincoln, SAVIELLO of Franklin, Representatives: BROOKS of Winterport, GIDEON of Freeport, KAENRATH of South Portland, SAXTON of Harpswell.

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 Establish a Unicameral Legislature

S.P. 538 L.D. 1454

Presented by Senator VALENTINO of York.
Cosponsored by Representatives: BOLAND of Sanford, CHENETTE of Saco, COTTA of China, HARVELL of Farmington, HAYES of Buckfield, MacDONALD of Old Orchard Beach, NADEAU of Winslow, PEASE of Morrill.

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

Sent down for concurrence.

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

ORDERS

Joint Order

On motion by Senator CLEVELAND of Androscoggin, the following Joint Order:

S.P. 533

ORDERED, the House concurring, that the Joint Standing Committee on Energy, Utilities and Technology shall report out, to the Senate, a bill regarding standard sewer districts.

READ and PASSED.

Sent down for concurrence.

Expression of Legislative Sentiment recognizing:

The following members of the Lewiston High School Cheerleading Team, the Lewiston Devils, on their winning the 2013 Class A State Championship and the 2013 New England Interscholastic Spirit Championship: Kelly Nuzzo, Meagan Murphy, Taylor Hopkins, Sadie Dulack, Sage Physic, Olivia Bergeron, Erika Thibault, Andrea Bonin, Tia Cortez, Nadine Jones, Lily Fundis, Erin Morris, Tierra Safe, Cassie Regner, Abby Madden, Torey Reny, Taylor Pratt, Adreena Adams, Kara Barnies, Kirsty Beauchesne, Sierra Melanson and Alyssa Rousseau. This is the 3rd consecutive year the team has won the Class A State title and the 2nd consecutive year the team won the New England Interscholastic Spirit Championship. We extend our congratulations and best wishes to the members of the team on their achievements;

SLS 252

Sponsored by Senator CRAVEN of Androscoggin.
Cosponsored by Representatives: CAREY of Lewiston, LAJOIE of Lewiston, LIBBY of Lewiston, ROTUNDO of Lewiston, WERTS of Auburn.

READ.

THE PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Craven.

Senator **CRAVEN:** Thank you Mr. President. Men and women of the Senate, I am so excited and delighted this morning to introduce in the Senate the following members of the Lewiston High School Cheerleading Team, the Lewiston Blue Devils, on their winning the 2013 Class A State Championship and the 2013 New England Interscholastic Spirit Championship. They are as follows: Kelly Nuzzo, Meagan Murphy, Taylor Hopkins, Sadie Dulack, Sage Physic, Olivia Bergeron, Erika Thibault, Andrea Bonin, Tia Cortez, Nadine Jones, Lily Fundis, Erin Morris, Tierra Safe, Cassie Regner, Abby Madden, Torey Reny, Taylor Pratt, Adreena Adams, Kara Barnies, Kirsty Beauchesne, Sierra Melanson, and Alyssa Rousseau. This is the third consecutive year the team has won the Class A State title and the second consecutive year the team won the New England Interscholastic Spirit Championship. We extend our congratulations and best wishes to the members of the team and their achievements. Thank you, Mr. President.

PASSED.

Sent down for concurrence.

THE PRESIDENT: The Chair is pleased to recognize in the gallery the Lewiston Blue Devils Cheerleading Team with their

coaches Lynnette Morency and Jen Roy. They are the guests of the Senator Androscoggin, Senator Craven. Will they please rise and accept the full greetings of the Maine State Senate.

Expression of Legislative Sentiment recognizing:

Sarah Garfield, of York, who received an Outstanding Musicianship Award in trumpet in Division III Jazz Band at the 2013 Maine State High School Instrumental Jazz Festival. We extend our congratulations and best wishes to Sarah on her receiving this honor;

SLS 254

Sponsored by Senator HILL of York.

Cosponsored by Representatives: McGOWAN of York, WEAVER of York.

READ.

THE PRESIDENT: The Chair recognizes the Senator from York, Senator Hill.

Senator **HILL:** Thank you Mr. President. Men and women of the Senate, I am proud to introduce you today to Sarah Garfield from the town of York. She is a member of the Spartan Drum and Bugle, which is a national performing group. This year Sarah won the Outstanding Musicianship Award at the 2013 Maine State High School Instrumental Jazz Festival. Appropriately so, she played three pieces on her trumpet and went to the top with Go Tell It On the Mountain. Thank you, Mr. President.

PASSED.

Sent down for concurrence.

THE PRESIDENT: The Chair is pleased to recognize in the rear of the chamber Sarah Garfield from the town of York. She is the guest today of the Senator from York, Senator Hill. Will she please rise and accept the full greetings of the Maine State Senate.

Joint Resolution

Joint Resolution in Memoriam:

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

Elsie Pike Viles, longtime resident of Augusta, who was once proclaimed by Governor John E. Baldacci as "the first lady of Augusta and the State of Maine" for her philanthropy. Donations from the Elsie and William Viles Foundation built the healing garden at the Harold Alfond Center for Cancer Care and helped fund the new Alfond Center for Health, the proposed Lithgow Public Library expansion, the building of the Kennebec Valley YMCA, the stained-glass window restoration at South Parish Congregational Church and the auditorium at Cony High School. Mrs. Viles was given the 2007 Distinguished Service to

Philanthropy Award from the New England Association for Healthcare Philanthropy. She was a generous benefactor through financial gifts and services to MaineGeneral Health and to many other central Maine nonprofit organizations. One of her abiding concerns was the Alzheimer's Care Center in Gardiner, which she supported for many years. She was also a founder of the Viles Arboretum in Augusta and Camp KV for Kids in Readfield. Mrs. Viles will be greatly missed and long remembered by her grateful community and the State and by those whose lives she touched;

SLS 257

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 Mr. President. Men and women of the Senate, Elsie Viles was an extraordinary woman. She was born in 1914 and she just recently passed away. She was 98. As the old saying goes, you are not judged by the years you live but by the dash between the years. Elsie Viles lived a very long life, but also an incredible life. She was married to William Viles, who was in the timber business here in the state of Maine. When he passed away in 1986 Elsie formed the Elsie and William Viles Foundation. For all of these years of her life she has been just incredibly generous and a real philanthropist in the best sense of that word. The city that I live in and this entire area is a better place for it. The Kennebec Valley Humane Society, Maine General Medical Center, Harold Alfond Center for Cancer, Maine Public Broadcasting, the Nature Conservancy, Viles Arboretum, the new Cony High School, Camp KV, the YMCA, South Parish Congregational Church, the Blaine House right across the street, the Maine State Museum, and our local library. All of those places are far better places because of the generosity of Elsie Viles. She knew not only how to be generous, but how to leverage her money and influence to gain donations from others. They were usually matching grants and she was very specific about that. She would be generous but only if others stepped up to the plate. She always made sure that she was comfortable with the cause before she gave herself. As someone who solicited money from her on several occasions myself, I can tell you that she asked the tough questions so that the recipients would remain accountable. As her grandson once said, she accomplished everything she set out to do in her 98 years. I will just read a quote from her grandson, "It's incredible the number of lives she touched here. Her focus was on the Augusta area. She resisted the temptation to think too broadly and too globally. She knew she could make a difference in this area and she wanted to see the results and hear from the people who benefited from her charity." When he was Governor, Governor Baldacci once named her "First Lady for a Day" in the state of Maine to recognize her incredible contributions. She was a delightful woman. She was humble. She had a great sense of humor. She had seven grandchildren; one of them is someone known to most of us: Will Lund, who is the Superintendent of Maine's Bureau of Consumer Protection, who is here with us in the Chamber today. Mr. President, it is my honor to offer this memorial to this

extraordinary woman and ask that when the Senate does adjourn today that it adjourn in lasting memory of this wonderful person, Elsie Viles. Thank you, Mr. President.

ADOPTED.

Sent down for concurrence.

REPORTS OF COMMITTEES

House

Ought to Pass

The Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Add Using an All-terrain Vehicle to the List of Activities Included in the Definition of 'Guide' in the Inland Fisheries and Wildlife Laws"

H.P. 117 L.D. 142

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 **JUDICIARY** on Bill "An Act To Place Land in Centerville in Trust for the Passamaquoddy Tribe"

H.P. 56 L.D. 64

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 **JUDICIARY** on Bill "An Act To Add Members of the Aroostook Band of Micmacs to the Maine Indian Tribal-State Commission and Add Corresponding Members for the State"

H.P. 269 L.D. 394

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 **TRANSPORTATION** on Bill "An Act To Amend the Definition of 'Special Mobile Equipment' in the Motor Vehicle Laws"

H.P. 386 L.D. 567

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 **TRANSPORTATION** on Bill "An Act To Amend the Laws Governing Motorcycle and Moped Permits"

H.P. 410 L.D. 591

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 **TRANSPORTATION** on Bill "An Act To Remove the Provision That a Motorcycle Operator May Prove a Motorcycle Muffler Does Not Exceed Specific Noise Standards"

H.P. 642 L.D. 918

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 **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Amend the Laws Governing Reapportionment To Conform to the Constitution of Maine"

H.P. 393 L.D. 574

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.

Ought to Pass As Amended

The Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act To Increase the Membership of the Land for Maine's Future Board"

H.P. 343 L.D. 524

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-59)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-59)**.

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

READ ONCE.

Committee Amendment "A" (H-59) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Amend the Laws Pertaining to Archaeological Sites"

H.P. 135 L.D. 160

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-62)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-62)**.

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

READ ONCE.

Committee Amendment "A" (H-62) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Amend the Laws Governing the Maine State Library"

H.P. 351 L.D. 532

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-73).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-73).**

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

READ ONCE.

Committee Amendment "A" (H-73) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Make Agriculture Studies a Part of the Maine Curriculum"

H.P. 460 L.D. 668

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-88).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-88).**

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

READ ONCE.

Committee Amendment "A" (H-88) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Establish a Program To Invite Legislators To Visit Public School Classrooms"

H.P. 573 L.D. 822

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-87).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-87).**

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

READ ONCE.

Committee Amendment "A" (H-87) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **HEALTH AND HUMAN SERVICES** on Resolve, Directing the Department of Health and Human Services To Provide Coverage under the MaineCare Program for Home Life Skills Services for Adults with Intellectual Disabilities or Autistic Disorder

H.P. 12 L.D. 8

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-68).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-68).**

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

READ ONCE.

Committee Amendment "A" (H-68) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Expand Transitional Assistance for Families"

H.P. 61 L.D. 78

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-69).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-69).**

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

READ ONCE.

Committee Amendment "A" (H-69) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **HEALTH AND HUMAN SERVICES** on Resolve, To Create the Task Force on the Prevention of Sexual Abuse of Children (EMERGENCY)

H.P. 77 L.D. 95

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-79)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-79)**.

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

READ ONCE.

Committee Amendment "A" (H-79) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Ensure Adequate Child Protective Services throughout the State"

H.P. 120 L.D. 145

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-70)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-70)**.

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

READ ONCE.

Committee Amendment "A" (H-70) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Amend the Controlled Substances Prescription Monitoring Program Participation Requirements"

H.P. 263 L.D. 388

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-71)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-71)**.

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

READ ONCE.

Committee Amendment "A" (H-71) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Expand Wild Turkey Hunting"

H.P. 327 L.D. 477

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-96)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-96)**.

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

READ ONCE.

Committee Amendment "A" (H-96) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

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

The Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Amend the Laws Governing Complimentary Hunting, Trapping and Fishing Licenses for Disabled Veterans"

H.P. 360 L.D. 541

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-74)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-74)**.

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

READ ONCE.

Committee Amendment "A" (H-74) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **JUDICIARY** on Bill "An Act To Protect Maine Business Names"

H.P. 41 L.D. 46

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-60)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-60)**.

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

READ ONCE.

Committee Amendment "A" (H-60) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Amend the Law Concerning the Membership of the Maine Economic Growth Council"

H.P. 30 L.D. 35

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-72)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-72)**.

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

READ ONCE.

Committee Amendment "A" (H-72) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Amend the Laws Governing Drugs and Vaccines Administered by Pharmacists"
H.P. 123 L.D. 148

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-83)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-83)**.

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

READ ONCE.

Committee Amendment "A" (H-83) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Amend the Health Care Practitioner Licensing, Disciplinary and Reporting Laws Regarding Alcohol and Drug Abuse"
H.P. 286 L.D. 411

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-84)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-84)**.

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

READ ONCE.

Committee Amendment "A" (H-84) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Modernize the Statutes Governing Physician Assistants"
H.P. 375 L.D. 556

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-85)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-85)**.

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

READ ONCE.

Committee Amendment "A" (H-85) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Clarify Compensation for the Panel of Mediators"

H.P. 481 L.D. 689

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-93).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-93).**

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

READ ONCE.

Committee Amendment "A" (H-93) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Clarify the Agricultural Exemption to the Workers' Compensation Laws"

H.P. 512 L.D. 761

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-92).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-92).**

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

READ ONCE.

Committee Amendment "A" (H-92) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Support the Permanent Commission on the Status of Women" (EMERGENCY)

H.P. 192 L.D. 231

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-80).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-80).**

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

READ ONCE.

Committee Amendment "A" (H-80) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **TAXATION** on Bill "An Act To Connect Benefits Provided under the Circuitbreaker Program with the Payment of Property Taxes"

H.P. 111 L.D. 136

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-82).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-82).**

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

READ ONCE.

Committee Amendment "A" (H-82) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **TAXATION** on Bill "An Act To Provide Tax Fairness to Small Businesses in the State" (EMERGENCY)

H.P. 228 L.D. 319

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-81).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-81).**

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

READ ONCE.

Committee Amendment "A" (H-81) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **TRANSPORTATION** on Bill "An Act To Raise the Speed Limit on Interstate 295"

H.P. 446 L.D. 654

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-64).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-64).**

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

READ ONCE.

Committee Amendment "A" (H-64) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Create a Permanent Wabanaki Law Enforcement Seat on the Board of Trustees of the Maine Criminal Justice Academy"

H.P. 115 L.D. 140

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

Signed:

Senator:
DUTREMBLE of York

Representatives:
DION of Portland
CASAVANT of Biddeford
KAENRATH of South Portland
LAJOIE of Lewiston
LONG of Sherman
PLANTE of Berwick
TYLER of Windham
WILSON of Augusta

The Minority of the same Committee on the same subject reported that the same **Ought Not To Pass.**

Signed:

Senators:
GERZOFISKY of Cumberland
PLUMMER of Cumberland

Representatives:
MARKS of Pittston
PEASE of Morrill

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

Reports **READ.**

On motion by Senator **GERZOFISKY** of Cumberland, the Minority **OUGHT NOT TO PASS** Report **ACCEPTED**, in **NON-CONCURRENCE.**

Sent down for concurrence.

Divided Report

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Permit Nurse Practitioners To Perform the Functions of School Physicians"

H.P. 158 L.D. 197

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-75).**

Signed:

Senators:
CRAVEN of Androscoggin
HAMPER of Oxford
LACHOWICZ of Kennebec

Representatives:
FARNSWORTH of Portland
CASSIDY of Lubec
GATTINE of Westbrook
MALABY of Hancock
McELWEE of Caribou
SANDERSON of Chelsea
SIROCKI of Scarborough
STUCKEY of Portland

The Minority of the same Committee on the same subject reported that the same **Ought Not To Pass.**

Signed:

Representative:
DORNEY of Norridgewock

(Representative BEAR of the Houlton Band of Maliseet Indians - of the House - supports the Majority **Ought To Pass as Amended Report.**)

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-75)**.

Reports **READ**.

On motion by Senator **CRAVEN** of Androscoggin, the Majority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**, in concurrence.

READ ONCE.

Committee Amendment "A" (H-75) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Ensure the Voluntary Membership of Public Employees in Unions"

H.P. 537 L.D. 786

Reported that the same **Ought Not to Pass**.

Signed:

Senators:

PATRICK of Oxford
CLEVELAND of Androscoggin

Representatives:

HERBIG of Belfast
CAMPBELL of Newfield
GILBERT of Jay
HAMANN of South Portland
MASON of Topsham
MASTRACCIO of Sanford

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-91)**.

Signed:

Senator:

CUSHING of Penobscot

Representatives:

DUPREY of Hampden
LOCKMAN of Amherst
VOLK of Scarborough
WINCHENBACH of Waldoboro

Comes from the House with the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

Reports **READ**.

Senator **PATRICK** of Oxford moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence.

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 PRESIDENT: The Chair recognizes the Senator from Oxford, Senator Patrick.

Senator **PATRICK**: Thank you Mr. President. Ladies and gentlemen of the Senate, colleagues and friends, I'm going to just say a couple of words as to why I moved the Ought Not to Pass Report. Basically, I'm just going to give a little history on this bill. If you've been in this Body or the other Body for years, you know some bills come up on a yearly basis. Some bills come up on a four or five year basis. I moved the Majority Ought Not to Pass Report. Since passage of the Taft-Hartley Act in 1947, which contained a provision allowing individual states to adopt so-called right to work statutes, there had been five or six attempts to adopt this type of legislation in Maine. The first attempt was in 1948. Ultimately, it was defeated through a public referendum when Maine's electorate voted by a margin of over 2-1 against two competing right to work bills. The next four attempts to adopt right to work bills in Maine occurred in 1961, 1963, 1979, and 1999. As we know, in the 125th the bills came before the committees but never made it to the floor. Basically, the timing on this bill is any better than it was in 1948. I would urge you to vote with me on the Ought Not to Pass Report.

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

THE PRESIDENT: The pending question before the Senate is the motion by the Senator from Oxford, Senator Patrick to Accept the Majority Ought Not to Pass Report. A Roll Call has been ordered. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#50)

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

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

EXCUSED: Senator: TUTTLE

21 Senators having voted in the affirmative and 13 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **PATRICK** of Oxford to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence, **PREVAILED**.

Divided Report

The Majority of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on 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

Reported that the same **Ought Not to Pass**.

Signed:

Senators:
PATRICK of Oxford
CLEVELAND of Androscoggin

Representatives:
HERBIG of Belfast
CAMPBELL of Newfield
GILBERT of Jay
HAMANN of South Portland
MASON of Topsham
MASTRACCIO of Sanford

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-94)**.

Signed:

Senator:
CUSHING of Penobscot

Representatives:
DUPREY of Hampden
LOCKMAN of Amherst
VOLK of Scarborough
WINCHENBACH of Waldoboro

Comes from the House with the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

Reports **READ**.

Senator **PATRICK** of Oxford moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence.

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 (#51)

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

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

EXCUSED: Senator: TUTTLE

21 Senators having voted in the affirmative and 13 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **PATRICK** of Oxford to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence, **PREVAILED**.

Senate at Ease.

Senate called to order by the President.

Off Record Remarks

The Roll Call was closed before a seated member cast his vote. Senator Cleveland of Androscoggin confirmed his vote of YEA. The Roll Call was corrected to reflect his vote.

Senate

Divided Report

The Majority of the Committee on **JUDICIARY** on Bill "An Act To Allow Licensed Foresters To Use Mechanics Liens"
S.P. 202 L.D. 512

Reported that the same **Ought Not to Pass**.

Signed:

Senators:

VALENTINO of York
TUTTLE of York

Representatives:

PRIEST of Brunswick
BEAULIEU of Auburn
CROCKETT of Bethel
DeCHANT of Bath
GUERIN of Glenburn
MONAGHAN-DERRIG of Cape Elizabeth
MOONEN of Portland
MORIARTY of Cumberland
PEAVEY HASKELL of Milford
VILLA of Harrison

The Minority of the same Committee on the same subject reported that the same **Ought To Pass**.

Signed:

Senator:

BURNS of Washington

Reports **READ**.

On motion by Senator **VALENTINO** of York, the Majority **OUGH NOT TO PASS** Report **ACCEPTED**.

Sent down for concurrence.

SECOND READERS

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

House

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

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

House As Amended

Bill "An Act To Prohibit the Use of Rubber Lures for Fishing"
H.P. 37 L.D. 42
(C "A" H-47)

Bill "An Act Relating to Private School Student Participation in Public School Cocurricular, Interscholastic and Extracurricular Activities"

H.P. 74 L.D. 92
(C "A" H-53)

Bill "An Act To Protect the Public Health from Mosquito-borne Diseases"

H.P. 201 L.D. 292
(C "A" H-54)

Resolve, Directing the Public Utilities Commission To Review Certain Electricity Distribution Charges Assessed on Businesses

H.P. 211 L.D. 302
(C "A" H-58)

Bill "An Act To Authorize the Public Advocate To Publish and Distribute Consumer Information"

H.P. 212 L.D. 303
(C "A" H-46)

Bill "An Act To Restructure the Licensing and Regulation of Boilers and Pressure Vessels and Elevators and Tramways"

H.P. 287 L.D. 414
(C "A" H-55)

Bill "An Act To Prohibit the Sale of Gasoline That Contains Ethanol as an Additive at a Level Greater than 10 Percent by Volume"

H.P. 303 L.D. 453
(C "A" H-56)

Bill "An Act To Eliminate Sales Tax Exemptions for Snowmobiles and All-terrain Vehicles Purchased by Nonresidents for Use in the State"

H.P. 492 L.D. 720
(C "A" H-42)

Bill "An Act To Clarify the Maine New Markets Capital Investment Program Tax Credit" (EMERGENCY)

H.P. 778 L.D. 1109
(C "A" H-57)

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

Senate As Amended

Bill "An Act To Update the Maine HIV Advisory Committee"

S.P. 39 L.D. 88
(C "A" S-32)

Bill "An Act To Amend Provisions Relating to the Department of Corrections To Clarify Certain Enforcement Powers"

S.P. 135 L.D. 355
(C "A" S-38)

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

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

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 (4/10/13) matter:

JOINT RESOLUTION - Memorializing the President of the United States and the United States Congress to Support the Independence of the Nagorno-Karabakh Republic
H.P. 987

Tabled - April 10, 2013, by Senator **JACKSON** of Aroostook

Pending - **ADOPTION**, in concurrence

(In House, April 10, 2013, **READ** and **ADOPTED**.)

(In Senate, April 10, 2013, **READ**.)

On motion by Senator **JACKSON** of Aroostook, the Joint Resolution was **INDEFINITELY POSTPONED**, in **NON-CONCURRENCE**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (4/23/13) matter:

Bill "An Act To Allow School Administrative Units To Establish Rules, Procedures and Guidelines for Properly Trained Staff To Carry a Concealed Handgun on School Property while Acting in Their Official Capacities"

S.P. 515 L.D. 1429

Tabled - April 23, 2013, by Senator **GERZOFSKY** of Cumberland

Pending - **REFERENCE**

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

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

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (4/23/13) matter:

Bill "An Act To Create an Educational Collaborative To Implement a Program That Enables Career and Technical Education Students To Earn College Credits while Attending High School" (EMERGENCY)

S.P. 506 L.D. 1412

Tabled - April 23, 2013, by Senator **JACKSON** of Aroostook

Pending - motion by Senator **MILLETT** of Cumberland to **REFER** to the Committee on **EDUCATION AND CULTURAL AFFAIRS**

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

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

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (4/23/13) matter:

HOUSE REPORTS - from the Committee on **TRANSPORTATION** on Resolve, To Direct the Department of Transportation To Provide Signs on Interstate 95, on Interstate 395 and in the City of Brewer for the Underground Railroad Memorial at Chamberlain Freedom Park

H.P. 237 L.D. 332

Majority - **Ought Not to Pass** (10 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (H-23)** (3 members)

Tabled - April 23, 2013, by Senator **GOODALL** of Sagadahoc
Pending - motion by Senator **MAZUREK** of Knox to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE** (Roll Call Ordered)

(In House, April 10, 2013, the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-23)**.)

(In Senate, April 23, 2013, Reports **READ**.)

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#52)

YEAS: Senators: BOYLE, CLEVELAND, COLLINS, CRAVEN, DUTREMBLE, GERZOFISKY, GOODALL, HASKELL, HILL, JACKSON, JOHNSON, KATZ, LACHOWICZ, MAZUREK, MILLETT, PATRICK, PLUMMER, THIBODEAU, VALENTINO, WOODBURY, THE PRESIDENT - JUSTIN L. ALFOND

NAYS: Senators: BURNS, CAIN, CUSHING, FLOOD, GRATWICK, HAMPER, LANGLEY, MASON, SAVIELLO, SHERMAN, THOMAS, WHITTEMORE, YOUNGBLOOD

EXCUSED: Senator: TUTTLE

21 Senators having voted in the affirmative and 13 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **MAZUREK** of Knox to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE, PREVAILED.**

Ordered sent down forthwith for 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 Require the State To Divest Itself of Assets Invested in the Fossil Fuel Industry"
H.P. 1046 L.D. 1461

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

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

Bill "An Act To Promote Local or Community-based Generation Projects"
H.P. 1041 L.D. 1456

Bill "An Act To Amend the Charter of the South Berwick Sewer District"
H.P. 1042 L.D. 1457

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.

Bill "An Act To Clarify and Correct Provisions of the Maine Medical Use of Marijuana Act"
H.P. 1047 L.D. 1462

Comes 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.

Bill "An Act To Enact the Maine Small Business Investment Protection Act"
H.P. 1043 L.D. 1458

Comes 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, Directing the Maine Library of Geographic Information Board To Convene a Stakeholder Group To Study the Feasibility of Using Maine's GeoLibrary GeoPortal for a Pilot Project That Involves Geographic Information Systems Trail Mapping
H.P. 1044 L.D. 1459

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.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Examine Best Practices Relating to Tax Expenditures"
H.P. 1048 L.D. 1463

Comes 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.

Bill "An Act To Update and Clarify the Laws Governing the Operation of Bicycles on Public Roadways"
H.P. 1045 L.D. 1464

Bill "An Act To Streamline the Laws Related to Transportation"
H.P. 1049 L.D. 1464

Bill "An Act To Increase Accountability and Efficiency of Independent Entities Involved in Separate Aspects of the State's Transportation Systems"
H.P. 1050 L.D. 1465

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.

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

Joint Resolution

The following Joint Resolution:

H.P. 1040

JOINT RESOLUTION RECOGNIZING MAINE'S REALTORS

WHEREAS, the Maine Association of REALTORS® has nearly 4,000 members actively involved in the business of real estate and it has approximately 1,000 affiliate members, including lenders, appraisers, title companies, building inspectors, surveyors and insurance providers; and

WHEREAS, the not-for-profit association provides each member with an equal voice and representation in the real estate profession, serving members in all 16 Maine counties and in their communities; and

WHEREAS, the benefit that the Maine Association of REALTORS® provides to Maine's economy includes not only the money spent and reinvested in the sale price of a property, but all

those services and expenditures that occur in relation to a property transaction, both for a buyer and a seller; and

WHEREAS, according to national statistics, it is estimated that one job is generated for every 2 home sales and that each home sale contributes about \$60,000 to the economy; and

WHEREAS, the real estate market in Maine is slowly recovering as evidenced by the number of home sales increasing by 17.12% in 2012 and the median price of a home increasing by 3.03%; and

WHEREAS, home ownership has been enhanced by the work in Maine of the public and private sectors to provide housing opportunities; and

WHEREAS, expanding home ownership will strengthen our State and its families and communities, enhance our economy and create jobs; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-sixth Legislature now assembled in the First Regular Session, take this opportunity to recognize the Maine Association of REALTORS® and its members for their positive contributions and the significant role they have played in the lives of Maine citizens and their communities, and that their service and dedication to this State are a tribute to those values and principles that we all hold dear; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Maine Association of REALTORS® and its 12 local association boards.

Comes from the House, **READ** and **ADOPTED**.

READ.

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

Senator **CUSHING:** Thank you Mr. President. Ladies and gentlemen of the Senate, I rise today to speak in honor of many of my colleagues in the Maine Association of Realtors who are visiting us here today. Over 4,000 individuals in this state work on a regular basis to represent people in accomplishing the dream of home ownership. They serve in many capacities across our state. Some of them have considerable years of experience in this profession. They have seen the ups and downs. I'm very pleased to have with us today some representatives of that association in the Chamber. I, myself, started my journey as a realtor in 2006. It's been a very rewarding opportunity to meet with many people. One of my greatest satisfactions is working with first time home buyers as they acquire their first home. I find that they are truly the backbone of many communities. I'm very pleased today that we could take the opportunity to recognize them through this Joint Resolution. Thank you, Mr. President, for your time.

ADOPTED, in concurrence.

THE PRESIDENT: The Chair is pleased to recognize in the rear of the chamber Bart Stevens of Waterville who is the President of the Maine Association of Realtors, and other members from across the state who are here with us in this Chamber. Will they please rise and accept the full warm greetings of the Maine State Senate.

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

ENACTORS

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

Emergency Mandate

An Act To Ensure the Confidentiality of Concealed Handgun Permit Holder Personal Information

H.P. 250 L.D. 345
(C "A" H-89)

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

On motion by Senator **JACKSON** of Aroostook, **TABLED** until Later in Today's Session, pending **ENACTMENT**, in concurrence. (Roll Call Ordered)

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

ENACTORS

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

Emergency Resolve

Resolve, To Open Wild Turkey Hunting in Wildlife Management District 27 for the 2013 Spring Turkey Hunting Season

H.P. 327 L.D. 477
(C "A" H-96)

This being an Emergency Measure and having received the affirmative vote of 34 Members of the Senate, with no Senators having voted in the negative, and 34 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

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

ENACTORS

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

Mandate

An Act To Increase Suicide Awareness and Prevention in Maine Public Schools

H.P. 428 L.D. 609
(C "A" H-86)

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

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Millett.

Senator **MILLETT:** Thank you Mr. President. I rise today to speak in support of L.D. 609. Depression, bullying, abuse; these are all just some challenges that our youth face. These issues, when not addressed, can lead to death by suicide. Suicide is the second leading cause of death among youth in Maine. It takes the life of our promising sons and daughters before they have the chance to blossom. We hear too often about the loss of a child from suicide. Such a tragedy is devastating to family, friends, and community members and leaves them asking why. At the bill's public hearing parents, siblings, teachers, and guidance counselors, all suicide survivors, came to speak in support of this measure. Their testimony was heart wrenching. There was a common theme from story to story of a lack of understanding by family members and our educators about the behaviors that indicate potentially suicidal individuals and how to properly help those who are known to be suicidal. We cannot bring back the loved ones they lost, but we must do more to protect the bright young lives of our children. L.D. 609 will do just that. The bill will require that the State adopt standards for training every educator and school administrator to recognize behaviors that may indicate suicidal thoughts and how to connect the student with the support and resources they need. Research has shown that in over 80% of suicides there were preceding warning signs. Additionally, proper and timely intervention and care does help to save many young individuals experiencing suicidal thoughts. By adopting standards for suicide prevention, education, and training, we will increase the chance that these students receive the support and assistance they need and help prevent the tragic loss of such young lives. At the bill's public hearing no one spoke in opposition to this bill and I urge you to join me and my fellow members of the Education and Cultural Affairs Committee in support of this bill.

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

Senator **CUSHING:** Thank you Mr. President. I was not prepared to speak on this bill, but I did recollect a couple of important points that I feel are worthy of your time today. Very good friends of mine had both lost family members to suicide and it's a tragedy, one that we can't rectify after the act has taken place. It's clear that taking a moment to reflect in our busy day on

what someone else is going through can be incredibly valuable in helping someone in these situations. I commend the committee for the work they did on this and for the individuals who brought this issue forward. One story that stuck with me, that was shared by a colleague in the hall, was about a young girl who was feeling very despondent in school one day. She was leaving the school with the intention of going home and taking her life, knowing where her father kept his weapon. As she left the building someone opened the door and said to her, "Have a nice day." She thought as she left that perhaps it was worthwhile for her to reconsider her actions. She went home that night, wrote a note to that young man that said, "You saved my life." She brought it back the next day and handed it to him, along with the bullet from the gun. I think many of us have reached out to people on a regular basis, but I hope we'll take this opportunity to reflect on what we and everyone in society can do to avert these types of tragedies. I thank you for your time.

THE PRESIDENT: The Chair recognizes the Senator from Lincoln, Senator Johnson.

Senator **JOHNSON:** Thank you Mr. President. Ladies and gentlemen of the Senate, every child's life is important. When a student's life is lost by suicide it is a tragedy. It's tragedy which leaves everyone touched by that life wishing they had known enough to recognize the signs and get the student help; wishing they had prevented that loss. The training this bill requires has been shown effective to do just that in Maine schools. For all the fellow students, teachers, school administrators, and families who know that wish and regret personally, for all the young lives this bill will save, it's my sincere hope that today you all join me in taking a unanimous stand in support of life by supporting this bill, L.D. 609. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Franklin, Senator Saviello.

Senator **SAVIELLO:** Thank you Mr. President. Ladies and gentlemen of the Senate, I just want to rise for a minute to thank two people that are sitting in the back, Grace Eaton and Representative Paul Gilbert, for being the bulldogs, the persistent people, to make this bill in front of us possible and perhaps prevent another tragic loss of a young person. Thank you.

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

Senator **LACHOWICZ:** Thank you Mr. President. For many years before I came here I worked in schools providing mental health services and supervised school-based mental health programs. I've worked in schools that have had the program that this bill speaks to. I cannot tell you how much our schools need it. I can tell you that I've used it in schools, with school nurses and teachers and administrators. It does save lives. I've work in schools in our communities, even right here in Augusta, that have suffered the loss of students to suicide. It is too much for communities to bear. We need to do something about it. This is a program we used to have. It's very effective, as Senator Johnson mentioned. There is lots of research behind it. I would like to tell everyone to vote for this because it's vitally important for all our students and the families in our state. Thank you very much.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#53)

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

NAYS: Senators: None

EXCUSED: Senator: TUTTLE

This being a Mandate, in accordance with the provisions of Section 21 of Article IX of the Constitution, having received the affirmative vote of 34 Members of the Senate, with no Senators having voted in the negative, and 34 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

ORDERS OF THE DAY

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

An Act To Ensure the Confidentiality of Concealed Handgun Permit Holder Personal Information

H.P. 250 L.D. 345
(C "A" H-89)

Tabled - April 25, 2013, by Senator **JACKSON** of Aroostook

Pending - **ENACTMENT**, in concurrence (Roll Call Ordered)

(In Senate, April 24, 2013, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-89)**, in concurrence.)

(In House, April 25, 2013, **PASSED TO BE ENACTED.**)

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#54)

YEAS: Senators: BURNS, CAIN, COLLINS, CUSHING, DUTREMBLE, GOODALL, GRATWICK, HAMPER, HILL, JACKSON, JOHNSON, KATZ, LACHOWICZ, LANGLEY, MASON, PATRICK, PLUMMER, SAVIELLO, SHERMAN, THIBODEAU, THOMAS, VALENTINO, WHITTEMORE, WOODBURY, YOUNGBLOOD

NAYS: Senators: BOYLE, CLEVELAND, CRAVEN, GERZOFKY, HASKELL, MAZUREK, MILLETT, THE PRESIDENT - JUSTIN L. ALFOND

ABSENT: Senator: FLOOD

EXCUSED: Senator: TUTTLE

This being an Emergency Mandate, in accordance with the provisions of Section 21 of Article IX of the Constitution, and having received the affirmative vote of 25 Members of the Senate, with 8 Senators having voted in the negative, and 25 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

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

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

On motion by Senator **GOODALL** of Sagadahoc, **ADJOURNED**, until Tuesday, April 30, 2013, at 10:00 in the morning, in memory of and lasting tribute to Elsie Pike Viles of Augusta.