

# 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  
Friday  
May 31, 2013

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

Prayer by Senator Ronald F. Collins of York County.

**SENATOR COLLINS:** Thank you Mr. President. Ladies and gentlemen of the Senate, the last prayer I gave was on a snow day and there were three of us here on that snow day. I gave a very short prayer. However, today I do want to remind my colleagues here in the Senate that we're approaching the end of session and, believe me, it will end someday. The thing of it is, because it's the end of session, we get sometimes a little short tempered. We get fatigued. So on and so forth. Remember we're all part of a family here. A number of times I've referred to this institution as my second family. No matter where you go in the state of Maine you can say, "I know somebody in this town." It's true, you do. We are one big family and sometimes family members have spats and disagreements. We get over it and we move on and do the job that we were sent down here for by our constituency, and that is to do the state's business. In lieu of that, I will say my prayer.

God, bless the Maine Legislature and all the work we do.  
Amen.

Pledge of Allegiance led by Senator Anne M. Haskell of  
Cumberland County.

Reading of the Journal of Thursday, May 30, 2013.

Doctor of the day, Gary Winn, DO, MPH of Arundel.

Off Record Remarks

**PAPERS FROM THE HOUSE**

**Non-Concurrent Matter**

SENATE REPORTS - from the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Reduce the Number of Labels of Wine a Retailer Must Stock To Conduct a Wine Tasting"  
S.P. 16 L.D. 24  
(C "A" S-58)

Majority - **Ought Not to Pass** (9 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (S-58)** (4 members)

In Senate, May 9, 2013, on motion by Senator **TUTTLE** of York, the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-58)**.

Comes from the House, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**, in **NON-CONCURRENCE**.

On motion by Senator **GOODALL** of Sagadahoc, the Senate **INSISTED** and **ASKED FOR A COMMITTEE OF CONFERENCE**.

Sent down for concurrence.

**Non-Concurrent Matter**

SENATE REPORTS - from the Committee on **INLAND FISHERIES AND WILDLIFE** on Resolve, To Allow the Use of Live Bait When Ice Fishing in Certain Waters of the State  
S.P. 59 L.D. 170

Majority - **Ought Not to Pass** (12 members)

Minority - **Ought to Pass** (1 member)

In Senate, May 29, 2013, on motion by Senator **BURNS** of Washington, the Minority **OUGHT TO PASS** Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED**.

Comes from the House, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**, in **NON-CONCURRENCE**.

On motion by Senator **GOODALL** of Sagadahoc, the Senate **INSISTED** and **ASKED FOR A COMMITTEE OF CONFERENCE**.

Sent down for concurrence.

**Non-Concurrent Matter**

SENATE REPORTS - from the Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Allow Crossbow Hunting during Muzzle-loading Season"  
S.P. 97 L.D. 264

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

Minority - **Ought to Pass** (3 members)

In Senate, May 29, 2013, on motion by Senator **DUTREMBLE** of York, the Minority **OUGHT TO PASS** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.

Comes from the House, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**, in **NON-CONCURRENCE**.

On motion by Senator **GOODALL** of Sagadahoc, the Senate **INSISTED** and **ASKED FOR A COMMITTEE OF CONFERENCE**.

Sent down for concurrence.

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**Non-Concurrent Matter**

SENATE REPORTS - from the Committee on **TRANSPORTATION** on Bill "An Act To Allow Media Motor Vehicles To Be Equipped with Amber Auxiliary Lights"  
S.P. 123 L.D. 327

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

Minority - **Ought to Pass** (3 members)

In Senate, May 21, 2013, on motion by Senator **MAZUREK** of Knox, the Minority **OUGHT TO PASS** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.

Comes from the House, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**, in **NON-CONCURRENCE**.

On motion by Senator **GOODALL** of Sagadahoc, the Senate **INSISTED** and **ASKED FOR A COMMITTEE OF CONFERENCE**.

Sent down for concurrence.

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**Non-Concurrent Matter**

SENATE REPORTS - from the Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Allow a Person Who Is 60 Years of Age or Older To Use a Crossbow during the Open Seasons on Wild Birds and Animals"  
S.P. 136 L.D. 356

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

Minority - **Ought to Pass** (3 members)

In Senate, May 29, 2013, the Minority **OUGHT TO PASS** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.

Comes from the House, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**, in **NON-CONCURRENCE**.

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

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**Non-Concurrent Matter**

SENATE REPORTS - from the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Establish the Mobile Crime Laboratory Fund"

S.P. 238 L.D. 647  
(C "A" S-112)

Majority - **Ought Not to Pass** (9 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (S-112)** (4 members)

In Senate, May 23, 2013, on motion by Senator **GERZOFSKY** of Cumberland, the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-112)**.

Comes from the House, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**, in **NON-CONCURRENCE**.

On motion by Senator **GOODALL** of Sagadahoc, the Senate **INSISTED** and **ASKED FOR A COMMITTEE OF CONFERENCE**.

Sent down for concurrence.

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**Non-Concurrent Matter**

SENATE REPORTS - from the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Reduce Obesity among Schoolchildren"

S.P. 397 L.D. 1160  
(S "A" S-121 to C "A" S-81)

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-81)** (7 members)

Minority - **Ought Not to Pass** (6 members)

In Senate, May 23, 2013, on motion by Senator **MILLETT** of Cumberland, the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-81) AS AMENDED BY SENATE AMENDMENT "A" (S-121)** thereto.

Comes from the House, the Minority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**, in **NON-CONCURRENCE**.

On motion by Senator **GOODALL** of Sagadahoc, the Senate **INSISTED** and **ASKED FOR A COMMITTEE OF CONFERENCE**.

Sent down for concurrence.

**COMMUNICATIONS**

The Following Communication: S.C. 408

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

May 29, 2013

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on State and Local Government has had under consideration the nomination of David R. Cheever of Augusta, for reappointment as the State Archivist.

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

YEAS	Senators	2	Lachowicz of Kennebec, Collins of York
	Representatives	8	Graham of North Yarmouth, Bolduc of Auburn, Chenette of Saco, Hayes of Buckfield, MacDonald of Old Orchard Beach, Nadeau of Winslow, Nadeau of Fort Kent, Pease of Morrill
NAYS		0	
ABSENT		3	Sen. Gerzofsky of Cumberland, Rep. Boland of Sanford, Rep. Cotta of China

Ten members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of David R. Cheever of Augusta, for reappointment as the State Archivist be confirmed.

Signed,

S/Colleen M. Lachowicz  
Senate Chair

S/Anne P. Graham  
House Chair

**READ and ORDERED PLACED ON FILE.**

The President laid before the Senate the following: "Shall the recommendation of the Committee on **STATE AND LOCAL GOVERNMENT** be overridden?"

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#136)**

YEAS: Senators: None

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

ABSENT: Senators: CRAVEN, SAVIELLO, YOUNGBLOOD

No Senator having voted in the affirmative and 32 Senators having voted in the negative, with 3 Senators being absent, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **David R. Cheever** of Augusta for reappointment as the State Archivist was **CONFIRMED**.

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

The Following Communication: S.C. 409

**STATE OF MAINE  
126<sup>TH</sup> LEGISLATURE  
OFFICE OF THE GOVERNOR**

May 29, 2013

The Honorable Justin L. Alford  
President of the Senate  
3 State House Station  
Augusta, Maine 04333

Dear President Alford,

This is to inform you that, pursuant to Title 3 M.R.S.A., §154, I am withdrawing my nomination of Robert D. Somerville for appointment as a member of the Board of Trustees, Maine Maritime Academy.

This nomination is currently pending before the Joint Standing Committee on Education and Cultural Affairs.

Thank you for your assistance in this matter.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: S.C. 410

**STATE OF MAINE  
126<sup>TH</sup> LEGISLATURE  
OFFICE OF THE GOVERNOR**

May 29, 2013

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

Dear President Alfond,

This is to inform you that, pursuant to Title 3 M.R.S.A., §154, I am withdrawing my nomination of Michael H. Clarke for appointment as a member of the Maine Labor Relations Board.

This nomination is currently pending before the Joint Standing Committee on Labor, Commerce, Research and Economic Development.

Thank you for your assistance in this matter.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: S.C. 411

**STATE OF MAINE  
ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE  
COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY**

May 29, 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 Criminal Justice and Public Safety has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 1233 An Act Regarding Cyberbullying

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

Sincerely,

S/Sen. Stanley J. Gerzofsky  
Senate Chair

S/Rep. Mark N. Dion  
House Chair

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

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The Following Communication: S.C. 412

**STATE OF MAINE  
ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE  
COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS**

May 29, 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 Education and Cultural Affairs has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 1526 An Act To Include Debt Service for Local School Construction Projects in the Required Local Share of Education Funding

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

Sincerely,

S/Sen. Rebecca J. Millett  
Senate Chair

S/Rep. W. Bruce MacDonald  
House Chair

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

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The Following Communication: S.C. 413

**STATE OF MAINE  
ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE  
COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS**

May 29, 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 Education and Cultural Affairs has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 1130 An Act To Create a Virtual School Managed by the State

L.D. 1524 An Act To Address the Burden Placed on Students as a Result of Requirements To Take Remedial Courses

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

Sincerely,

S/Sen. Rebecca J. Millett  
Senate Chair

S/Rep. W. Bruce MacDonald  
House Chair

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

---

The Following Communication: S.C. 414

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

May 29, 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 bills out "Ought Not to Pass":

L.D. 827 An Act To Increase Access to Natural Gas

L.D. 1537 An Act To Promote the Delivery of Natural Gas to Central Maine

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

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The Following Communication: S.C. 415

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

May 29, 2013

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

Dear President Alfond and Speaker Eves:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Health and Human Services has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 1538 Resolve, To Establish a Task Force on Poverty and Personal Responsibility

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

Sincerely,

S/Sen. Margaret M. Craven  
Senate Chair

S/Rep. Richard R. Farnsworth  
House Chair

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

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The Following Communication: S.C. 416

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

May 29, 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 State and Local Government has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 1539 Resolve, To Restore the Integrity of the State Pay System (EMERGENCY)

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

Sincerely,

S/Sen. Colleen M. Lachowicz  
Senate Chair

S/Rep. Anne P. Graham  
House Chair

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

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The Following Communication: H.C. 182

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

May 30, 2013

Honorable Darek M. Grant  
Secretary of the Senate  
126th Maine Legislature  
Augusta, Maine 04333

Dear Secretary Grant:

The House voted today to insist on its previous action whereby it accepted the Majority Ought Not to Pass Report of the Committee on Criminal Justice and Public Safety on Bill "An Act To Establish the Computer Crimes Unit Fund and Authorize the Department of Public Safety To Accept Donations for the Fund" (S.P. 428) (L.D. 1234).

Sincerely,

S/Millicent M. MacFarland  
Clerk of the House

**READ** and **ORDERED PLACED ON FILE.**

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**SENATE PAPERS**

Bill "An Act To Strengthen Maine's Hospitals and To Provide for a New Spirits Contract" (EMERGENCY)  
S.P. 596 L.D. 1555

Presented by Senator FLOOD of Kennebec. (GOVERNOR'S BILL)  
Cosponsored by Representative FREDETTE of Newport and Senators: BURNS of Washington, COLLINS of York, CUSHING of Penobscot, HAMPER of Oxford, KATZ of Kennebec, LANGLEY of Hancock, MASON of Androscoggin, PLUMMER of Cumberland, SAVIELLO of Franklin, SHERMAN of Aroostook, THIBODEAU of Waldo, THOMAS of Somerset, WHITTEMORE of Somerset, YOUNGBLOOD of Penobscot, Representatives: AYOTTE of Caswell, BEAULIEU of Auburn, BENNETT of Kennebunk, BLACK of Wilton, CAMPBELL of Orrington, CHASE of Wells, COTTA of China, CRAFTS of Lisbon, CRAY of Palmyra, CROCKETT of Bethel, DAVIS of Sangerville, DOAK of Columbia Falls, DUNPHY of Embden, DUPREY of Hampden, FITZPATRICK of Houlton, GIFFORD of Lincoln, GILLWAY of Searsport, GUERIN of Glenburn, HARVELL of Farmington, JACKSON of Oxford, JOHNSON of Eddington, JOHNSON of Greenville, KESCHL of Belgrade, KINNEY of Limington, KNIGHT of Livermore Falls, LONG of Sherman, MAKER of Calais, MALABY of Hancock, MAREAN of Hollis, McCLELLAN of Raymond, McELWEE of Caribou, NADEAU of Fort Kent, NEWENDYKE of Litchfield, NUTTING of Oakland, PARRY of Arundel, PEASE of Morrill, POULIOT of Augusta, REED of Carmel, SANDERSON of Chelsea, SIROCKI of Scarborough, TIMBERLAKE of Turner, TURNER of Burlington, TYLER of Windham, WALLACE of Dexter, WEAVER of York, WILLETTE of Mapleton, WILSON of Augusta, WINCHENBACH of Waldoboro, WOOD of Sabattus.



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

Sent down for concurrence.

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

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

### ORDERS

#### Joint Order

An Expression of Legislative Sentiment recognizing:

The Long Reach Swim Club of the Bath Area Family YMCA, the Snaildarters, on its winning its 23rd consecutive championship at the State Championship Swim Meet. We congratulate the members of the team on this achievement and send them our best wishes;

SLS 394

Sponsored by Senator **GOODALL** of Sagadahoc.  
Cosponsored by Representatives: **DeCHANT** of Bath, **KENT** of Woolwich, **MacDONALD** of Boothbay, **SAXTON** of Harpswell.

### READ.

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

Senator **GOODALL:** Thank you Mr. President. Men and women of the Senate, I rise briefly just to speak and give congratulations towards a great group of young individuals, young adults, here that are part of the Long Reach Swim Club of the Bath Area YMCA. They are here today in the balcony. This year they completed their 23<sup>rd</sup> straight state title in swimming. Along with their Coach Jay Morissette, they have done just wonderful things over the year and this team, once again, has completed another victorious championship year. In terms of lighter moments, their team name is the Snaildarters. I will challenge anyone, assuming you'll not use your computers, to come up with what a Snaildarter is. It is related to swimming. I'll be available after session. More formally, this group of individuals works very hard. It is a very well-known program at the Bath YMCA and in the region. They are really a great group of students and I just want to take a minute and make sure that we recognize them for their accomplishments. Thank you, Mr. President.

### PASSED.

Sent down for concurrence.

**THE PRESIDENT:** The Chair is pleased to welcome in the balcony of the chamber the members of the Long Reach Swim

Club of Bath. They are the guest today of the Senator from Sagadahoc, Senator Goodall. Would they please rise and accept the warm greetings of the Maine State Senate.

## REPORTS OF COMMITTEES

### House

#### Divided Report

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Increase Public Awareness Regarding School Budget Elections"

H.P. 258 L.D. 383

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

Signed:

Senators:

MILLETT of Cumberland  
JOHNSON of Lincoln

Representatives:

MacDONALD of Boothbay  
DAUGHTRY of Brunswick  
HUBBELL of Bar Harbor  
JOHNSON of Greenville  
KORNFIELD of Bangor  
MAKER of Calais  
NELSON of Falmouth  
RANKIN of Hiram

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-253)**.

Signed:

Senator:

LANGLEY of Hancock

Representatives:

McCLELLAN of Raymond  
POULIOT of Augusta

(Representative **SOCTOMAH** of the Passamaquoddy Tribe - of the House - supports the Majority **Ought Not To Pass** Report.)

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

Reports **READ**.

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

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence.

---

**Divided Report**

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Protect Charter Schools by Requiring Them To Be Operated as Nonprofit Organizations"  
H.P. 463 L.D. 671

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-245)**.

Signed:

Senators:

MILLETT of Cumberland  
JOHNSON of Lincoln

Representatives:

MacDONALD of Boothbay  
DAUGHTRY of Brunswick  
HUBBELL of Bar Harbor  
KORNFIELD of Bangor  
NELSON of Falmouth  
RANKIN of Hiram

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

Signed:

Senator:

LANGLEY of Hancock

Representatives:

JOHNSON of Greenville  
MAKER of Calais  
McCLELLAN of Raymond  
POULIOT of Augusta

(Representative SOCTOMAH of the Passamaquoddy Tribe - 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-245)**.

Reports **READ**.

Senator **MILLETT** of Cumberland moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence.

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**Divided Report**

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Further Ensure Effective Teaching and School Leadership"  
H.P. 809 L.D. 1144

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-254)**.

Signed:

Senators:

MILLETT of Cumberland  
JOHNSON of Lincoln

Representatives:

MacDONALD of Boothbay  
DAUGHTRY of Brunswick  
HUBBELL of Bar Harbor  
KORNFIELD of Bangor  
NELSON of Falmouth  
RANKIN of Hiram

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

Signed:

Senator:

LANGLEY of Hancock

Representatives:

JOHNSON of Greenville  
MAKER of Calais  
McCLELLAN of Raymond  
POULIOT of Augusta

(Representative SOCTOMAH of the Passamaquoddy Tribe - 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-254)**.

Reports **READ**.

Senator **MILLETT** of Cumberland moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence.

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**Senate**

**Ought to Pass As Amended**

Senator PATRICK for the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Provide Stable Funding for Research and Development in Maine"

S.P. 437 L.D. 1276

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-157)**.

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

**READ ONCE**.

Committee Amendment "A" (S-157) **READ** and **ADOPTED**.

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

Ordered sent down forthwith for concurrence.

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**Divided Report**

The Majority of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act To Make Technical Changes to the Agriculture, Conservation and Forestry Laws"

S.P. 332 L.D. 987

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-158)**.

Signed:

Senators:

JACKSON of Aroostook  
BOYLE of Cumberland

Representatives:

DILL of Old Town  
BLACK of Wilton  
JONES of Freedom  
KENT of Woolwich  
MAREAN of Hollis  
NOON of Sanford  
SAUCIER of Presque Isle

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "B" (S-159)**.

Signed:

Senator:

SHERMAN of Aroostook

Representatives:

CRAY of Palmyra  
TIMBERLAKE of Turner

Reports **READ**.

On motion by Senator **JACKSON** of Aroostook, **TABLED** until Later in Today's Session, pending **ACCEPTANCE OF EITHER REPORT**.

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**Divided Report**

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on 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

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

Signed:

Senators:

GERZOFISKY of Cumberland  
DUTREMBLE of York

Representatives:

DION of Portland  
CASAVANT of Biddeford  
KAENRATH of South Portland  
LAJOIE of Lewiston  
PLANTE of Berwick

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-150)**.

Signed:

Senator:

PLUMMER of Cumberland

Representatives:

LONG of Sherman  
MARKS of Pittston  
PEASE of Morrill  
TYLER of Windham  
WILSON of Augusta

Reports **READ**.

Senator **GERZOFISKY** of Cumberland moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

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**Divided Report**

The Majority of the Committee on **JUDICIARY** on Bill "An Act Regarding the Law Pertaining to the Confidentiality of Enhanced 9-1-1 System Information and Records"

S.P. 188 L.D. 495

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  
MONAGHAN-DERRIG of Cape Elizabeth  
MOONEN of Portland  
PEAVEY HASKELL of Milford  
VILLA of Harrison

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-151)**.

Signed:

Senator:

BURNS of Washington

Representatives:

GUERIN of Glenburn  
MORIARTY of Cumberland

Reports **READ**.

On motion by Senator **VALENTINO** of York, **TABLED** until Later in Today's Session, pending **ACCEPTANCE OF EITHER REPORT**.

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**Divided Report**

The Majority of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Reduce the Licensing Fee for Certain Tournament Games"

S.P. 125 L.D. 329

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-155)**.

Signed:

Senators:

TUTTLE of York  
PATRICK of Oxford

Representatives:

LUCHINI of Ellsworth  
FOWLE of Vassalboro  
LONGSTAFF of Waterville  
RUSSELL of Portland  
SAUCIER of Presque Isle  
SCHNECK of Bangor

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

Signed:

Senator:

MASON of Androscoggin

Representatives:

BEAULIEU of Auburn  
GIFFORD of Lincoln  
JOHNSON of Eddington  
KINNEY of Limington

(Representative MITCHELL of the Penobscot Nation - of the House - supports the Majority **Ought To Pass as Amended Report**.)

Reports **READ**.

Senator **TUTTLE** of York moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

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**Divided Report**

The Majority of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Strengthen the Maine Clean Election Act"

S.P. 452 L.D. 1309

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-156)**.

Signed:

Senators:

TUTTLE of York  
PATRICK of Oxford

Representatives:

LUCHINI of Ellsworth  
FOWLE of Vassalboro  
LONGSTAFF of Waterville  
RUSSELL of Portland  
SAUCIER of Presque Isle  
SCHNECK of Bangor

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

Signed:

Senator:

MASON of Androscoggin

Representatives:

BEAULIEU of Auburn  
GIFFORD of Lincoln  
JOHNSON of Eddington  
KINNEY of Limington

(Representative MITCHELL of the Penobscot Nation - of the House - supports the Majority **Ought To Pass as Amended** Report.)

Reports **READ**.

Senator **TUTTLE** of York moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

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**ENACTORS**

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

**Emergency Measure**

An Act To Streamline the Approval of Accessibility Structures  
H.P. 130 L.D. 155  
(C "A" H-222)

This being an Emergency Measure and having received the affirmative vote of 31 Members of the Senate, with no Senators having voted in the negative, and 31 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.

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**Emergency Measure**

An Act To Restore MaineCare Coverage for Ambulatory Surgical Center Services

H.P. 265 L.D. 390  
(C "A" H-215)

On motion by Senator **HILL** of York, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **ENACTMENT**, in concurrence.

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**Emergency Measure**

An Act Concerning Fertilizer and Lime Products

H.P. 707 L.D. 1009  
(H "A" H-218 to C "A" H-170)

This being an Emergency Measure and having received the affirmative vote of 31 Members of the Senate, with no Senators having voted in the negative, and 31 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.

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**Emergency Measure**

An Act To Provide That Innkeepers and Certain Campground Operators Are Not Considered Landlords

H.P. 909 L.D. 1270

This being an Emergency Measure and having received the affirmative vote of 31 Members of the Senate, with no Senators having voted in the negative, and 31 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.

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**Emergency Resolve**

Resolve, Regarding Legislative Review of Portions of Chapter 101: Maine Unified Special Education Regulation Birth to Age Twenty, a Major Substantive Rule of the Department of Education  
H.P. 232 L.D. 323  
(S "A" S-111 to C "A" H-191)

This being an Emergency Measure and having received the affirmative vote of 31 Members of the Senate, with no Senators having voted in the negative, and 31 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.

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**Acts**

An Act To Amend the Authorized Hours during Which Liquor May Be Sold and Purchased

H.P. 19 L.D. 15  
(C "A" H-216)

An Act To Update and Clarify the Laws Governing the Operation of Bicycles on Public Roadways

H.P. 1045 L.D. 1460  
(C "A" H-221)

An Act To Streamline the Laws Related to Transportation

H.P. 1049 L.D. 1464  
(C "A" H-220)

**PASSED TO BE ENACTED** and having been signed by the President were presented by the Secretary to the Governor for his approval.

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An Act To Provide Transparency in Public-private Partnerships for Transportation Projects

H.P. 493 L.D. 721  
(C "A" H-212)

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

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**Resolves**

Resolve, Directing the Bureau of Insurance To Study Issues Related to Long-term Care Insurance

H.P. 121 L.D. 146  
(C "A" H-211)

On motion by Senator **THIBODEAU** of Waldo, **TABLED** until Later in Today's Session, pending **FINAL PASSAGE**, in concurrence.

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Resolve, To Create a Working Group To Survey Maine Schools on the Costs and Benefits of Contracting for Energy Conservation Improvements

H.P. 458 L.D. 666  
(C "A" H-217)

On motion by Senator **HILL** of York, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **FINAL PASSAGE**, in concurrence.

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Senate at Ease.

Senate called to order by the President.

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**ORDERS OF THE DAY**

**Unfinished Business**

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

The Chair laid before the Senate the following Tabled and Later Assigned (5/30/13) matter:

JOINT RESOLUTION - To Recognize the First Wednesday in April as Everyone Matters Day

H.P. 1067

Tabled - May 30, 2013, by Senator **GOODALL** of Sagadahoc

Pending - **ADOPTION**, in concurrence

(In House, May 29, 2013, **READ** and **ADOPTED**.)

(In Senate, May 30, 2013, **READ**.)

**ADOPTED**, in concurrence.

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The Chair laid before the Senate the following Tabled and Later Assigned (5/30/13) matter:

HOUSE REPORT - from the Committee on **MARINE RESOURCES**, pursuant to Joint Rule 204, on Bill "An Act To Provide Guidance for the Development of Marine Fisheries Management Plans"

H.P. 562 L.D. 811

Report - **Ought to Pass as Amended by Committee Amendment "A" (H-259)**

Tabled - May 30, 2013, by Senator **JACKSON** of Aroostook

Pending - **ACCEPTANCE OF REPORT**, in concurrence

(In House, May 29, 2013, Report **READ** and **ACCEPTED** and Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-259)**.)

(In Senate, May 30, 2013, Report **READ**.)

The Majority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**, in concurrence.

**READ ONCE**.

Committee Amendment "A" (H-259) **READ** and **ADOPTED**, in concurrence.

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

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

**PAPERS FROM THE HOUSE**

**House Paper**

Resolve, To Establish the Study Group To Examine the Issue of Medicaid Expansion

H.P. 1124 L.D. 1556

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

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

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

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Senator **THIBODEAU** of Waldo was granted unanimous consent to address the Senate off the Record.

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

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

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On motion by Senator **GOODALL** of Sagadahoc, **ADJOURNED** to Monday, June 3, 2013, at 10:00 in the morning.