

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

In Senate Chamber
Thursday
April 4, 2013

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

Prayer by Reverend Alexis Fuller-Wright, First Congregational
Church in Farmington.

REVEREND FULLER-WRIGHT: Would you be with me in the
spirit of prayer. Holy One, as these Senators and staff begin their
busy day may they not only be blessed by the strength of Your
wisdom and presence but may they also be a blessing to those
whom they serve and to each other. May these servant leaders
model the kind of compassion and character that was taught on a
hillside long ago, when You preached the sermon on the mound.
May they be poor in spirit, for their humility serves Your people.
May they mourn over the brokenness of the world and seek
wholeness and change. May they be meek and stand not for
power over others but who stand beside others, lifting them up.
May they hunger and thirst for righteousness and justice. May
they be merciful to those who they serve and to each other. May
they be pure in heart and motive and intention. May they be
peacemakers, standing in the gap for those who have no voice.
Strengthen them for the work ahead and grant them Your peace.
In Your many names we pray. Amen.

Pledge of Allegiance led by Senator Douglas A. Thomas of
Somerset County.

National Anthem performed by the Oxford Hills Comprehensive
High School String Quartet Plus Two; Taryn Shore, Carolyn
Lamb, Catherine Lamb, India Lucas, Emily Cormier, and Kayleen
Glover.

Reading of the Journal of Wednesday, April 3, 2013.

Doctor of the day, Catherine Fredricks, DO of Brunswick.

Out of order and under suspension of the Rules, on motion by
Senator **GOODALL** of Sagadahoc, the following Joint Order:
S.P. 463

Ordered, the House concurring, that when the House and Senate
adjourn, they do so until Tuesday, April 9, 2013 at 10:00 in the
morning.

READ and PASSED.

Ordered sent down forthwith for concurrence.

Off Record Remarks

PAPERS FROM THE HOUSE

Non-Concurrent Matter

Bill "An Act To Streamline the Charitable Solicitations Act"
S.P. 438 L.D. 1277

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

In Senate, April 2, 2013, on motion by Senator **PATRICK** of
Oxford, **REFERRED** to the Committee on **INSURANCE AND
FINANCIAL SERVICES** and ordered printed.

Comes from the House, **REFERRED** to the Committee on
**LABOR, COMMERCE, RESEARCH AND ECONOMIC
DEVELOPMENT** and ordered printed, in **NON-CONCURRENCE**.

On motion by Senator **JACKSON** of Aroostook, the Senate
INSISTED.

Sent down for concurrence.

Non-Concurrent Matter

Bill "An Act Regarding the Effect on Collective Bargaining
Agreements of Failure To Validate a School Budget"
H.P. 918 L.D. 1291

In House, April 2, 2013, **REFERRED** to the Committee on
EDUCATION AND CULTURAL AFFAIRS and ordered printed.

In Senate, April 2, 2013, on motion by Senator **MILLETT** of
Cumberland, **REFERRED** to the Committee on **LABOR,
COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT**,
in **NON-CONCURRENCE**.

Comes from the House, that Body **INSISTED**.

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

COMMUNICATIONS

The Following Communication: S.C. 197

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

April 1, 2013

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

Dear President Alford 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 bills out "Ought Not to Pass":

- L.D. 664 An Act To Increase the Penalties for Crimes Involving Illegal or Prescription Drugs
- L.D. 873 An Act To Establish Positive Reentry Parole

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

The Following Communication: S.C. 198

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

April 1, 2013

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

Dear President Alford 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. 367 An Act To Repeal the Repeal Provision in the Law That Limits the Reduction of State Subsidy for Education (EMERGENCY)

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.**

The Following Communication: S.C. 199

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

April 1, 2013

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

Dear President Alford 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. 96 An Act To Enhance the Deer Population by Increasing Control of Coyotes through Local Conservation Organizations
- L.D. 254 Resolve, To Establish the Northern Maine Advisory Task Force on Deer

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. 200

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

March 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 Judiciary has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 311 An Act To Protect Landowners from the Exercise of Eminent Domain in Energy Infrastructure Corridors
- L.D. 352 An Act To Prohibit Prisoners from Filing Protection from Harassment Complaints against Corrections Personnel
- L.D. 395 An Act To Allow a Pet Owner To Collect Noneconomic Damages for the Death of a Pet
- L.D. 550 An Act To Require Probate Judges, Registers of Probate and Registers of Deeds To Be Appointed
- L.D. 726 An Act To Adopt the Uniform Parentage Act

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.**

SENATE PAPERS

Bill "An Act To Increase the College Graduation Rate in Maine"
S.P. 466 L.D. 1332

Presented by Senator BOYLE of Cumberland.
Cosponsored by Representative TIPPING-SPITZ of Orono and Senator: SAVIELLO of Franklin, Representatives: BEAVERS of South Berwick, TURNER of Burlington.

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

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

Resolve, Directing the Department of Health and Human Services To Amend the MaineCare Benefits Manual
S.P. 467 L.D. 1333

Presented by Senator CRAVEN of Androscoggin.
Cosponsored by Representative ROTUNDO of Lewiston and Senator: LACHOWICZ of Kennebec, Representatives: CAREY of Lewiston, LAJOIE of Lewiston, LIBBY of Lewiston, WERTS of Auburn.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Bill "An Act To Create Child Advocacy Centers in Maine"
S.P. 468 L.D. 1334

Presented by Senator CRAVEN of Androscoggin.
Cosponsored by Representative FARNSWORTH of Portland and Senators: CAIN of Penobscot, HASKELL of Cumberland, LACHOWICZ of Kennebec, Representatives: GATTINE of Westbrook, STUCKEY of Portland.

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

Sent down for concurrence.

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

ORDERS

Joint Resolutions

On motion by Senator **TUTTLE** of York (Cosponsored by Senators: President ALFOND of Cumberland, BOYLE of Cumberland, BURNS of Washington, CAIN of Penobscot, CLEVELAND of Androscoggin, COLLINS of York, CRAVEN of Androscoggin, CUSHING of Penobscot, DUTREMBLE of York, FLOOD of Kennebec, GERZOFKY of Cumberland, GOODALL of Sagadahoc, GRATWICK of Penobscot, HAMPER of Oxford, HASKELL of Cumberland, HILL of York, JACKSON of Aroostook, JOHNSON of Lincoln, KATZ of Kennebec, LACHOWICZ of Kennebec, LANGLEY of Hancock, MASON of Androscoggin, MAZUREK of Knox, MILLETT of Cumberland, PATRICK of Oxford, PLUMMER of Cumberland, SAVIELLO of Franklin, SHERMAN of Aroostook, THIBODEAU of Waldo, THOMAS of Somerset, VALENTINO of York, WHITTEMORE of Somerset, WOODBURY of Cumberland, YOUNGBLOOD of Penobscot, Representatives: AYOTTE of Caswell, BEAR of the Houlton Band of Maliseet Indians, BEAUDOIN of Biddeford, BEAULIEU of Auburn, BEAVERS of South Berwick, BECK of Waterville, BENNETT of Kennebunk, BLACK of Wilton, BOLAND of Sanford, BOLDUC of Auburn, BRIGGS of Mexico, BROOKS of Winterport, CAMPBELL of Newfield, CAMPBELL of Orrington, CAREY of Lewiston, CASAVANT of Biddeford, CASSIDY of Lubec, CHAPMAN of Brooksville, CHASE of Wells, CHENETTE of Saco, CHIPMAN of Portland, CLARK of Easton, COOPER of Yarmouth, COTTA of China, CRAFTS of Lisbon, CRAY of Palmyra, CROCKETT of Bethel, DAUGHTRY of Brunswick, DAVIS of Sangerville, DeCHANT of Bath, DEVIN of Newcastle, DICKERSON of Rockland, DILL of Old Town, DION of Portland, DOAK of Columbia Falls, DORNEY of Norridgewock, DUNPHY of Embden, DUPREY of Hampden, EVANGELOS of Friendship, Speaker EVES of North Berwick, FARNSWORTH of Portland, FOWLE of Vassalboro, FREDETTE of Newport, FREY of Bangor, GATTINE of Westbrook, GIDEON of Freeport, GIFFORD of Lincoln, GILBERT of Jay, GILLWAY of Searsport, GOODE of Bangor, GRAHAM of North Yarmouth, GRANT of Gardiner, GUERIN of Glenburn, HAMANN of South Portland, HARLOW of Portland, HARVELL of Farmington, HAYES of Buckfield, HERBIG of Belfast, HICKMAN of Winthrop, HOBBS of Saco, HUBBELL of Bar Harbor, JACKSON of Oxford, JOHNSON of Eddington, JOHNSON of Greenville, JONES of Freedom, JORGENSEN of Portland, KAENRATH of South Portland, KENT of Woolwich, KESCHL of Belgrade, KINNEY of Limington, KNIGHT of Livermore Falls, KORNFIELD of Bangor, KRUGER of Thomaston, KUMIEGA of Deer Isle, KUSIAK of Fairfield, LAJOIE of Lewiston, LIBBY of Waterboro, LIBBY of Lewiston, LOCKMAN of Amherst, LONG of Sherman, LONGSTAFF of Waterville, LUCHINI of Ellsworth, MacDONALD of Old Orchard Beach, MacDONALD of Boothbay, MAKER of Calais, MALABY of Hancock, MAREAN of Hollis, MARKS of Pittston, MASON of Topsham, MASTRACCIO of Sanford, McCABE of Skowhegan, McCLELLAN of Raymond, McELWEE of Caribou, McGOWAN of York, McLEAN of Gorham, MITCHELL of the Penobscot Nation, MONAGHAN-DERRIG of Cape Elizabeth, MOONEN of Portland, MORIARTY of Cumberland, MORRISON of South Portland, NADEAU of Fort Kent, NADEAU of Winslow, NELSON of Falmouth, NEWENDYKE of Litchfield, NOON of Sanford, NUTTING of Oakland, PARRY of Arundel, PEASE of Morrill, PEAVER of Milford, PEOPLES of Westbrook, PETERSON of Rumford, PLANTE of Berwick, POULIOT of Augusta, POWERS of Naples, PRIEST of Brunswick, PRINGLE of Windham, RANKIN of Hiram, REED of Carmel, ROCHELO of Biddeford, ROTUNDO of Lewiston, RUSSELL of Portland,

RYKERSON of Kittery, SANBORN of Gorham, SAUCIER of Presque Isle, SAXTON of Harpswell, SCHNECK of Bangor, SHAW of Standish, SHORT of Pittsfield, SIROCKI of Scarborough, SOCTOMAH of the Passamaquoddy Tribe, STANLEY of Medway, STUCKEY of Portland, THERIAULT of Madawaska, TIMBERLAKE of Turner, TIPPING-SPITZ of Orono, TREAT of Hallowell, TYLER of Windham, VEROW of Brewer, VILLA of Harrison, VOLK of Scarborough, WALLACE of Dexter, WEAVER of York, WERTS of Auburn, WILLETTE of Mapleton, WILSON of Augusta, WINCHENBACH of Waldoboro, WINSOR of Norway, WOOD of Sabattus) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 214.), the following Joint Resolution:

S.P. 464

**JOINT RESOLUTION
MEMORIALIZING THE UNITED STATES CONGRESS TO
ENCOURAGE THE INTERNATIONAL OLYMPIC COMMITTEE
TO REVERSE ITS DECISION TO ABOLISH WRESTLING FOR
THE 2020 OLYMPIC GAMES**

WE, your Memorialists, the Members of the 126th Legislature of the State of Maine now assembled in the First Regular Session, most respectfully present and petition the members of the United States Congress as follows:

WHEREAS, the International Olympic Committee Executive Board stunned the wrestling world, which sees wrestling as a sport popular in many countries and steeped in history as old as the Olympics themselves, by planning to drop wrestling as a sport in the Olympic Games; and

WHEREAS, while wrestling will be included at the 2016 Olympic Games in Rio de Janeiro, Brazil, it was cut from the Olympic Games in 2020, which have yet to be awarded to a host city; and

WHEREAS, wrestling is a sport that dates to ancient times, and, in ancient Greece, wrestling occupied a prominent place in legend and literature and served as the focal sport of the ancient Olympic Games; and

WHEREAS, wrestling represents one of the oldest forms of combat; the historical record of wrestling goes back 15,000 years, including cave drawings in France and ancient Babylonian and Egyptian art forms showing wrestlers using most of the holds known in the present-day sport; and

WHEREAS, wrestling remained popular during the Middle Ages, and early European settlers in America brought a strong wrestling tradition with them, and the settlers also found wrestling to be popular among Native Americans; and

WHEREAS, amateur wrestling flourished throughout the early years of the North American colonies and was a popular activity at country fairs, holiday celebrations and in military exercises, which continues to the modern day, when it is still a popular sport worldwide; and

WHEREAS, the first wrestling competition in the modern Olympic Games occurred in 1896 in Athens, Greece, and the sport of wrestling has been in the Olympic Games since the modern Olympic Games began; and

WHEREAS, the International Olympic Committee Executive Board's decision to drop this ancient and time-honored sport from the modern Olympic Games is contrary to the ideals of the Olympic Games because it stems from a popularity contest in that such criteria as television ratings and ticket sales were major factors in the board's decision; and

WHEREAS, the International Olympic Committee Executive Board will meet in May in St. Petersburg, Russia, to decide which sport or sports to propose for inclusion in the 2020 Olympic Games. The final vote will be made at the International Olympic Committee session, or general assembly, in September in Buenos Aires, Argentina; now, therefore, be it

RESOLVED: That We, your Memorialists, respectfully urge and request that the United States Congress support the sport of wrestling as a valid national and international competition worthy of the Olympic Games and that the United States Congress strongly urge the International Olympic Committee Executive Board to reverse its decision to drop wrestling from future Olympic Games; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the President of the United States Senate and the Speaker of the United States House of Representatives and to each Member of the Maine Congressional Delegation.

READ.

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

Senator **TUTTLE:** Thank you Mr. President. Men and women of the Senate, I appreciate the Resolution being presented today. Unlike many sports, Maine wrestlers historically have competed on a national level. I did and it really made a difference in my life. I received calls from many coaches and former wrestlers around the state and they asked me to present this Resolution. I'm very fortunate to have done that, Mr. President. Thank you.

On motion by Senator **TUTTLE** of York, the Joint Resolution was **ADOPTED**.

Sent down for concurrence.

On motion by Senator **PATRICK** of Oxford (Cosponsored by Representative EVANGELOS of Friendship and Senators: CAIN of Penobscot, DUTREMBLE of York, FLOOD of Kennebec, GERZOFKY of Cumberland, HASKELL of Cumberland, HILL of York, JACKSON of Aroostook, LACHOWICZ of Kennebec, SAVIELLO of Franklin, SHERMAN of Aroostook, TUTTLE of York, Representatives: BEAR of the Houlton Band of Maliseet Indians, BEAVERS of South Berwick, BERRY of Bowdoinham, BROOKS of Winterport, CAMPBELL of Newfield, GIFFORD of Lincoln, GILBERT of Jay, HERBIG of Belfast, JONES of Freedom, LONGSTAFF of Waterville, MASON of Topsham, MASTRACCIO of Sanford, PLANTE of Berwick, RYKERSON of Kittery, SCHNECK of Bangor, STUCKEY of Portland, TURNER of

Burlington) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 214.), the following Joint Resolution:

S.P. 465

**JOINT RESOLUTION
MEMORIALIZING THE UNITED STATES CONGRESS TO
REINSTITUTE THE GLASS-STEAGALL ACT**

WE, your Memorialists, the Members of the One Hundred and Twenty-sixth Legislature of the State of Maine now assembled in the First Regular Session, most respectfully present and petition the President of the United States and the United States Congress, as follows:

WHEREAS, an effective monetary and banking system is essential to the proper function of the economy; and

WHEREAS, an effective monetary and banking system must function in the public interest without bias; and

WHEREAS, the federal Banking Act of 1933, commonly referred to as the Glass-Steagall Act, protected the public interest in matters dealing with the regulation of commercial and investment banks, in addition to insurance companies and securities firms; and

WHEREAS, the Glass-Steagall Act was repealed in 1999, permitting members of the financial industry to exploit the financial system for their own gain in disregard of the public interest; and

WHEREAS, many financial industry entities were saved by the United States Treasury at a cost of billions of dollars to American taxpayers; and

WHEREAS, within the hundreds of pages of the Dodd-Frank Wall Street Reform and Consumer Protection Act there are no prohibitions that prevent "too big to fail" financial services organizations from investing in or undertaking substantial risks involving trillions of dollars of derivative contracts; and

WHEREAS, the American taxpayers continue to be at risk for the next round of bank failures, as enormous risks are undertaken by financial services organizations; and

WHEREAS, Congresswoman Marcy Kaptur has introduced H.R. 129, known as the Return to Prudent Banking Act of 2013, to reinstate the provisions of the Glass-Steagall Act, which has gained major bipartisan support; and

WHEREAS, the Glass-Steagall Act has widespread national support from organizations such as the American Federation of Labor and Congress of Industrial Organizations, the American Federation of Teachers and the International Association of Machinists, as well as from prominent economic and business leaders, many of the major and respected national newspapers and many others; now, therefore, be it

RESOLVED: That We, your Memorialists, respectfully urge and request that the President of the United States and the United States Congress enact legislation that would reinstate the

separation of commercial and investment banking functions that was in effect under the Glass-Steagall Act, the Banking Act of 1933, to prohibit commercial banks and bank holding companies from investing in stocks, underwriting securities or investing in or acting as guarantors to derivative transactions, in order to prevent American taxpayers from being again called upon to bail out financial institutions; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable Barack H. Obama, President of the United States, the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States, and to each Member of the Maine Congressional Delegation.

READ.

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, some people probably wonder why a maintenance mechanic in a paper mill would care about the national, state, and local banking system. In 2007-2008 the economic crash that happened was a direct result of the 1999 repeal of the Glass-Steagall Act, which was the system that put a firewall between commercial investment banking. The major universal banks combined commercial banking with all other forms of other activities, including real estate, insurance, and investment banking. It was also awash in derivative speculation. They got into things, realistically, that I think, in my opinion, actually helped perpetuate the crash of 2007-2008. The reason I put this bill in is because, as a 59 year old looking towards retirement, I have had many talks with hundreds of people in my district and I know nationwide there are millions of retirees that actually learned the golden rule of economics when they were growing up, which was to put money aside, put it in a bank, put it in investments, annuities and different things, so that when they retired they'd be able to get 4% or 5% to live off as interest as a nest egg and never have to get into their principle. What has happened since 2007-2008 is basically people are now living off their principle and it's getting to the point where all those people that were middle America are now becoming impoverished because they've lost or used all of their principle up. I do spend a lot of my spare time reading a lot of financial magazines. Not everyone necessarily agrees with my position on this, but I do firmly believe that having a secure banking system in the country is very important. I just wanted to bring this issue to everyone's attention. I thank you for your time.

On motion by Senator **PATRICK** of Oxford, the Joint Resolution was **ADOPTED**.

Sent down for concurrence.

The Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Amend the Laws Governing the Licensing of Technicians Involved in a Display of Fireworks or Special Effects" H.P. 590 L.D. 839

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 **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Repeal an Insurance Reporting Requirement" H.P. 422 L.D. 603

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 **MARINE RESOURCES** on Bill "An Act To Open the St. Croix River to River Herring" (EMERGENCY) H.P. 65 L.D. 72

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 Provide Funding to Soil and Water Conservation Districts"

H.P. 252 L.D. 377

REPORTS OF COMMITTEES

House

Ought to Pass

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-21)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-21)**.

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

READ ONCE.

Committee Amendment "A" (H-21) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Amend the Law Regulating the Use of Explosives"

H.P. 591 L.D. 840

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-27)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-27)**.

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

READ ONCE.

Committee Amendment "A" (H-27) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Amend the Anson and Madison Water District Charter"

H.P. 139 L.D. 179

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-22)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-22)**.

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

READ ONCE.

Committee Amendment "A" (H-22) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Exempt Free Clinics from Licensing under the Charitable Solicitations Act"

H.P. 166 L.D. 205

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-26)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-26)**.

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

READ ONCE.

Committee Amendment "A" (H-26) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act Relating to Health Care Provider Liability Claims Reports"

H.P. 304 L.D. 454

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-25)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-25)**.

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

READ ONCE.

Committee Amendment "A" (H-25) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **MARINE RESOURCES** on Bill "An Act To Support the Maine Lobster Industry"

H.P. 142 L.D. 182

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-29)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-29)**.

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

READ ONCE.

Committee Amendment "A" (H-29) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **TRANSPORTATION** on Bill "An Act To Exempt All Vehicles Delivering Home Heating Fuel, Including Wood Pellets, from Weight Limits"

H.P. 91 L.D. 109

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-24)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-24)**.

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

READ ONCE.

Committee Amendment "A" (H-24) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Off Record Remarks

Divided Report

The Majority of the Committee on **TAXATION** on Bill "An Act To Increase the State Earned Income Credit"

H.P. 305 L.D. 455

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-15)**.

Signed:

Senators:
HASKELL of Cumberland
MILLETT of Cumberland

Representatives:

GOODE of Bangor
BROOKS of Winterport
LIBBY of Lewiston
MOONEN of Portland
STANLEY of Medway
TIPPING-SPITZ of Orono

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

Signed:

Senator:
THOMAS of Somerset

Representatives:

BENNETT of Kennebunk
JACKSON of Oxford
KNIGHT of Livermore Falls
MAREAN of Hollis

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-15)**.

Reports **READ**.

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

On further motion by same Senator, 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 Haskell.

Senator **HASKELL:** Thank you Mr. President. Colleagues in the Senate, I urge you today to vote in favor of this Majority Report. This is a modest incremental proposal that recognizes probably one of the best anti-poverty programs that was ever devised in this country. As a matter of fact, it's not even a partisan issue. The Earned Income Tax Credit was established under President Nixon. I know some of you in the room don't remember President Nixon, but some of us do. This is a program that has been in place for a long time. The State of Maine also offers an Earned Income Tax Credit. The amount is very small. It's 5%. This bill looks to move it to 10%. It's a very modest increase in these times. This is a program that rewards work. This is not a handout. These are people who work for a living. These people who work for a living deserve to be able to put bread and milk on the table. Sometimes when you are working one or two jobs, and those jobs are low wage jobs, the opportunity to do that eludes them. This is a program that rewards that work by being able to give them a little bit extra that makes the difference. This, again, is a program that helps to reduce poverty and, in general, is spent in the community in which people are. About 75% of the recipients of the Federal Income Tax Credit have an income below \$25,000 for a family of four. That's not much money to

make it work on. In the state of Maine, we have the seventh highest rate of hunger in the nation. That's unacceptable. We need to think about that. We need to think about the difference that this might make in a family's life. This is a program to help people who are struggling to keep their family safe, well fed, and in a home instead of eating in a soup kitchen and sleeping in a shelter. This will have a noticeable impact on the fight against homelessness and hunger. I remind you today of what Reverend Fuller-Wright said this morning to us when she entreated to stand in the gap for those who have no voice. I'll tell you, there is nobody who has any less voice in this place than the people who are trying to work two jobs, working out there and trying to make the best that they can for their families by keeping those jobs in place. This is a way to help them bridge some of that small gap. I urge your unanimous vote on this bill. Thank you.

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

Senator **THOMAS:** Thank you Mr. President. Ladies and gentlemen of the Senate, I'll take issue with my good friend from Cumberland. The best anti-poverty program going is a job. We don't need another welfare program. We have plenty of welfare programs in Maine now. This will return to people more money in taxes than they paid in. We can't afford it with a shortfall and a budget problem that we have. We don't need to make this worse. Nobody has any more compassion for those people who need help than I do. I help a lot of them through the church that I go to and through the things that I do every day. We don't need another government sponsored welfare program. I urge you to vote against it. Thank you.

THE PRESIDENT: The pending question before the Senate is the motion by the Senator from Cumberland, Senator Haskell to Accept the Majority Ought to Pass as Amended 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 (#32)

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

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

19 Senators having voted in the affirmative and 16 Senators having voted in the negative, the motion by Senator **HASKELL** of Cumberland to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **PREVAILED**.

READ ONCE.

Committee Amendment "A" (H-15) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **TRANSPORTATION** on Resolve, Directing the Department of Transportation To Place a Sign on Northbound Interstate 95 Directing Motorists to Lee Academy

H.P. 67 L.D. 74

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

Signed:

Senators:

MAZUREK of Knox
COLLINS of York
VALENTINO of York

Representatives:

THERIAULT of Madawaska
GILLWAY of Searsport
McLEAN of Gorham
NUTTING of Oakland
PARRY of Arundel
PEOPLES of Westbrook
POWERS of Naples
WERTS of Auburn

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

Signed:

Representatives:

TURNER of Burlington
VEROW of Brewer

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

Reports **READ.**

On motion by Senator **MAZUREK** of Knox, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, in **NON-CONCURRENCE.**

Sent down for concurrence.

Senate

Change of Committee

Senator PATRICK for the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Clarify the Criteria of the Health Professions Loan Program as It Affects Physicians Practicing Neurology-psychiatry"
S.P. 375 L.D. 1093

Reported that the same be **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS**.

Report **READ**.

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

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

SECOND READERS

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

House

Bill "An Act To Amend or Repeal Outdated or Underutilized Laws Related to Transportation"
H.P. 447 L.D. 655

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

House As Amended

Bill "An Act Concerning Hurricane Deductibles"
H.P. 302 L.D. 452
(C "A" H-17)

Bill "An Act To Promote Dental Care for Low-income Populations"
H.P. 341 L.D. 499
(C "A" H-18)

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

Senate at Ease.

Senate called to order by the President.

ORDERS OF THE DAY

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

Bill "An Act Regarding the Effect on Collective Bargaining Agreements of Failure To Validate a School Budget"
H.P. 918 L.D. 1291

Tabled - April 4, 2013, by Senator **JACKSON** of Aroostook

Pending - **FURTHER CONSIDERATION**

(In House, April 2, 2013, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.)

(In Senate, April 2, 2013, on motion by Senator **MILLETT** of Cumberland, **REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT**, in **NON-CONCURRENCE**.)

(In House, April 4, 2013, that Body **INSISTED**.)

On motion by Senator **JACKSON** of Aroostook, the Senate **INSISTED**.

The Chair laid before the Senate the following Tabled and Later Assigned (3/21/13) matter:

HOUSE REPORTS - from the Committee on **TRANSPORTATION** on Bill "An Act To Increase Municipal Agent Fees for Licensing and Registration of Motor Vehicles"
H.P. 280 L.D. 405

Majority - **Ought to Pass** (9 members)

Minority - **Ought Not to Pass** (4 members)

Tabled - March 21, 2013, by Senator **MAZUREK** of Knox

Pending - **ACCEPTANCE OF EITHER REPORT**

(In House, March 20, 2013, the Majority **OUGHT TO PASS** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.)

(In Senate, March 21, 2013, Reports **READ**.)

Senator **MAZUREK** of Knox moved the Senate **ACCEPT** the Majority **OUGHT 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 York, Senator Collins.

Senator **COLLINS:** Thank you Mr. President. Ladies and gentlemen of the Senate, just very briefly. I want to talk concerning L.D. 405. This is a fee increase. I have to say it's moving real fast, but finally when we all get back home to our

hometowns and districts, if we pass this it is going to be the number one complaint that I hear about. "I went back to my town hall to register my car and the fee is gone up. How come?" It's going to be tough to explain in this economy, even though it's minimal at best. Nevertheless, it's a fee increase. In the eyes of many it's a tax increase. I am, personally, just fundamentally opposed to it, any kind of fee or tax increase at the present time. I think we're asking a lot of our constituencies back home. They have absorbed a lot of extra costs when dealing with municipal, as well as state, government. I think all this does is just pour some salt on the wound again. I'm voting in opposition to this bill, L.D. 405. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Knox, Senator Mazurek.

Senator **MAZUREK:** Thank you Mr. President. This bill came to us by a number of city clerks who have to deal with this type of thing every day. The last time towns have charged any increase for this service was back in the early 1990's. I venture to guess that most of us sitting around here, even though we are retired, many of us, are not living on what we lived on in the 1990's. Expenses go up, times go up, and duties increase. This is a very small amount, a \$2 raise. I think that the clerks that I've talked to find it will make a big help for them. I would certainly think that we're not asking for a huge increase. I don't consider it a tax. I guess you could call it anything you want, but it's a town fee. If you want to label it a tax, that's up to you. It's simply a fee that's been requested by the town clerks and I would hope that you can understand why. It's something that is desperately needed.

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

Senator **VALENTINO:** Thank you Mr. President. Ladies and gentlemen of the Senate, I rise also to support L.D. 405, the Act to Increase Municipal Agent Fees for Licensing and Registration of Motor Vehicles. The reason I voted to support this in the Transportation Committee is that this fee is totally optional. If you read the bill, the bill clearly states that the municipal agent may charge an applicant a fee, not to exceed. It currently is \$3. We're trying to go another \$2 to \$5, or \$4 if it's a new registration to \$6. It is very clear in the legislation that this totally up to the municipality. This does not say that they have to charge a fee. We are not setting the fee. If the town wants to charge \$1 they can charge \$1. If they don't want to charge anything they don't have to charge anything. What is in the statute is an amount not to exceed. That is set at \$3 and \$6. The \$3 and \$6 were set as a maximum in 1991. That was 22 years ago. In the last 22 years the State of Maine, the Legislature, has increased the registration fees on these licenses and vehicles four times. This was not optional. This was not if you want to pay it, you can pay it. We did this four times in the last 22 years. All we're saying is that this is a choice of your municipality. This is their choice. It is also the choice of the citizen, if they want to pay that fee. They can register their car on-line. They can renew on-line. They can renew their driver's license on-line. They can go to the DMV and it costs them nothing. This is their choice if they want to go to town. I know that in the last 22 years the price of gas has gone up and it costs me more to drive into South Portland and wait two hours to get my car registered. I would pay \$2 to just go down to Saco City Hall and not spend the time or the gas to do that. This

is something that is needed as a tool for the towns. Many towns will not do that. Again, it is their choice. This was brought to us by some of the larger municipalities that have this as a convenience. Again, the town does not have to do this. They decide if they want to do the registrations. They decide if they want to charge a fee. They decide what that fee is going to be. We have only put a ceiling on this fee. All we're saying in the Transportation Committee is that after 22 years it is time to raise that ceiling by \$2 because the Legislature has raised those fees four times in the last 22 years. It is unfair and an inequity to the towns that we have. Thank you very much.

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

Senator **THOMAS:** Thank you Mr. President. Ladies and gentlemen of the Senate, the people of Maine have paid record prices for gasoline to get back and forth to work this winter. They paid record prices for oil to heat their homes with. The other day the Chancellor of the University of Maine came and told us that the median income in the state of Maine is down \$1,500 over the last six years. At the same time, the average working family saw an increase, starting the first of the year, in \$1,000 in the federal taxes that they pay. We're asking Maine people to pay more, even though they have much less to pay with. Those people are struggling to keep food on the table and a roof over their head. We're asking them to pay 66% more. If you live in Ripley, and you don't have a computer, you have to drive to Bangor. At \$4 a gallon for gasoline, 40 miles to Bangor and 40 miles back is a lot of money. It's the inconvenience. They really don't have a choice. We hear, "It's just a small fee. It really doesn't amount to much. It'll be pennies a day, or it's only \$2." I've hauled logs all my life. I'll try to use this analogy and maybe it'll work and maybe it won't. I've bet I've heard a thousand times, "It's just a small log. Go ahead and put it on, Thomas. It won't hurt anything." After laying under that truck to fix it after one too many small logs enough times, you learn that there is a time to say no, even when it's just a small thing. I ask you to say no on this. Thank you.

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

Senator **GOODALL:** Thank you Mr. President. Men and women of the Senate, I wasn't planning on speaking on this bill, but the irony that I'm hearing today is quite shocking. For those of you that will be voting against this bill, I'd ask you to refer to your earlier words about the current budget that's pending. I'd ask you in the future to think about the position you'll take on that. We have a budget proposal pending that's over \$425 million on the municipal backs, onto the property tax bills of all of us, all of our constituents, homeowners and businesses alike; \$425 million dollars. Some of us are calling it rightsizing government. All this bill does is give the local control that we all yell and scream about and defend municipalities so they can run their shop in an effective manner. We're giving them the option. Many of us have been select board members, town councilors, before. We deliberate on these issues. They aren't just rubberstamped, but they are made at the local level. That's what this bill does. Be careful with your words, be very careful. Be careful in your votes. Understand what we're doing. We can't just keep pushing everything onto the backs of municipalities time and time again. They have to be able to pay their bills. This bill merely allows,

with the infamous word "may", to give the municipality the option to consider this and make a decision at that level. This is not an automatic tax increase. This is not an automatic fee increase. The budget proposal is a tax increase. Thank you, Mr. President.

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

Senator **CUSHING:** Thank you Mr. President. Ladies and gentlemen of the Senate, I, too, didn't plan to get up and speak today, but since we're mixing apples and oranges or fruits and vegetables, I think, based upon a discussion we had in this Chamber yesterday, it is good to reflect on our words here. I think it's important to remember that what we're talking about is a municipal service that is already in place for which towns have budgeted. We're not asking them to extend themselves beyond a certain level of service to the people who pay taxes in that town. What we're asking is whether or not it will service government by just slightly increasing a fee here. Those fees have a way of running away with themselves, Mr. President, and I think that any time that we send a message out of this Body that it's okay to do a fee here or there because we're going to reward you somewhere else that people start to look at us with a jaundiced eye. I think we need to be careful about that. Thank you, Mr. President.

THE PRESIDENT: The pending question before the Senate is the motion by the Senator from Knox, Senator Mazurek to Accept the Majority Ought 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 (#33)

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

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

23 Senators having voted in the affirmative and 12 Senators having voted in the negative, the motion by Senator **MAZUREK** of Knox to **ACCEPT** the Majority **OUGHT TO PASS** Report, in concurrence, **PREVAILED**.

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Chair laid before the Senate the following Tabled and Later Assigned (4/2/13) matter:

SENATE REPORTS - from the Committee on **TRANSPORTATION** on Bill "An Act To Exempt Occupants of Antique Autos from Seat Belt Requirements" (EMERGENCY) S.P. 24 L.D. 57

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

Minority - **Ought to Pass as Amended by Committee Amendment "A" (S-17)** (1 member)

Tabled - April 2, 2013, by Senator **GOODALL** of Sagadahoc

Pending - motion by Senator **MAZUREK** of Knox to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report (Roll Call Ordered)

(In Senate, April 2, 2013, Reports **READ**.)

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

Senator **COLLINS:** Thank you Mr. President. Ladies and gentlemen of the Senate, I guess this is my day to speak in this Chamber. Two bills in succession. Nevertheless, I want to talk to you this morning concerning L.D. 57. I mentioned this the other day, and I'll just quickly restate my position on this. This is giving an exemption for people participating in parades. I'm sure we all have parades in our districts back home. Quite often you have rides in convertibles; the local beauty queen or to honor somebody in a parade. They are not wearing a seatbelt. What it does is gives them the privilege of not wearing a seatbelt during a parade, for the riders as well as the operator of the motor vehicle. Most parades are traveling probably around ten miles an hour, I would guess. Although there are some times that you would have to run to catch up, but nevertheless that's a story for another day. In any event, I would just like to reiterate that it's a small group. It would be for antique automobiles, vehicles that are registered under law to obtain an antique auto registration. In this particular case, here in Maine a vehicle is classified as an antique in 1988. Therefore, I would recommend to vote against the current motion and in favor of this bill. Thank you.

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

Senator **VALENTINO:** Thank you Mr. President. Ladies and gentlemen of the Senate, I have the good fortune also to rise twice today with my good seatmate from Wells and Transportation. This actually is a bill, I think, that regulated common sense. Somebody stopped somebody in a car that had Ms. Maine or somebody riding on the back and gave them a ticket. Now that was not common sense, in my book. What happens is then we put something in again to regulate the common sense and we have unintended consequences on it. Right now we have over 16,000 antique autos registered in the state of Maine. You have a hand out that I gave you in front of you. One of the things that it does say is that if the antique auto was not originally equipped with a seatbelt than the current law does not require you to have the seatbelt in it. There is a lot of information on the sheet and most of you probably haven't turned

it over. I need you to turn the sheet over. According to the original bill that was put in, the unintended consequence is that if we did this there would a potential impact to the Federal Highway Administration Fund. There would be a 2% penalty and the State may lose \$3.1 million. That is an unintended consequence. I agree, the Ms. America on the back of a car should not have to wear a seatbelt, but I also agree that that should be common sense, that we should not be putting in a bill for an exclusion for this and risk federal highway funds that will be coming in. Thank you very much.

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

Senator **COLLINS:** Thank you Mr. President. Ladies and gentlemen of the Senate, this bill is for parades only. It's not enabling anybody to go beyond a parade as far as not being necessary to not wear a seatbelt. There are some federal dollars that may be in jeopardy, but I've got to tell you, with the government the way it is today, with federal government cut backs, I don't think we're going to have parade police out there checking on folks in parades. I think passage of this bill would make a lot of sense. Granted there are some overzealous police officers and there was somebody who got a ticket for not having a seatbelt on during a parade. Seems ridiculous now, but nevertheless it happened. That's what this bill is trying to remedy. Thank you.

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

Senator **SHERMAN:** Thank you Mr. President. Point of information, if I may. Is the impact automatic or do we know this is actually going to happen? That is question number one. Question number two, the 70 people not wearing seatbelts that were killed, were any of those in an antique auto?

THE PRESIDENT: The Senator from Aroostook, Senator Sherman poses two questions through the Chair to anyone who may wish to answer. The Chair recognizes the Senator from York, Senator Collins.

Senator **COLLINS:** Thank you Mr. President. Ladies and gentlemen of the Senate, this is not automatic. You would have to be caught. That's why I mentioned the parade police. The other part of your question, I'm not sure about that, to be honest with you. Nevertheless, you have to be caught by a federal agent in a parade. I don't think that's going to happen.

THE PRESIDENT: The pending question before the Senate is the motion by the Senator from Knox, Senator Mazurek 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 (#34)

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

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

18 Senators having voted in the affirmative and 17 Senators having voted in the negative, the motion by Senator **MAZUREK** of Knox to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, **PREVAILED.**

Ordered sent down forthwith for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (4/2/13) matter:

Bill "An Act To Promote and Expand Awareness of the Educational Opportunity Tax Credit"
H.P. 926 L.D. 1300

Tabled - April 2, 2013, by Senator **GOODALL** of Sagadahoc

Pending - **REFERENCE**

(In House, April 2, 2013, **REFERRED** to the Joint Select Committee on **MAINE'S WORKFORCE AND ECONOMIC FUTURE** and ordered printed.)

On motion by Senator **GOODALL** of Sagadahoc, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS**, in **NON-CONCURRENCE.**

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (4/3/13) matter:

Bill "An Act Related to Appeals of Disciplinary Proceedings Affecting County Employees"
H.P. 803 L.D. 1138

Tabled - April 3, 2013, by Senator **GOODALL** of Sagadahoc

Pending - **FURTHER CONSIDERATION**

(In House, March 21, 2013, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.)

(In Senate, March 28, 2013, on motion by Senator **LACHOWICZ** of Kennebec, **REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT**, in **NON-CONCURRENCE**.)

(In House, April 2, 2013, that Body **INSISTED**.)

On motion by Senator **JACKSON** of Aroostook, the Senate **INSISTED**.

The Chair laid before the Senate the following Tabled and Later Assigned (4/3/13) matter:

An Act To Raise the School Construction Bond Cap
H.P. 73 L.D. 91
(C "A" H-5)

Tabled - April 3, 2013, by Senator **THIBODEAU** of Waldo

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

(In Senate, March 26, 2013, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-5)**, in concurrence.)

(In House, April 2, 2013, **PASSED TO BE ENACTED**.)

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#35)

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

NAYS: Senators: **BURNS, COLLINS, CUSHING, HAMPER, MASON, PLUMMER, SHERMAN, THIBODEAU, THOMAS, WHITTEMORE**

25 Senators having voted in the affirmative and 10 Senators having voted in the negative, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

Senate at Ease.

Senate called to order by the President.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Dissolve the Lisbon Water Department"
H.P. 953 L.D. 1336

Bill "An Act To Ensure Just and Reasonable Sewer Utility Rates"
H.P. 959 L.D. 1342

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 Ensure Maine's Preparedness for Hazardous Oil Spills"
H.P. 957 L.D. 1340

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

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

Bill "An Act To Revise the Maine Wild Mushroom Harvesting Certification Program"
H.P. 954 L.D. 1337

Bill "An Act To Improve Work Readiness for Families Facing Significant Barriers to Employment"
H.P. 960 L.D. 1343

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Establish a Single-payor Health Care System To Be Effective in 2017"

H.P. 962 L.D. 1345

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

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

Bill "An Act To Strengthen the Consent Laws for Abortions Performed on Minors and Incapacitated Persons"

H.P. 956 L.D. 1339

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

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

Bill "An Act Directing the Department of Economic and Community Development To Establish a Program To Promote Economic Growth and Development"

H.P. 958 L.D. 1341

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.

Bill "An Act To Prohibit State and Local Governments from Contracting with Corporations That Engage in Business in Known Terrorist States"

H.P. 955 L.D. 1338

Bill "An Act To Modernize the State's Legal Notice Requirements"

H.P. 961 L.D. 1344

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

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

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

Senator **HILL** of York 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.

Senator **CAIN** of Penobscot 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**, pursuant to the Joint Order, to Tuesday, April 9, 2013 at 10:00 in the morning.