

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

Town of Bowdoin, Maine
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In Senate Chamber
Tuesday
April 23, 2013

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

Prayer by Pastor Frank Gleason, Centerpoint Community Church in Anson.

PASTOR GLEASON: Thank you Mr. President. Mr. President, Mr. Secretary, ladies and gentlemen of the Senate, let us pray. Gracious God, we thank You for times of rest and refreshment. May our strength be renewed as we once again take up the work of the people as servants and stewards of this great state. We pause this morning to remember and reflect on the events of last week. We ask that You would comfort those who are feeling the sting of death and loss. We pray that, too, find rest and peace. Help us to remember that our actions in this chamber affect the lives of our friends, family, neighbors, and even strangers. May we be humbled by that thought. Teach us what we do not know. Give us what we do not have. Shape us into the image of who we are to be. Grant us this day faith, hope, and love. In Christ Jesus' name. Amen.

Pledge of Allegiance led by Senator Richard G. Woodbury of Cumberland County.

Reading of the Journal of Wednesday, April 10, 2013.

Doctor of the day, Representative Ann Dorney, MD of Norridgewock.

Off Record Remarks

COMMUNICATIONS

The Following Communication: S.P. 519

WHEREAS, the Governor's unprecedented biennial budget proposal places towns in an untenable and uncertain fiscal position during their budget planning; and

WHEREAS, the proposal includes the elimination of \$283 million in municipal revenue sharing; falls \$200 million short of funding local schools at the 55% level passed in referendum; would cut the state's reimbursement for General Assistance by an estimated \$6.7 million; would eliminate the Homestead Exemption for anyone under the age of 65; would eliminate the "circuit breaker" property tax and rent relief program for anyone under the age of 65; would take \$8 million in truck excise tax revenue from towns; and would create a corporate tax exemption for large amounts of currently taxable property, resulting in significant losses of local tax revenue; and

WHEREAS, the Governor's proposal also contains cuts to health and human services such as prescription drugs for the elderly and disabled; while also rejecting federal funds to make health care affordable for over 44,000 Mainers; and

WHEREAS, all of the above shifts costs to towns, whose only major means of raising revenue is property taxes; be it

RESOLVED, Bowdoin calls upon the Maine Legislature to reject these proposals, identify less harmful cost savings, and raise revenue in an equitable fashion to avoid this regressive tax shift.

S/Marc Bernier, Selectmen, Chair

S/Michelle Keleher, Selectmen

S/David Wienckowski, Selectmen

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

Sent down for concurrence.

The Following Communication: S.P. 520

RESOLUTION REGARDING THE GOVERNOR'S BUDGET PROPOSAL

WHEREAS, the Governor's unprecedented biennial budget proposal places towns in an untenable and uncertain fiscal position during their budget planning; and

WHEREAS, the proposal includes the elimination of municipal revenue sharing; would cut the state's reimbursement for General Assistance; would eliminate the Homestead Exemption for anyone under the age of 65; would eliminate the "circuit breaker"

property tax and rent relief program for anyone under the age of 65; would take a portion of truck excise tax revenue from towns; and would create a corporate tax exemption for large amounts of currently taxable property; and

WHEREAS, all of the above shifts costs to towns, whose only major means of raising revenue is property taxes; be it

RESOLVED, that the Town of Waldoboro calls upon the Maine Legislature to reject these proposals and avoid this regressive tax shift.

Signed: Board of Selectmen, Waldoboro, Maine

S/Craig E. Cooley, Chairman

S/James Bodman, Vice-chair

S/Steve Cartwright

S/Theodore M. Wooster

S/Carl Cunningham

March 26, 2013

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

Sent down for concurrence.

The Following Communication: S.P. 521

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BATH
OPPOSING THE GOVERNOR'S PROPOSED BIENNIAL STATE
BUDGET TO THE EXTENT THAT IT SHIFTS THE BURDEN OF
FUNDING STATE GOVERNMENT TO THE MUNICIPAL PROPERTY
TAXPAYER**

WHEREAS, the proposed Budget for the next biennium submitted by the Governor represents a significant reduction in revenues previously available to municipalities and shifts in a dramatic fashion the burden of funding State government to the municipal property taxpayer; and

WHEREAS, the reduction in revenue represents the elimination or significant modification of longstanding and legislatively approved property relief programs including, but not limited to, the following:

- The proposed Biennial Budget eliminates \$283 million dollars in municipal revenue sharing; based on the Manager's estimates, the first City of Bath Budget affected by the reduction, will see a loss of \$789,500 in revenue.
- The Biennial Budget proposes a level of school funding that is \$200 million dollars short of the 55% level passed in State referendum; this would result in an increase in the City of Bath's share of RSU 1 expenses of \$1,680,750 in the first Bath Budget year affected by the proposed Biennial Budget.

- The Biennial Budget proposes to shift \$8 million dollars in commercial excise tax revenue from the municipalities to State government; this would represent a loss to the City of Bath of \$38,735.

- The proposed Biennial Budget cuts State reimbursement for general assistance by \$6.7 million dollars, with a \$10.2 million dollar cap on reimbursement; if the cap is reached, this reduction could have a significant impact on the City of Bath.

- The shift under the proposed Biennial Budget from the Business Tax Reimbursement Program (BETR) to the Business Equipment Tax Exemption Program (BETE) potentially would cost the City of Bath \$25,234 in revenue, depending on adjustments that may have to be made in the City's Tax Increment Financing Program with Bath Iron Works.

- The proposed Biennial Budget also eliminates a significant portion of the Homestead Exemption and the Circuit Breaker Property Tax and Rent Relief Programs thus representing a shift in cost to the local taxpayers for amounts currently reimbursed by the programs; and

WHEREAS, the implementation of the Governor's Budget as proposed and without modification would result in a reduction of revenue to the City of Bath in excess of \$2,500,000 and represents an 11.4% increase in the City's tax rate during the first fiscal year that the Biennial Budget is in place; and

WHEREAS, municipalities have a limited ability to react to and provide for reductions in State revenues, essentially being limited to reductions in services and/or an increase in local property taxes; and

WHEREAS, local Municipal Budgets, including the City of Bath's Budgets, in recent years have been flat primarily due to prior reductions in State funding; and

WHEREAS, no corresponding option for raising additional local revenue has been proposed, to offset these revenue reductions; and

WHEREAS, the State has not shown any willingness to address revenue issues and tax reform; and

WHEREAS, the proposed Biennial Budget seeks to balance the State's Budget on the backs of its municipalities without providing any additional revenue sources and would require significant tax increases, if municipalities are to maintain reasonable service levels.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Bath that the City Council opposes the implementation of the Governor's Biennial Budget and urges the State Legislature to look to a more comprehensive approach with regard to its tax policies and identifying other cost savings not designated as being passed on to the municipalities and meaningful tax reform, in order to avoid significant increases in municipal property taxes and to protect municipal service levels.

City of Bath, Maine
In City Council: April 3, 2013

ATTEST: S/Mary J. White, City Clerk

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

Sent down for concurrence.

The Following Communication: S.P. 522

TOWN OF ALFRED
Office of the Selectmen
PO Box 667
Alfred ME 04002-0667
Tel: (207) 324-5872

April 9, 2013

RESOLVE, EXPRESSING THE OPPOSITION OF THE BOARD OF SELECTMEN OF THE TOWN OF ALFRED, TO PROPOSALS TO SHIFT THE BURDEN FUNDING STATE GOVERNMENT TO THE PROPERTY TAX AND THE PROPERTY TAX PAYER AND THAT LEGISLATIVE LEADERS AND MEMBERS OUTLINE A PLAN THAT PROVIDES A REASONABLE LEVEL OF PROMISE THAT MAINE STATE GOVERNMENT CAN ADDRESS AND SOLVE FUNDING ISSUES FACING THE STATE.

WHEREAS, the Governor's unprecedented biennial budget proposal places the State's cities and towns in an untenable and uncertain fiscal position during their budget planning; and

WHEREAS, the proposal includes the elimination of \$283 million in municipal revenue sharing; falls \$200 million short of funding local schools at the 55 % voter referendum approved level; would cut the State's reimbursement level to General Assistance by about \$6.7 million; would eliminate the Homestead Exemption for everyone under the age of 65; would eliminate the "circuit breaker" property tax and rent program for anyone under the age of 65; would take \$8 million in truck tractor excise tax revenues from towns; and would create a corporate tax exemption for large amounts of currently taxable property ; and

WHEREAS, the proposal to suspend municipal revenue sharing to Alfred would result in the loss of \$238,521 in revenues, which would increase property taxes by \$238.00 on the average residential property value at \$250,000; and

WHEREAS, the proposal to eliminate the FY 2015 Homestead Exemption for those under 65 will increase taxes for those residents by \$132 if the town's tax rate stays the same; and

WHEREAS, all of the above shifts costs to towns, whose only major means of raising revenue is property taxes, be it

Resolved, The Alfred Board of Selectmen calls upon the Maine State Legislature to reject these proposals and raise revenue in an equitable fashion to avoid this regressive tax shift. Be it further resolved, that the Alfred Board of Selectmen urgently calls upon the Maine State Legislature to immediately define and communicate the draft of a plan, that at the least, outlines the philosophical approach Legislative Leadership and the Members will follow to meet the demonstrated unmet needs of our State with revenues raised by State Government; and that the

Legislative Leaders and Members recognize how vitally important it is that such a draft plan be available within the near term, providing to all Maine citizens a reasonable level of hope that the huge challenges so evident can and will be successfully addressed by our elected State Officials.

S/George Donovan
Selectmen, Town of Alfred

S/John J. Sylvester

S/Glen A. Dochtermann

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

Sent down for concurrence.

The Following Communication: S.P. 523

SELECTMEN'S OFFICE
Town of Waterboro

April 9, 2013

WHEREAS, Governor LePage has proposed a biennial budget which would have a significant and negative impact on local municipal services and properly taxes; and

WHEREAS, this biennial budget proposal calls for redirecting that portion of the sales and income tax revenues normally distributed to municipalities under the Revenue Sharing Program toward balancing the State Budget. The proposal to suspend the State Revenue Sharing funds to Waterboro would result in a \$644,982.00 revenue loss to the Town of Waterboro presenting an estimated SO.85 increase on the property tax rate; and

WHEREAS, this biennial budget proposal calls for redirecting commercial vehicle excise tax revenues away from municipalites toward balancing the State Budget. The proposal will result in a reduction of excise tax in the amount of \$10,073.00 revenue loss presenting an estimated \$0.13 increase on the property tax rate; and

WHEREAS, this biennial budget proposal dramatically curtails the Homestead and Circuit Breaker programs designed to reduce local resident property tax burdens for the purpose of balancing the State Budget. The proposal will result in an increase in the property taxes of \$128.00; and

WHEREAS, this biennial budget proposal calls for the elimination of the BETR program that reimburses municipalities for lost personal property taxes for the purpose of balancing the State Budget. The proposal will result in an estimated \$96,740.00 representing an estimated \$0.13 in the tax rate; and

WHEREAS, this biennial budget proposal calls for drastically reducing funding to local schools (again failing to meet the Citizen Referendum mandate of 55% support) for the purpose of balancing the State Budget; and

WHEREAS, if enacted, these changes will reduce Town revenues by at least \$655,055.00; and

WHEREAS, to replace these revenues through property taxation, the Town's tax rate would have to increase by approximately \$1.12; and

BE IT RESOLVED, that the Board of Selectmen of the Town of Waterboro hereby expresses its strong opposition to provisions included in the recently proposed state budget that would significantly shift the burden of funding state government to the property taxes in Waterboro. Taxes that often is unrelated to the ability of property owners to pay. will require spending reductions which will call into question our ability to protect the health and welfare of our community and provide our residents with basic government services.

Call upon the Maine Legislature and Senator John Tuttle and Representative Aaron Libby to reject these proposals and restore revenue sharing to municipalities, retain full funding of General Assistance reimbursements, maintain the Homestead and Circuit Breaker relief programs, restore excise taxes to previous levels, retain the BETR program and support to the schools in order to avoid this regressive tax shift.

S/Dennis G. Abbot, Chairman

S/TammyJo Girard

S/David Woodsome

S/Jon Gale

S/Gordon Littlefield

Board of Selectmen
Town of Waterboro

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

Sent down for concurrence.

The Following Communication: S.P. 524

Town of Newfield
Resolution
March 28,2013

Resolve. Express the Opposition of the Selectpeople of the town of Newfield to the Proposals to shift the burden of funding state Government to the property tax and property tax payer

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

Whereas, the proposal to suspend municipal revenue sharing would result in a \$79,418.00 revenue loss to the Town of Newfield representing an estimated 4% increase on the property tax rate: and

Whereas the proposal to redirect the excise tax on tractor trailers will reduce the towns revenues by an additional \$7,418.00 or 60 cents on the tax rate; and

Whereas, eliminating the homestead exemption in FY 15 for those under 65 will increase taxes for no longer qualifying residents by \$77.00 (based on a home value of \$100,000.) in that year if the Town's tax rate remain unchanged; this represents a tax increase of over 10% for most of those losing the exemption and

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

Whereas, starting in the second year of the biennium, the business equipment tax reimbursement program, under which businesses are fully reimbursed for property taxes they pay on certain business equipment, will be eliminated with most qualifying property transferred to the business equipment tax exemption program; under this program, the Town will only be reimbursed by the state for 50% of the taxes due, reducing Town revenues by an estimated \$100 in FY15 or .001 on the tax rate

Whereas, if enacted these changes will reduce Town revenues by at least \$100,000 FY14 excluding certain impacts on the school budget and

Whereas, to replace these revenues through property taxation, the Town's tax rate would have to increase by approximately 5% in FY14 before considering any other expenditure increases that may be required; and

Whereas, alternatively, reducing expenditures by this amount would require eliminating all capital expenditures.

Whereas, staffing and expenditure reduction of this magnitude would undermine our ability to provide basic public services; and

Whereas, even a balance between tax increases and spending cuts would result in much higher property taxes in return for services that would no longer meet resident expectations or need.

Whereas, the RSU #57 School District is also proposed to received reduced funding within the next Biennial State Budget and the impacts listed do not account for the yet determined additional burden; and

Whereas, The Selectpeople for the Town of Newfield finds that municipal and school operations have been significantly reduced, capital are not keeping pace with depreciation and need, staff and service have already been reduced to minimum levels acceptable by residents, collaborative and shared services have been incorporated into current operations. And that is not feasible to further reduce expenditures sufficiently to account for the State's withdrawal of the distributions for broad-based taxation without further increasing the tax burden upon all property tax payers.

Now, therefore, be it resolved by the Selectpeople of the Town of Newfield that the Town Selectpeople express their strong opposition to provisions included in the recently proposed state budget that would significantly shift the burden of funding state government to the property tax and property tax payer. These proposals will dramatically increase property taxes in Newfield. Taxes that often is unrelated to the ability of property owner to pay. And will require spending reductions, which will call into question our ability to protect the health and welfare of our community and provide our residents with basic government services

Be it further resolved that The Secretary to the Selectpeople of the Town of Newfield is directed to provide copies of this resolve to the members of the Legislature representing the Town of Newfield, members of the Appropriations Committee, the Taxation Committee, the Speaker of the House, the President of the Senate and the Legislative

S/Bruce Colwell
S/Wanda Neville
S/Jeffrey Cuevas
Selectpeople – Town of Newfield

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

Sent down for concurrence.

The Following Communication: S.C. 226

**STATE OF MAINE
OFFICE OF THE GOVERNOR**

April 19, 2013

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

Dear President Alfond:

This is to inform you that I am today nominating The Honorable Susan E. Morissette of Winslow for appointment to the State Board of Corrections.

Pursuant to Title 34-A, MRSA §1802, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Criminal Justice and Public Safety.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 227

**STATE OF MAINE
OFFICE OF THE GOVERNOR**

April 19, 2013

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

Dear President Alfond:

This is to inform you that I am today nominating Amy R. Fowler of Palermo for appointment to the State Board of Corrections.

Pursuant to Title 34-A, MRSA §1802, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Criminal Justice and Public Safety.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 228

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

April 8, 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 bills out "Ought Not to Pass":

- L.D. 478 An Act To Require a Local Permit for the Use of Fireworks
- L.D. 526 An Act To Allow for the Disposition of Certain Items Confiscated from Criminals Convicted of Sexual Exploitation of Minors
- L.D. 663 An Act To Change the Time Restriction on the Use of Fireworks

L.D. 926 An Act To Increase the Penalty for an Adult Who Provides Alcohol to a Minor Involved in a Fatal Accident

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

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. 230

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

April 10, 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 we have approved the request by the bill sponsor Sen. Patrick of Oxford, to report the following bill Leave to Withdraw:

LD 1098 An Act To Encourage Teacher Input in Education Policy

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. 229

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

April 10, 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. 533 An Act To Eliminate the Requirement That Local Funding Follow a Pupil to a Charter School

L.D. 889 An Act To Adjust Funding Forwarded from School Districts to Charter Schools

L.D. 1056 An Act To Require Local Voter Approval for Charter Schools

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

The Following Communication: S.C. 231

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

April 10, 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 we have approved the request by the bill sponsor Sen. Millett of Cumberland, to report the following bill Leave to Withdraw:

LD 233 An Act To Require the Department of Education To Report on the Costs and Sources of Funding of Charter Schools

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

Sincerely,

S/Sen. Rebecca J. Millett
Senate Chair

S/Rep. W. Bruce MacDonald
House Chair

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

Dear President Alford and Speaker Eves:

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

LD 1347 An Act To Improve the School Administrative Unit Consolidation Laws by Allowing a Regional School Unit to Dissolve Itself

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. 232

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

April 19, 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 we have approved the request by the bill sponsor Rep. Parry of Arundel, to report the following bill Leave to Withdraw:

LD 1027 An Act To Provide an Improved Process for Voter Approval of Withdrawal from a Regional School Unit (EMERGENCY)

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. 234

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

April 5, 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 Energy, Utilities and Technology has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 774 Resolve, Regarding a Fire and Police Protocols Pilot Program for E-9-1-1 Call Processing

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

The Following Communication: S.C. 233

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

April 19, 2013

Sincerely,

S/Sen. John J. Cleveland
Senate Chair

S/Rep. Barry J. Hobbins
House Chair

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

The Following Communication: S.C. 235

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

April 10, 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 Environment and Natural Resources has voted unanimously to report the following bill out "Ought Not to Pass":

- L.D. 261 An Act To Provide That a Distributor, Blender or Retail Dealer of Motor Fuel May Not Be Required To Sell, Consign or Distribute Motor Fuel Containing Ten Percent or More Ethanol

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

Sincerely,

S/Sen. James A. Boyle
Senate Chair

S/Rep. Joan W. Welsh
House Chair

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

The Following Communication: S.C. 236

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

April 5, 2013

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

Dear President Alfond and Speaker Eves:

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

- L.D. 393 An Act To Cap Interest Rates and Finance Charges on Credit and Loans
- L.D. 776 An Act To Amend the Laws Related to Rate and Form Filings

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

Sincerely,

S/Sen. Geoffrey M. Gratwick
Senate Chair

S/Rep. Sharon Anglin Treat
House Chair

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

The Following Communication: S.C. 237

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

April 10, 2013

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

Dear President Alfond and Speaker Eves:

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

- L.D. 83 An Act To Protect Health Insurance Ratepayers from Undocumented Rate Increases

L.D. 102 An Act To Improve Health Insurance Transparency

L.D. 1176 An Act To Require Health Insurers To Use One Geographic Area as Permitted by the Federal Patient Protection and Affordable Care Act

The Following Communication: S.C. 239

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

April 9, 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 Labor, Commerce, Research and Economic Development has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 263 An Act To Require Dealers of Secondhand Precious Metals To Keep Records To Aid Law Enforcement
- L.D. 722 Resolve, To Establish a Task Force To Review Section 8 Housing Construction Standards
- L.D. 747 An Act To Protect Doctors Who Prescribe a Complementary Course of Treatment and To Provide Insurance Coverage for That Treatment
- L.D. 993 Resolve, To Amend Maine Board of Pharmacy Rules Regarding Automated Pharmacy Systems in Hospitals
- L.D. 1041 An Act To Modify the Mandatory Enforcement of the Maine Uniform Building and Energy Code for a Municipality without a Building Code
- L.D. 1087 An Act Concerning Workers' Compensation and Short-term Disability Insurance in Maine

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

Sincerely,

S/Sen. John L. Patrick
Senate Chair

S/Rep. Erin D. Herbig
House Chair

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

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

Sincerely,

S/Sen. Geoffrey M. Gratwick
Senate Chair

S/Rep. Sharon Anglin Treat
House Chair

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

The Following Communication: S.C. 238

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

April 8, 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 Judiciary has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 425 An Act To Change the Membership of the Family Law Advisory Commission

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

Sincerely,

S/Sen. Linda M. Valentino
Senate Chair

S/Rep. Charles R. Priest
House Chair

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

The Following Communication: S.C. 240

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

April 11, 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 Labor, Commerce, Research and Economic Development has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 914 An Act To Certify Nuclear Medicine Technologists in Computed Tomography
- L.D. 1035 An Act To Report Certain Information in Response to Growing Financial Inequality
- L.D. 1108 An Act To Modify the Qualifications for a Person To Be Able To Teach Driver's Education
- L.D. 1221 An Act To Preserve the Dynamic Status Quo Pending Expiration of Collective Bargaining Agreements

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

Sincerely,

S/Sen. John L. Patrick
Senate Chair

S/Rep. Erin D. Herbig
House Chair

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

The Following Communication: S.C. 241

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

April 12, 2013

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

Dear President Alfond and Speaker Eves:

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

- L.D. 1071 An Act Regarding Qualifications for Real Estate Licensees
- L.D. 1072 An Act To Provide Accountability in the Handling of Affordable Housing Tenants' Security Deposits
- L.D. 1202 An Act To Update the Maine Veterinary Practice Act

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

Sincerely,

S/Sen. John L. Patrick
Senate Chair

S/Rep. Erin D. Herbig
House Chair

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

The Following Communication: S.C. 242

**STATE OF MAINE
ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE
JOINT SELECT COMMITTEE ON MAINE'S WORKFORCE AND
ECONOMIC FUTURE**

April 5, 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 Maine's Workforce and Economic Future has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 578 An Act To Award Academic Credit to Service Members for Military Education, Experience and Training

The Following Communication: S.C. 244

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

April 8, 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 Marine Resources has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 643 An Act To Create a Tax Incentive Program To Improve the Maine Lobster Industry (EMERGENCY)

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

Sincerely,

S/Sen. Christopher K. Johnson
Senate Chair

S/ Rep. Walter A. Kumiega
House Chair

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

The Following Communication: S.C. 245

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

April 10, 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 Marine Resources has voted unanimously to report the following bills out "Ought Not to Pass":

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

Sincerely,

S/Sen. Seth A. Goodall
Senate Chair

S/Rep. Seth A. Berry
House Chair

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

The Following Communication: S.C. 243

**STATE OF MAINE
ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE
JOINT SELECT COMMITTEE ON MAINE'S WORKFORCE AND
ECONOMIC FUTURE**

April 8, 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 Maine's Workforce and Economic Future has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 960 Resolve, To Direct Eastern Maine Community College To Create Industry-specific Workplace Transition Educational Programming

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

Sincerely,

S/Sen. Seth A. Goodall
Senate Chair

S/Rep. Seth A. Berry
House Chair

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

- L.D. 557 An Act To Change the Age at Which a Person Qualifies for a Fee Reduction for a Lobster and Crab Fishing License
- L.D. 584 An Act To Provide for Passage of River Herring on the St. Croix River in Accordance with an Adaptive Management Plan
- L.D. 748 An Act Regarding the Passage of River Herring on the St. Croix River (EMERGENCY)

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

The Following Communication: S.C. 247

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

April 4, 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 Taxation has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 614 An Act To Adjust Fuel Taxes To Improve Sustainability
- L.D. 693 An Act To Provide Solar Energy Tax Credits to Maine Homeowners

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

Sincerely,

S/Sen. Anne M. Haskell
 Senate Chair

S/Rep. Adam A. Goode
 House Chair

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

The Following Communication: S.C. 248

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

April 10, 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:

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

Sincerely,

S/Sen. Christopher K. Johnson
 Senate Chair

S/ Rep. Walter A. Kumiega
 House Chair

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

The Following Communication: S.C. 246

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

April 8, 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 State and Local Government has voted unanimously to report the following bill out "Ought Not to Pass":

- L.D. 787 An Act To Encourage Municipal Infrastructure Improvement

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

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

- L.D. 698 An Act To Provide an Exemption from Fuel and Sales Taxes to Persons Engaged in Snowmobile Trail Grooming (EMERGENCY)
- L.D. 866 An Act To Create an Income Tax Credit for Educational Supplies Purchased by Public School Employees

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

Sincerely,

S/Sen. Anne M. Haskell
Senate Chair

S/Rep. Adam A. Goode
House Chair

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

The Following Communication: S.C. 249

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

April 4, 2013

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

Dear President Alfond and Speaker Eves:

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

- L.D. 403 Resolve, To Establish a Task Force on the Establishment of So-called Complete Streets Design Guidelines
- L.D. 473 Resolve, To Widen the Shoulders of Highways
- L.D. 565 Resolve, To Establish a Task Force To Study the Feasibility of Imposing Tolls on Interstate 95
- L.D. 582 An Act To Enhance and Encourage Economic Development of the Lower Penobscot River Basin by Creating a Niche Port Plan

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

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

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

Sincerely,

S/Sen. Edward J. Mazurek
Senate Chair

S/Rep. Charles K. Theriault
House Chair

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

The Following Communication: S.C. 250

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

April 11, 2013

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

Dear President Alfond and Speaker Eves:

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

- L.D. 270 An Act To Improve the Motor Vehicle Inspection System
- L.D. 765 An Act To Amend the Law Regarding Motorcycle Registration Expiration Dates
- L.D. 780 An Act To Reduce Conflicts of Interest in the Motor Vehicle Inspection Program
- L.D. 937 An Act To Amend the Laws Governing Disability Parking Spaces
- L.D. 945 An Act To Amend Provisions of Law Pertaining to Motor Vehicles

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

Sincerely,

S/Sen. Edward J. Mazurek
Senate Chair

S/Rep. Charles K. Theriault
House Chair

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

The Following Communication: S.C. 251

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

April 10, 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 Veterans and Legal Affairs has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 69 An Act To Strengthen Financial Disclosure Laws for the Legislative and Executive Branches of State Government
- L.D. 344 An Act To Amend the Licensing Requirements for Beano Halls Leased by Veterans' Organizations
- L.D. 349 An Act To Strengthen Maine's Ethics Laws and Improve Public Access to Information

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

Sincerely,

S/Sen. John L. Tuttle
Senate Chair

S/Rep. Louis J. Luchini
House Chair

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

SENATE PAPERS

Bill "An Act To Revise the Laws of the Maine Criminal Justice Academy"
S.P. 518 L.D. 1432

Presented by Senator PLUMMER of Cumberland.
Cosponsored by Representative DION of Portland.
Submitted by the Department of Public Safety pursuant to Joint Rule 204.

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

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

Presented by Senator BURNS of Washington.
Cosponsored by Representative WILLETTE of Mapleton and Senators: PLUMMER of Cumberland, SHERMAN of Aroostook, Representatives: CRAFTS of Lisbon, DAVIS of Sangerville, GIFFORD of Lincoln, MARKS of Pittston, SHORT of Pittsfield, TURNER of Burlington.

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

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

Bill "An Act To Support School Nutrition and Expand the Local Foods Economy" (EMERGENCY)
S.P. 517 L.D. 1431

Presented by Senator JOHNSON of Lincoln.
Cosponsored by Representative HICKMAN of Winthrop and Senators: CRAVEN of Androscoggin, HASKELL of Cumberland, JACKSON of Aroostook, LACHOWICZ of Kennebec, MILLETT of Cumberland, Representatives: DILL of Old Town, HUBBELL of Bar Harbor, KENT of Woolwich, KORNFIELD of Bangor, MacDONALD of Boothbay, MAKER of Calais, McCABE of Skowhegan, McCLELLAN of Raymond, POULIOT of Augusta, RANKIN of Hiram.

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

Sent down for concurrence.

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

S.P. 506 L.D. 1412

Presented by Senator LANGLEY of Hancock.
Cosponsored by Representative CHAPMAN of Brooksville and Senators: BURNS of Washington, CAIN of Penobscot, COLLINS of York, KATZ of Kennebec, MILLETT of Cumberland, PATRICK of Oxford, THIBODEAU of Waldo, THOMAS of Somerset, WOODBURY of Cumberland, Representatives: BERRY of Bowdoinham, DOAK of Columbia Falls, FREDETTE of Newport, GRANT of Gardiner, HUBBELL of Bar Harbor, JOHNSON of Greenville, MAKER of Calais, MALABY of Hancock, MASTRACCIO of Sanford, McCLELLAN of Raymond, MORRISON of South Portland, POULIOT of Augusta, TURNER of Burlington, WILLETTE of Mapleton.

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

Senator **MILLETT** of Cumberland moved to **REFER** to the Committee on **EDUCATION AND CULTURAL AFFAIRS**.

On motion by Senator **JACKSON** of Aroostook, **TABLED** until Later in Today's Session, pending the motion by Senator **MILLETT** of Cumberland to **REFER** to the Committee on **EDUCATION AND CULTURAL AFFAIRS**.

Bill "An Act To Improve Maine's Economy and Lower Energy Costs through Energy Efficiency"

S.P. 512 L.D. 1426

Presented by Senator BOYLE of Cumberland.
Cosponsored by Representative RUSSELL of Portland and Senators: President ALFOND of Cumberland, CAIN of Penobscot, CLEVELAND of Androscoggin, SAVIELLO of Franklin, Representatives: DUNPHY of Embden, Speaker EVES of North Berwick, GIDEON of Freeport, HUBBELL of Bar Harbor, NOON of Sanford.

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

Sent down for concurrence.

Bill "An Act To Establish a Resource and Development Coordinating Council"

S.P. 513 L.D. 1427

Presented by Senator BOYLE of Cumberland.
Cosponsored by Representative PEOPLES of Westbrook and Senators: CAIN of Penobscot, CRAVEN of Androscoggin, DUTREMBLE of York, GERZOFISKY of Cumberland, LACHOWICZ of Kennebec, MILLETT of Cumberland, Representatives: MAREAN of Hollis, NOON of Sanford.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Bill "An Act To Clarify the Permitted Use of Aquatic Pesticides"

S.P. 516 L.D. 1430

Presented by Senator SAVIELLO of Franklin.

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

Sent down for concurrence.

Resolve, To Require the Department of Health and Human Services To Request a Waiver To Prohibit the Use of Food Supplement Benefits for the Purchase of Taxable Food Items (EMERGENCY)

S.P. 505 L.D. 1411

Presented by Senator KATZ of Kennebec. (GOVERNOR'S BILL)
Cosponsored by Representative HICKMAN of Winthrop and Senators: DUTREMBLE of York, HAMPER of Oxford, WHITTEMORE of Somerset, Representatives: GIDEON of Freeport, HAYES of Buckfield, JONES of Freedom, KESCHL of Belgrade, TURNER of Burlington.

Bill "An Act Regarding Responsibility of General Assistance for a Person Who Is Released from Prison"

S.P. 510 L.D. 1416

Presented by Senator GRATWICK of Penobscot.
Cosponsored by Representative FREY of Bangor, Representative SCHNECK of Bangor and Senators: BOYLE of Cumberland, HASKELL of Cumberland, JACKSON of Aroostook, KATZ of Kennebec, YOUNGBLOOD of Penobscot, Representatives: BROOKS of Winterport, MORRISON of South Portland, POULIOT of Augusta.

Bill "An Act To Amend the Laws Governing Certain Human Services Licensing and Certification Requirements"

S.P. 511 L.D. 1417

Presented by Senator HAMPER of Oxford.
Cosponsored by Representative SANDERSON of Chelsea.
Submitted by the Department of Health and Human Services pursuant to Joint Rule 204.

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

Sent down for concurrence.

Bill "An Act To Update the Fair Credit Reporting Act Consistent with Federal Law"

S.P. 504 L.D. 1410

Presented by Senator WHITTEMORE of Somerset.
Cosponsored by Representative BECK of Waterville and Representative: MORRISON of South Portland.
Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.

Bill "An Act To Clarify Limitations on Homeowner's Insurance Policies Regarding Claims on Vacant Properties"

S.P. 507 L.D. 1413

Presented by Senator CRAVEN of Androscoggin.
Cosponsored by Senators: HASKELL of Cumberland, JACKSON of Aroostook, Representatives: LAJOIE of Lewiston, LIBBY of Lewiston, WERTS of Auburn.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

Sent down for concurrence.

Bill "An Act To Protect Religious Freedom"

S.P. 514 L.D. 1428

Presented by Senator BURNS of Washington.
Cosponsored by Representative TIMBERLAKE of Turner and Senators: CUSHING of Penobscot, MASON of Androscoggin, SHERMAN of Aroostook, Representatives: CRAFTS of Lisbon, DAVIS of Sangerville, HARLOW of Portland, McCLELLAN of Raymond, TURNER of Burlington.

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

Sent down for concurrence.

Resolve, Authorizing the State Tax Assessor To Convey the Interest of the State in Certain Real Estate in the Unorganized Territory

S.P. 508 L.D. 1414

Presented by Senator HASKELL of Cumberland.
Cosponsored by Representative KNIGHT of Livermore Falls.
Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.

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

Sent down for concurrence.

Resolve, To Allow Licensed Clubs To Allow Their Members To Purchase Tickets to a Scheduled Function at the Time of the Function

S.P. 509 L.D. 1415

Presented by Senator THOMAS of Somerset.
Cosponsored by Representative SOCTOMAH of the Passamaquoddy Tribe.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

Sent down for concurrence.

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

ORDERS

Joint Order

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

S.P. 525

ORDERED, the House concurring, that the Joint Standing Committee on Health and Human Services shall report out, to the Senate, a bill regarding the cost of copies of medical records.

READ.

On motion by Senator **GOODALL** of Sagadahoc, **TABLED** until Later in Today's Session, pending the motion by Senator **CRAVEN** of Androscoggin to **PASS**.

Expression of Legislative Sentiment recognizing:

Parker Montano, of South Portland, a member of Boy Scout Troop 1, who is the recipient of a Heroism Award for his efforts last summer to save 2 youths who were drowning in a hotel pool in New Jersey. This award is given to a Scout or an adult leader who saves or attempts to save a life under circumstances that indicate heroism and present a risk to his or her own life. We send our appreciation to Parker for his act of selflessness and congratulate him on his receiving this award;

SLS 203

Sponsored by Senator MILLETT of Cumberland.
Cosponsored by Representatives: HAMANN of South Portland, KAENRATH of South Portland, MORRISON of South Portland.

READ.

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

Senator **MILLETT:** Thank you Mr. President. I stand today to recognize Parker Montano of South Portland. Parker is a student at Cheverus High School and is also an accomplished runner. Last summer Parker and his family traveled to New Jersey during school vacation. It was during that trip that Parker's actions earned him the Boys Scouts of America Heroism Award. While enjoying his vacation and swimming in the hotel pool, Parker suddenly found himself in the middle of a potentially life threatening scenario. A larger boy, who was unable to swim and in water that rose well above his head, had panicked and grabbed onto Parker. Initially both boys submerged. Some people, fearing their own lives, might have tried to pull away and swim to safety, but Parker, utilizing the first aide and rescue techniques he learned as a Boy Scout, quickly acted to gain control of the situation and was able to aid the boy to safety. This in itself was a true statement of courage and bravery. However, in the next few moments, Parker would again find himself called to action. This time a mother at the pool noticed her daughter had gone under water and not resurfaced. Again, ignoring the possible risk to his safety, Parker swam to her rescue and brought her safely to the side of the pool. These incredible and selfless acts earned Parker the rare Heroism Award. Only 3,506 Scouts have earned the award since its establishment in 1923. Parker is currently working on earning towards the rank of Eagle Scout. I wish him the best of luck and ask you to join me in commending him for his remarkable strength of character and bravery.

PASSED.

Sent down for concurrence.

THE PRESIDENT: The Chair would recognize Parker Montano of South Portland and his family who are here with us in the State Senate. Would they please rise and accept the full greetings of the Maine State Senate.

Joint Resolution

On motion by Senator **HASKELL** of Cumberland (Cosponsored by Representative MacDONALD of Boothbay and Senators: President ALFOND of Cumberland, BOYLE of Cumberland, LANGLEY of Hancock, MILLETT of Cumberland, Representatives: GATTINE of Westbrook, McLEAN of Gorham, PEOPLES of Westbrook, SANBORN of Gorham), the following Joint Resolution:

S.P. 526

**JOINT RESOLUTION
RECOGNIZING THE 50TH ANNIVERSARY OF THE FOUNDING
OF THE MAINE BETA CHAPTER OF ALPHA DELTA KAPPA**

WHEREAS, Alpha Delta Kappa was founded in 1947 as an international honorary organization of women educators dedicated to educational excellence, altruism and world understanding; and

WHEREAS, Alpha Delta Kappa was founded by Agnes Shipman Robertson, Marie Neal, Marion Southall and Hattie Poppino, 4 visionary women who sought to recognize and support the professional efforts of outstanding women educators; and

WHEREAS, the Maine Beta Chapter of Alpha Delta Kappa was established in January 1963 and provides opportunities for leadership development through workshops, conferences and conventions; and

WHEREAS, the Maine Beta Chapter members of Alpha Delta Kappa combine their energies and talents toward enriching their lives and the lives of others through participation in community-based altruistic projects; and

WHEREAS, local organizations have benefited from the Maine Beta Chapter's monetary contributions and service, which have included funding a yearly high school scholarship, aiding other community members, organizations and veterans and sponsoring families at Christmas; and

WHEREAS, the Maine Beta Chapter also supports the local food pantry in Gorham and gives book donations to Camp Sunshine in Casco, a retreat for children with life-threatening illnesses and their parents, and sends gifts to needy children through Samaritan's Purse's Operation Christmas Child; and

WHEREAS, the Maine Beta Chapter of Alpha Delta Kappa is celebrating its 50th Anniversary with a ceremony on Tuesday, April 23, 2013; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-sixth Legislature now assembled in the First Regular Session, on behalf of the people we represent, take this opportunity to recognize the 50th anniversary of the founding of the Maine Beta Chapter of Alpha Delta Kappa and send the Maine Beta Chapter of Alpha Delta Kappa our appreciation for its 50 years of service; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Maine Beta Chapter of Alpha Delta Kappa.

READ and ADOPTED.

Sent down for concurrence.

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

Joint Resolution in Memoriam:

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

Albert Moulton, of York, former police chief for the Town of York and longtime community supporter. Mr. Moulton served as chief of police from 1965 to 1976. One of his biggest goals was to see a new police station built for the town, and he recently served on the Municipal Building Committee for that purpose. Mr. Moulton was a veteran of the United States Armed Forces. He attended the FBI National Academy, graduating with the last class under J. Edgar Hoover. He co-owned, with his father, Moulton Engineering Company and was employed by Cianbro Construction, retiring in 1991. He again retired this past year from Eldredge Lumber. Mr. Moulton was a dedicated and valuable member of the Boardman-Ellis VFW Post No. 6977, and he was the youngest person to be elected to the position of state commander of the VFW when he was 29 years old. He will be greatly missed and long remembered by his loving family and many friends;

SLS 220

Sponsored by Senator HILL of York.

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

READ.

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

Senator **HILL:** Thank you very much Mr. President. I would just like to speak about Albert Moulton. I want to say that I think this is something we should think about in terms of all of Maine. No matter how busy or full our days are, here in Maine, especially up here in the Legislature where the work is so intense, we absolutely must stop and take stock of our tasks and our missions. Most of all, we must recognize that these are merely the continuance of the work of those who have come before us. Such was Albert Moulton of York. An exemplary man for all the right reasons. I am proud to be a resident of York because of the type of man he was and the fact that he was raised there and the many things he did in York. I think he is also indicative of the many fine people throughout the state and those who have laid the groundwork for us. So, Mr. Secretary, if I may ask you to read the sentiment. Thank you.

At the request of Senator **HILL** of York, the Joint Resolution was **READ.**

ADOPTED.

Sent down for concurrence.

THE PRESIDENT: The Chair is pleased to recognize the family members of Albert Moulton who are here with us today. Would they please rise and accept the full greetings of the Maine State Senate.

REPORTS OF COMMITTEES

House

Ought to Pass

The Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act Regarding Fire Escapes for Certain Buildings" H.P. 571 L.D. 820

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 **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Repeal a Specialized Form of the Generic Crime of Theft by Unauthorized Taking or Transfer" H.P. 614 L.D. 887

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

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **JUDICIARY** on Resolve, Directing the Family Law Advisory Commission To Study and Report on the Uniform Parentage Act and Other Similar Laws and Proposals H.P. 291 L.D. 419

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

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **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 Eliminate the Requirement That the Department of Agriculture, Conservation and Forestry Provide Technical Services for Direct-marketing Agricultural Products" H.P. 198 L.D. 289

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-40).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-40).**

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

READ ONCE.

Committee Amendment "A" (H-40) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

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

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-50).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-50).**

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

READ ONCE.

Committee Amendment "A" (H-50) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **HEALTH AND HUMAN SERVICES** on Resolve, Directing the Department of Health and Human Services To Amend Its Rules Governing the Use of Certain Antipsychotic Drugs by Children Enrolled in MaineCare H.P. 243 L.D. 338

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-51).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-51).**

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

READ ONCE.

Committee Amendment "A" (H-51) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act Regarding Pharmacy Provider Audits" H.P. 39 L.D. 44

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-45).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-45).**

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

READ ONCE.

Committee Amendment "A" (H-45) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Allow an Operator of a Motor Vehicle To Show Proof of Insurance by Electronic Means" H.P. 108 L.D. 133

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-52).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-52).**

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

READ ONCE.

Committee Amendment "A" (H-52) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **JUDICIARY** on Bill "An Act To Amend the Charter of St. Mark's Home for Women in Augusta"
H.P. 169 L.D. 208

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-48).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-48).**

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

READ ONCE.

Committee Amendment "A" (H-48) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **JUDICIARY** on Bill "An Act To Exempt Persons 70 Years of Age and Older from Jury Duty at Their Discretion"

H.P. 219 L.D. 310

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-49).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-49).**

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

READ ONCE.

Committee Amendment "A" (H-49) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **TAXATION** on Bill "An Act To Provide a Tax Exemption for Tobacco Sold to an Adult Member of a Federally Recognized Indian Tribe for Cultural, Spiritual or Ceremonial Purposes"

H.P. 173 L.D. 212

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-43).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-43).**

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

READ ONCE.

Committee Amendment "A" (H-43) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **TRANSPORTATION** on Resolve, Directing the Maine Turnpike Authority To Place Signs Directing Motorists to Oxford Casino

H.P. 282 L.D. 407

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-39).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-39).**

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

READ ONCE.

Committee Amendment "A" (H-39) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **TRANSPORTATION** on Resolve, To Allow Maine Drivers To Use Bifocal or Telescopic Spectacles When Driving Class C Motor Vehicles and When Testing for a Class C Driver's License

H.P. 383 L.D. 564

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-38).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-38).**

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

READ ONCE.

Committee Amendment "A" (H-38) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** on Bill "An Act To Equalize the Premiums Imposed on the Sale of Motor Vehicle Oil"
H.P. 11 L.D. 7

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

Signed:

Senators:
BOYLE of Cumberland
GRATWICK of Penobscot

Representatives:
WELSH of Rockport
CAMPBELL of Orrington
CHIPMAN of Portland
COOPER of Yarmouth
GRANT of Gardiner
HARLOW of Portland
LONG of Sherman
REED of Carmel

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-44).**

Signed:

Senator:
SAVIELLO of Franklin

Representative:
AYOTTE of Caswell

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

Reports **READ.**

On motion by Senator **BOYLE** of Cumberland, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Expand Eligible Project Costs in Development Districts"
H.P. 289 L.D. 413

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

Signed:

Senator:
LACHOWICZ of Kennebec

Representatives:
GRAHAM of North Yarmouth
BOLAND of Sanford
BOLDUC of Auburn
CHENETTE of Saco
COTTA of China
HAYES of Buckfield
MacDONALD of Old Orchard Beach
NADEAU of Winslow
NADEAU of Fort Kent
PEASE of Morrill

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

Signed:

Senator:
COLLINS of York

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

Reports **READ.**

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

Divided Report

The Majority of the Committee on **TAXATION** on Bill "An Act To Establish a Sales Tax Holiday for Purchases Made during the Month of January"
H.P. 227 L.D. 318

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

Signed:

Senators:
HASKELL of Cumberland
MILLETT of Cumberland

Representatives:
GOODE of Bangor
BROOKS of Winterport
LIBBY of Lewiston
STANLEY of Medway
TIPPING-SPITZ of Orono

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-41).**

Signed:

Senator:

THOMAS of Somerset

Representatives:

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

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

Reports **READ**.

On motion by Senator **HASKELL** of Cumberland, the Majority **UGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

Divided Report

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

H.P. 237 L.D. 332

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
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 as Amended by Committee Amendment "A" (H-23).**

Signed:

Representatives:

NUTTING of Oakland
TURNER of Burlington

VEROW of Brewer

Comes from the House with the Minority **UGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-23).**

Reports **READ**.

Senator **MAZUREK** of Knox moved the Senate **ACCEPT** the Majority **UGHT NOT TO PASS** Report, in **NON-CONCURRENCE**.

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

Senator **YOUNGBLOOD:** Thank you Mr. President. Ladies and gentlemen of the Senate, thank you for spending a few minutes listening to me today. I can understand and appreciate the difficulties of a committee that gets lots of bills to put up lots of signs to introduce a community, introduce a school, and on and on and on. Those are very difficult decisions. Obviously there were lots of reasons why this year, and in other years, they've said, "No more signs. Too much proliferation." There are some incidences though that we really ought to step back and look at that and say, "What are the things in Maine that we, as all Mainers, are really proud of?" The Freedom Industrial Park in Brewer is well-kept, manicured, and in a location where it's headed towards Canada. As you turn the corner to go out Route 9, headed for Canada, that's where the people that came through this location were all headed. It was the place where the slaves stopped on their journey north. They stayed at the Christmas House. There was a shaft, a tunnel, that went to the river. They stayed at the house in the daytime. That night they would go back to the river and continue their journey onto Canada. It is also the home of the statue of then-Colonel Chamberlain. The hill that it sets on replicates the battlefield at Little Round Top in Gettysburg. It looks like a battlefield. There is a slave coming out of the shaft. I had some material distributed to you today. The very last page of all of that shows both now-General Chamberlain and a slave coming up out of the shaft, looking South, leaning North on his journey to freedom. Unfortunately, I think you'll also see that back in 2000 I was involved in putting a bill in. We didn't see fit to allow this to happen. It is something that we ought to be all very very proud of. Lots and lots of people come up 95 and turn off on 395 headed towards Acadia National Park. They have no idea the piece of history that they are going by. It would get many, many, many more visitors if people could see a sign that says, "Freedom Park." It's worth considering. I ask you today to vote against this motion so that we could go on to the Minority Report. Thank you very much for your consideration.

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

Senator **SAVIELLO:** Thank you Mr. President. Ladies and gentlemen of the Senate, I rise to support my good friend, Senator Youngblood. I lived in the Bangor area for about 13 years, or more than that if I count my time at the University. I had the unique opportunity to Joy Christmas, who owned the Christmas House and who actually had a rug cleaning business there at one time. She used to tell me the myth, the myth that it

was part of the Underground Railroad. I went into the house one time but never went downstairs. I'm sorry to say that I didn't do that because there are caves or tunnels that have been dug down in the bottom of that house. To read in some of the testimony by a member of the other Body that, in fact, when they finally took down that house, sadly, they found a slave's shirt in one of the corners. We have a piece of history which I think should have a unique stance out on the Interstate that identifies where this park is located. I would urge you to vote no on this so we can actually move the Minority Report. Thank you very much, Mr. President.

On motion by Senator **THOMAS** of Somerset, 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 Somerset, Senator Thomas.

Senator **THOMAS:** Thank you Mr. President. Ladies and gentlemen of the Senate, the United States of America, since its beginning, has been about a struggle for freedom. The Civil War was a milestone in that struggle, granting millions of Americans their freedom. Maine played a very important part in that struggle and we should be proud of that role. These signs will direct people to a park that will inform every one of the role that we played. I think they should be put up. Please vote against the current motion. Thank you.

On motion by Senator **GOODALL** of Sagadahoc, **TABLED** until Later in Today's Session, pending the motion by Senator **MAZUREK** of Knox to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE**. (Roll Call Ordered)

Senate

Ought to Pass

Senator MILLETT for the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Change the Budget Approval Process for Alternative Organizational Structures"
S.P. 211 L.D. 521

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator DUTREMBLE for the Committee on **INLAND FISHERIES AND WILDLIFE** on Resolve, Concerning Rights-of-way over Eastern Road in Scarborough

S.P. 113 L.D. 280

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator GRATWICK for the Committee on **INSURANCE AND FINANCIAL SERVICES** on Resolve, Directing the Bureau of Insurance To Amend Its Rules Pertaining to Medicare Advantage Plans (EMERGENCY)

S.P. 196 L.D. 506

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Ought to Pass As Amended

Senator JACKSON for the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act To Improve Funding of Agricultural Development Projects"

S.P. 120 L.D. 287

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-36)**.

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

READ ONCE.

Committee Amendment "A" (S-36) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator GERZOFKY for the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act Regarding the Sexual Assault Forensic Examiner Advisory Board"

S.P. 308 L.D. 883

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

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

READ ONCE.

Committee Amendment "A" (S-26) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator MILLETT for the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Increase Elementary School Applied Learning Opportunities"
S.P. 150 L.D. 370

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-37).**

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

READ ONCE.

Committee Amendment "A" (S-37) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator PATRICK for the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Amend the Maine Workers' Compensation Act of 1992"
S.P. 9 L.D. 1

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-31).**

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

READ ONCE.

Committee Amendment "A" (S-31) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator HASKELL for the Committee on **TAXATION** on Bill "An Act To Support Community Health Centers through Tax Credits for Dentists and Primary Care Professionals Practicing in Underserved Areas"
S.P. 172 L.D. 440

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

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

READ ONCE.

Committee Amendment "A" (S-24) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator MAZUREK for the Committee on **TRANSPORTATION** on Bill "An Act To Expand the Types of Vehicles on Which a Sportsman Registration Plate May Be Displayed"
S.P. 170 L.D. 438

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-28).**

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

READ ONCE.

Committee Amendment "A" (S-28) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Improve the Law Regarding Bail Commissioners"
S.P. 99 L.D. 266

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

Signed:

Senator:
PLUMMER of Cumberland

Representatives:
DION of Portland
KAENRATH of South Portland
LAJOIE of Lewiston
LONG of Sherman
MARKS of Pittston
PEASE of Morrill
PLANTE of Berwick
TYLER of Windham
WILSON of Augusta

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-29).**

Signed:

Senators:
GERZOFKY of Cumberland
DUTREMBLE of York

Representative:
CASAVANT of Biddeford

Reports **READ**.

On motion by Senator **GERZOFKY** of Cumberland, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**.

Sent down for concurrence.

Divided Report

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Remove the Mandatory Minimum Jail Sentence in Certain Cases"
S.P. 216 L.D. 626

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

Signed:

Senators:
GERZOFSKY of Cumberland
DUTREMBLE of York
PLUMMER of Cumberland

Representatives:
DION of Portland
CASAVANT of Biddeford
KAENRATH of South Portland
LAJOIE of Lewiston
LONG of Sherman
MARKS of Pittston
PEASE of Morrill
PLANTE of Berwick
TYLER of Windham

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-30)**.

Signed:

Representative:
WILSON of Augusta

Reports **READ**.

On motion by Senator **GERZOFSKY** of Cumberland, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**.

Sent down for concurrence.

Divided Report

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Allow Public Schools To Offer Classes Limited to Students of a Single Gender"
S.P. 248 L.D. 699

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

Signed:

Senators:
MILLETT of Cumberland
JOHNSON of Lincoln
LANGLEY of Hancock

Representatives:
MacDONALD of Boothbay
DAUGHTRY of Brunswick
HUBBELL of Bar Harbor
JOHNSON of Greenville
KORNFIELD of Bangor
MAKER of Calais
NELSON of Falmouth
POULIOT of Augusta
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" (S-27)**.

Signed:

Representative:
McCLELLAN of Raymond

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

Reports **READ**.

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

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

Senator **TUTTLE:** Thank you Mr. President. Men and women of the Senate, while I will not be opposing the pending motion, this is my bill and I feel quite strongly about it. This bill's aims are simple. It would add single gender classes to the pathways that may be used to provide learning opportunities for elementary and secondary school students in the state. This issue was first brought to my attention when a school district in my area, a school in Sanford, created a program that included single gender classrooms. A controversy erupted. However, the American Civil Liberties Union threatened to sue the Sanford School Department if they continued the program. Not wanting to go to court and not having the money, the department ended the program. We had testimony at the hearing where a number of students were positively benefited by this program. They continued to believe, however, that there is a strong case for single gender education for some students. I believe that. There are many studies that indicate that some students perform better in single gender environments. Many of us went to Catholic schools and saw that firsthand. I believe that we should be open to allowing school departments in Maine to try out creative approaches to educating our students. At the very least, they should be given flexibility by the State to do so without fear. I know at the public hearing we had many students from Sanford that did attend. They said how the program had affected them positively. I think that the key to education in Maine is to be as flexible as possible and allow our local school districts to do their job. As I said before, I will not be

opposing this bill. It's my understanding that a letter has been sent to the Maine Civil Liberties Union to have them work with the local school districts. It is also my understanding that the City of Presque Isle has had a very successful program in their high school for a number of years and I'm hoping that this can be extended throughout the state. Thank you, Mr. President.

On motion by Senator **MILLETT** of Cumberland, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**.

Sent down for concurrence.

Divided Report

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Promote Equity in Business Opportunity for Tobacco Specialty Stores"

S.P. 14 L.D. 22

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

Signed:

Senators:

CRAVEN of Androscoggin
LACHOWICZ of Kennebec

Representatives:

FARNSWORTH of Portland
CASSIDY of Lubec
DORNEY of Norridgewock
GATTINE of Westbrook
STUCKEY of Portland

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-34)**.

Signed:

Senator:

HAMPER of Oxford

Representatives:

MALABY of Hancock
McELWEE of Caribou
SANDERSON of Chelsea
SIROCKI of Scarborough

Reports **READ**.

Senator **CRAVEN** of Androscoggin moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

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 Androscoggin, Senator Craven.

Senator **CRAVEN:** Thank you very much Mr. President. Men and women of the Senate, this bill addresses one business in Oxford County. The business was established while current law was in place. The business is a cigar lounge. Under current law it does not allow food or drink to be consumed on the premises. This bill, the amended bill, would allow alcohol to be consumed on the premises. According to the owner, his preference would be cognac; to have cognac and cigar smoking. While I'm sure that your mouth gets very dry smoking cigars without being able to drink anything, this would create a lot of inequity in businesses such as coffee shops and restaurants and other bars that are established in the community that are not allowed to use tobacco products on their premises. They follow the law and follow the rules. This really erodes our tobacco laws that we have fought so hard for in the state of Maine to keep our kids and our workers healthy and to keep the cost of our health care in check. While I admire anybody that wants to expand their business, I think that expanding businesses that are unhealthy and that are creating inequities for other businesses that are in their community is not good practice. I will ask you to follow my light in the name of equality. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Oxford, Senator Hamper.

Senator **HAMPER:** Thank you Mr. President. Ladies and gentlemen of the Senate, my colleague from Androscoggin, Senator Craven, has done a nice job speaking to the Minority Report. Now I'll address the Majority Report. The Ought Not to Pass Report would leave current statute in place. Current statute and when it applies to tobacco specialty stores. Let me explain what a tobacco specialty store is. It is an establishment that is restricted in size to 2,000 square feet. It is restricted in its sales so that a minimum of 60% of its sales needs to be in tobacco products. You are also permitted, currently in statute, to consume tobacco in a tobacco specialty store. There is one tobacco specialty store licensed in this state. It was grandfathered before the 2007 change in statute that happened here in this Body from one of its members. It's currently located in the town of Portland, where it is permitted to smoke within the premises. A law change in 2007 put in a provision where drinking and eating in a tobacco specialty store would be against the law. L.D. 22, in its original form, was to remove that one sentence from statute. Currently in Maine, if you walk into a tobacco specialty store with a Dunkin Donut coffee in your hand you are a law breaker because there is no drinking permitted in a tobacco specialty store. Under statute, in the definition of food falls chewing gum. It is very specific in statute that chewing gum is listed as a food. If I walk in with a piece of Juicy Fruit in my mouth I'm a law breaker, except for the one establishment in Portland where smoking, drinking, and eating is permitted. By going with the Majority Ought Not to Pass on this item, we keep statute as it is and we continue to make law breakers out of those who walk into a tobacco specialty store chewing gum and drinking a Dunkin Donut coffee. I urge you to vote against the Majority Report and let's consider the Minority Report. Thank you, Mr. President.

THE PRESIDENT: The pending question before the Senate is the motion by the Senator from Androscoggin, Senator Craven 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 (#45)

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

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

21 Senators having voted in the affirmative and 14 Senators having voted in the negative, the motion by Senator **CRAVEN** of Androscoggin to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, **PREVAILED**.

Sent down for concurrence.

Divided Report

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Improve Community Mental Health Treatment"

S.P. 38 L.D. 87

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-33)**.

Signed:

Senators:
CRAVEN of Androscoggin
LACHOWICZ of Kennebec

Representatives:
FARNSWORTH of Portland
CASSIDY of Lubec
DORNEY of Norridgewock
GATTINE of Westbrook
STUCKEY of Portland
PETERSON of Rumford

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

Signed:

Senator:
HAMPER of Oxford

Representatives:
MALABY of Hancock
McELWEE of Caribou
SANDERSON of Chelsea
SIROCKI of Scarborough

Reports **READ**.

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

READ ONCE.

Committee Amendment "A" (S-33) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Restore Eligibility and Funding for Drug Programs for the Elderly and Disabled"

S.P. 219 L.D. 629

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

Signed:

Senators:
CRAVEN of Androscoggin
LACHOWICZ of Kennebec

Representatives:
FARNSWORTH of Portland
CASSIDY of Lubec
DORNEY of Norridgewock
GATTINE of Westbrook
McELWEE of Caribou
STUCKEY of Portland

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

Signed:

Senator:
HAMPER of Oxford

Representatives:
MALABY of Hancock
SANDERSON of Chelsea
SIROCKI of Scarborough

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

Reports **READ**.

Senator **CRAVEN** of Androscoggin moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

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 Androscoggin, Senator Craven.

Senator **CRAVEN:** Thank you Mr. President. Men and women of the Senate, L.D. 629 instructs the Commissioner of DHHS to submit an application to CMS, that's the federal CMS, to restore the eligibility of levels for the Medicare savings offset program to levels as they were before we were granted the waiver. I totally support this because this would allow seniors in our community to have access to medications that were cut from them before this waiver was requested for and granted. I think that it's very prudent to keep our senior citizens healthy and happy and at home in their communities and also have the federal government help us keep seniors in the least restrictive settings as well as having access to their medications without having to worry or without having to go without. When this waiver was put in place it hurt a lot of my constituents that struggle every day to try to pay for their medications. I won't take up a lot of your time talking about this, but I would ask that people follow my light to reinstate the federal Medicare offset program to the levels it was before we cut it back to 100% of poverty. Thank you, Mr. President.

THE PRESIDENT: The Chair recognizes the Senator from Oxford, Senator Hamper.

Senator **HAMPER:** Thank you Mr. President. Ladies and gentlemen of the Senate, this would restore it back to 185% of the federal poverty level. Why not 200%? This spends \$3.9 million annually that we simply do not have. Thank you, Mr. President.

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

Senator **TUTTLE:** Thank you Mr. President. This is the second time I've spoken today. I normally don't do that. I apologize to my colleagues. This is my bill. I do support the good Senator Craven from Androscoggin. As many of us know, in 2011 the Commissioner of Health and Human Services was directed to seek a waiver. That was done. This bill attempts to restore that. As many of us know, the purpose of this program is to provide support for the elderly and disabled individuals who cannot reasonably afford prescription drugs. As the good Senator from Oxford said, I do understand that we face several fiscal challenges and that we, as legislators, must prioritize programs when funds are limited. The Legislature has proven already this session that drugs for the elderly and disabled is a priority. I hope that we would continue. Thank you, Mr. President.

THE PRESIDENT: The pending question before the Senate is the motion by the Senator from Androscoggin, Senator Craven 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 (#46)

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

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

22 Senators having voted in the affirmative and 13 Senators having voted in the negative, the motion by Senator **CRAVEN** of Androscoggin to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, **PREVAILED**.

READ ONCE.

Committee Amendment "A" (S-25) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **JUDICIARY** on RESOLUTION, Proposing an Amendment to the Constitution of Maine To Restrict the Use of Eminent Domain

S.P. 25 L.D. 58

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

Signed:

Senators:

VALENTINO of York
TUTTLE of York
BURNS of Washington

Representatives:

PRIEST of Brunswick
BEAULIEU of Auburn
CROCKETT of Bethel
DeCHANT of Bath
MONAGHAN-DERRIG of Cape Elizabeth
MOONEN of Portland
MORIARTY of Cumberland
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-35)**.

Signed:

Representatives:

GUERIN of Glenburn
PEAVEY HASKELL of Milford

(Representative MITCHELL of the Penobscot Nation - of the House - supports the Majority **Ought Not To Pass** Report.)
Reports **READ**.

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

Sent down for concurrence.

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 Remove an Unnecessary Provision in the Maine Insurance Code"

H.P. 445 L.D. 653

Bill "An Act To Provide Free Fishing Licenses to Certain Children in the Custody of the Department of Health and Human Services"

H.P. 489 L.D. 717

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

House As Amended

Bill "An Act To Prohibit a Requirement That a Superintendent Reside in the School Administrative Unit"

H.P. 10 L.D. 6
(C "A" H-31)

Resolve, To Direct the Commissioner of Inland Fisheries and Wildlife To Allow Veterans with Lower Limb Loss To Obtain 'Any-deer' Hunting Permits

H.P. 55 L.D. 63
(C "A" H-37)

Bill "An Act To Equalize the Fire Investigation and Prevention Tax Paid by Insurers"

H.P. 205 L.D. 296
(H "A" H-32)

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

Senate As Amended

Bill "An Act To Provide Greater Access to Capital for Certain Businesses Through Advance Payment of Employment Tax Increment Financing Benefits"

S.P. 111 L.D. 278
(C "A" S-21)

Bill "An Act To Change the Taxes on Fuel Purchased for Use Other Than on the Highways"

S.P. 221 L.D. 631
(C "A" S-20)

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

Sent down for concurrence.

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

Senate at Ease.

Senate called to order by the President.

ORDERS OF THE DAY

Unfinished Business

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

The Chair laid before the Senate the following Tabled and Later Assigned (4/10/13) matter:

Bill "An Act To Create the Lisbon Water District"
S.P. 500 L.D. 1396

Tabled - April 10, 2013, by Senator **CLEVELAND** of Androscoggin

Pending - **REFERENCE**

(Committee on **ENERGY, UTILITIES AND TECHNOLOGY** suggested and ordered printed.)

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

Sent down for concurrence.

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

The Chair laid before the Senate the following Tabled and Later Assigned (4/10/13) matter:

An Act To Adjust Maine's Minimum Wage Annually Based on Cost-of-living Changes

H.P. 430 L.D. 611
(C "A" H-16)

Tabled - April 10, 2013, by Senator **CAIN** of Penobscot

Pending - **ENACTMENT**, in concurrence

(In Senate, April 3, 2013, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-16)**, in concurrence.)

(In House, April 9, 2013, **PASSED TO BE ENACTED**.)

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

The Chair laid before the Senate the following Tabled and Later Assigned (4/10/13) matter:

Bill "An Act To Provide for the Aroostook Band of Micmacs Certain Rights Regarding Hunting, Fishing and Wildlife Management"

H.P. 995 L.D. 1399

Tabled - April 10, 2013, by Senator **DUTREMBLE** of York

Pending - **REFERENCE**

(In House, April 10, 2013, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed.)

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

The Chair laid before the Senate the following Tabled and Later Assigned (4/10/13) matter:

JOINT RESOLUTION - Commemorating the Holocaust and Human Rights Center of Maine's Legislative Awareness Day and Yom Hashoah, the Day of Remembrance

H.P. 986

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

Pending - **ADOPTION**, in concurrence

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

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

Senator **KATZ:** Thank you Mr. President. Men and women of the Senate, two stories today with respect to this Joint Resolution. The first one has been sent to all of you by e-mail from the Senate President and myself and Representative Nelson of the other Body. It's a link to a YouTube video that lasts about three minutes. I hope all of you will take the chance and watch it sometime today. I suggest that it will be the most meaningful three minutes you spend today. The second story, Mr. President, is that of Max Slabotsky. Max was born in Belgium in 1931. His father was a tailor and his mother stayed at home. He had a younger brother, who was also born in the 1930's. Max only had two years of formal schooling in 1939. That year the family left for Toulouse, trying to get to Spain because they thought it would be safer for them there. They never arrived. The borders were closed off and they returned to Brussels. Though Jews were required to wear the Jewish star on their clothes in 1940, the first year of the occupation, things were still relatively quiet and peaceful. In the area there lived a man named Le Gros Jacques, or Fat Jack, a Jewish man who worked with the Gestapo during the war to identify Jewish people in the street and have them arrested. He used to ride around in a big car with a Gestapo agent next to him. He turned his own parents and children in to the Nazis. In 1941, both Max's Uncle Joel and his father were arrested. In 1943, his mother was arrested and taken to Malines. There a former infantry barracks was transformed into a prison. From there some 45,000 Belgian Jews were transported to Auschwitz. Max soon left and lived with a friend of his father's, hidden in an attic for about six weeks. One day, fed up with being locked up, he left the attic and went out in the street. He went to a department store and when he came out he was standing face to face with the car that Fat Jack drove around in. Max was asked if he was a Jew. He said no, but Jack knew otherwise. Fat Jack had worked as a hotel porter and next door to that hotel had been a café where Jews, like Max, gathered to talk. He told Max, "We have ways of finding out the truth." Max was taken into the basement of the Gestapo headquarters on Avenue Louise. From there he was transported to Auschwitz. When Max and the other prisoners arrived, the doors opened and they marched out. Trains came from all over Europe: Poland, France, Holland, Germany, and also from Russia. Max followed the people in front of him. He could see that those who were selected to go left would end up in the gas chambers. Max, who was young and able to work, was told to go right. The Nazis took the prisoner's clothing, gave them uniforms to wear, a military pot to eat out of, and two blankets for warmth. He was tattooed and given a number on his clothes. Max's first job was to separate the clothing items that were confiscated. Occasionally he would find bits of food. After two months he was moved to another camp where he painted huge septic pipes. It was there that Max and the other prisoners learned why they shouldn't try to escape. Six girls were brought out and put in a pit. German Shepherds were then unleashed. The prisoners watched as the girls were ripped to bits and killed. Max was then transferred to another camp that had a big farm and a barn where the prisoners slept on hay. Later, in 1944, he and the other prisoners were locked up in the barn. They heard a language which was not German. One of them opened the door and saw a Russian soldier. That day they

were taken to an American run hospital in Germany. From there, Max returned to Belgium where he found and lived with his Aunt Anna. He also found his brother, who had been hidden by a nun during the war. In 1945, Max was finally reunited with his mother. His mother had been part of the scientific experiments performed by Dr. Mengele and was seriously wounded. In the Holocaust he lost his grandfather, father, aunt, uncle, and cousins. Following the war, Max first went to Paris, where we apprenticed with a tailor. In 1955, he married and moved here to the United States, where he made a career selling men's clothes and creating costumes at Disneyland. Max is employed today. He works at the Men's Warehouse in South Portland as a tailor. Thank you, Mr. President.

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

Senator **CAIN:** Thank you Mr. President. Men and women of the Senate, it is my pleasure to rise in support of this Joint Resolution and to share a brief story of my own. In 2009 my husband and I took a lengthy trip to the country of Israel. We had a wonderful experience. If you ever have the opportunity to visit that amazing land I recommend that you do. We spent time in the Old City, in Jerusalem, in Tel Aviv, and visited friends. One of the most special days that we spent was an entire day at Yad Vashem. Yad Vashem is Israel's official memorial to the Jewish victims of the Holocaust. It was established 60 years ago, in 1953, by an official act of the Knesset, Israel's government. This physical space is a world center for education and for research. The on-line materials and the in-person materials they have available are used all around the world to help individuals find family members and connect through personal stories, like the ones you've just heard. It is also to help educate future generations, next generations, about the realities and horrors of the Holocaust. It's a long thin museum. As you enter in you ascend as go through it. You step through the different stages of the Holocaust; what led up to the actions, to the concentration camps, to the stories of release from the concentration camps, and to the heroic stories of people who stood up and said this was wrong and who came in to save many others. Also of the courage inside the camps; camps like Terezin which was a camp where they had an artist's colony, where they put on shows, and where music was composed. The museum, Yad Vashem, commemorates all of that. What stays with me the most when I think about that trip is that at the very end of this long thin museum, where you literally feel the pain and the sadness and the sorrow, it opens up to a balcony; a balcony with a vista, that takes your breath away, of the City of Jerusalem and the country of Israel. It is meant to signify that there is something after the Holocaust; that there is a bright future ahead for Israel that people should look out and look forward to, always remembering and carrying with them the realities of the past. There is a section of the museum when you step outside that is the Children's Memorial. It is a very dark room. When you enter in there are thousands of lights that are illuminated to remember the children who were lost in the Holocaust. As you leave, you come upon the Avenue of the Righteous of the Nations. The Righteous of the Nations are those from around the world who were not being targeted in the Holocaust but who stood up and said this was wrong, who reached out and took risks, and who jeopardized the safety of themselves and their families to help others and to help bring those horrors to an end. One of the quotes that remained with me that is near this avenue that

recognizes the individuals and the countries that stepped up says, "Who so ever saves a single life saves an entire universe." Who so ever saves a single life saves an entire universe. What we are doing today by remembering these lives, by never forgetting what happened, and by making sure this remains a current part of who we are and what we remember as a nation, we, by extension, are saving the universe ourselves. Thank you, Mr. President, I appreciate the opportunity to share these words.

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

Senator **MASON:** Thank you Mr. President. Men and women of the Senate, I just wanted to say that I'm very proud to be wearing a suit that was tailored by Max right now. I would imagine there are many people who are wearing a suit today and, if you bought it at the Men's Warehouse in Portland, it was tailored by him. I just wanted to share a quick story. When Senator Katz mentioned that, it brought back the first time that I went to the Men's Warehouse to get my suit tailored and was talking to Max. Anybody who's talked to him knows that he has a really really thick accent. Even after all these years, he still has a really thick accent. He started telling me his story. It was fascinating. He had no idea who I was. He had no idea what his story meant to me. It's just as every bit amazing as Senator Katz said it was. I think it's great that we're going to pass this. I think that it's also wonderful that Max has had his chance to share his story over the past week in the local papers. I just had to stand up and say that because I just think he's a great guy and I think that passing this does honor to him and so many others like him. Thank you, Mr. President.

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

Senator **SHERMAN:** Thank you Mr. President. Ladies and gentlemen of the Senate, I don't usually get up on these, but there is a missing piece to this. When I first started running for the House and I was going door to door, knocking on the doors of veterans. I come from the little town of Hodgdon, over 200 folks that were in the service. Very quickly they began to talk about what they had seen in World War II. There were three brothers by the name of Quint, Shirley and Roy. They fought in Europe. They ended up finding some of these concentration camps. It left a mark on them forever. They were 18, 19, and 20 year old boys at the time. As they got older and older, they kind of reminisced in a sense. You saw some of the actions of these soldiers that came back. We always thought they were a little different. Then you'd find out what they saw and the medals that they earned that they never say anything about. I honor those folks who liberated some of these camps. There were three Quint boys involved in the war. They ended up as part of the liberation of the camps. We should remember those folks also because many of them lost their lives doing those very things.

ADOPTED, 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 Authorize a Matching General Fund Bond Issue for Improvements to the Seven Community College Campuses"
H.P. 1006 L.D. 1418

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

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

Bill "An Act To Allow a Setoff of a Third-party Bailor's Property under Certain Conditions"
H.P. 1007 L.D. 1419

Bill "An Act To Amend the Laws Governing Mental Responsibility for Criminal Conduct"
H.P. 1022 L.D. 1433

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

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

Resolve, To Require the Public Utilities Commission To Amend Its Rules Regarding Net Energy Billing
H.P. 999 L.D. 1403

Bill "An Act To Create Affordable Heating Options for Maine Residents and Reduce Business Energy Costs"
H.P. 1013 L.D. 1425

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Ensure the Integrity of Maine's Medical Marijuana Program" (EMERGENCY)
H.P. 1000 L.D. 1404

Bill "An Act To Increase Access to Postsecondary Education for Maine's Children" (EMERGENCY)
H.P. 1003 L.D. 1407

Bill "An Act To Amend the Medical Marijuana Law Regarding Excess Harvested Marijuana"
H.P. 1011 L.D. 1423

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.

Bill "An Act To Amend Certain Provisions of the Fish and Wildlife Laws"
H.P. 1024 L.D. 1435

Come from the House, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed.

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

Bill "An Act To Increase Mileage Reimbursement and Compensation for Jurors"
H.P. 1012 L.D. 1424

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Return to Building Code Requirements in Effect Prior to the Adoption of the Maine Uniform Building and Energy Code"
H.P. 1008 L.D. 1420

Bill "An Act To Avoid Conflicts of Interest in State Government Labor Relations"
H.P. 1025 L.D. 1436

Bill "An Act To Amend the Laws Regarding Licensure of Physicians and Physician Assistants"
H.P. 1026 L.D. 1437

Come from the House, **REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed.

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

Bill "An Act To Repeal the Laws Establishing the Cumberland County Recreation Center and Transfer Authority to Cumberland County"
H.P. 1001 L.D. 1405

Bill "An Act To Amend the Laws Relating to Secession by a Municipality from a County" (EMERGENCY)
H.P. 1004 L.D. 1408

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Reduce Youth Smoking and Improve Public Health by Increasing Revenue from the Cigarette Tax to the Fund for a Healthy Maine and To Pay Debts Owed to Health Care Providers" (EMERGENCY)
H.P. 1002 L.D. 1406

Bill "An Act To Promote Tourism and Foster Economic Development" (EMERGENCY)
H.P. 1005 L.D. 1409

Bill "An Act To Permit a Student Holding a Degree from a Non-Maine Institution To Participate in the Job Creation Through Educational Opportunity Program"
H.P. 1009 L.D. 1421

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

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

Bill "An Act To Establish a Nonpartisan Primary and a Presidential Primary Election System and Instant Run-off Voting for State and Federal Candidates"
H.P. 1010 L.D. 1422

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

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

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

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Increase Suicide Awareness and Prevention in Maine Public Schools"
H.P. 428 L.D. 609

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-86)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-86)**.

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

READ ONCE.

Committee Amendment "A" (H-86) **READ** and **ADOPTED**, in concurrence.

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

Senator **GOODALL** of Sagadahoc 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.

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

On motion by Senator **GOODALL** of Sagadahoc, **ADJOURNED**, until Wednesday, April 24, 2013, at 10:00 in the morning, in memory of and lasting tribute to Albert Moulton of York.