Reading of the Journal of Thursday, May 9, 2013.

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Doctor of the day, Dr. Elena Nawfel, MD of Waterville.

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Off Record Remarks

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Franco-American Day Ceremony.

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ORDERS

Joint Orders

Expressions of Legislative Sentiment recognizing:

The late Leon Albert Guimond, of Frenchville, on his posthumous induction into the Franco-American Hall of Fame. Mr. Guimond was a proud veteran of the Korean War and flew the American flag at all times in honor of our Nation's heroes. During his life, Mr. Guimond became an expert genealogical researcher and amassed an immense collection of books, photographs, notes, maps and related Franco-American genealogical ephemera. He began studying genealogy when he and his family lived in Connecticut, where he became a founding member and director of the French-Canadian Genealogical Society of Connecticut. When he and his family returned to live in northern Maine, his interest accelerated and his genealogical collection grew. With the support of the Fort Kent Historical Society and the Acadian Archives at the University of Maine at Fort Kent, the results of Mr. Guimond's years of work are now housed at the university for everyone's benefit. We recognize Mr. Guimond's service to his community and to the State, and we honor his memory on the occasion of his induction into the Franco-American Hall of Fame;

SLS 322

Sponsored by Senator JACKSON of Aroostook.

READ.

THE PRESIDENT PRO TEM: The Chair recognizes the Senator from Aroostook, Senator Jackson.
Senator JACKSON: Thank you Mr. President. Ladies and gentlemen of the Senate, I never had the opportunity to meet Mr. Guimond, but I know that everyone in the St. John Valley knows of him, knows the great work he's done for the St. John Valley and the Acadian heritage. He compiled numerous documents. Had an archive that was second to none to any really probably in the United States. That was donated to the University of Maine at Ft. Kent. It's a real lasting tribute to the people in the St. John Valley and the Acadian heritage. It's important to have people that do those things; work as hard as they do for no recognition so that people like myself and my sons and like the future generations have the opportunity to understand the importance and what the Acadian culture gave back to Maine and to the Franco heritage. I just wanted to rise today. Like I said, not ever having the opportunity to meet him, I just wanted to say how much I actually do appreciate his work and keeping the history of my area alive for future generations. In my mind, that's a very honorable and noble thing for anyone to do. Thank you.

_________________________________
Off Record Remarks
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PASSED.

Sent down for concurrence.

THE PRESIDENT PRO TEM: The Chair is pleased to recognize in the rear of the chamber the family of Leon Albert Guimond. They are the guests today of the Aroostook, Senator Jackson. Will they please rise and accept the greetings of the Senate.

_________________________________
Off Record Remarks
_________________________________

The late Adolphe J. Gingras, M.D., of Augusta, on his posthumous induction into the Franco-American Hall of Fame. Dr. Gingras was known to every French-Canadian family and to every other family in Augusta as a leader in medicine and in public health. As a general practitioner who began his practice in 1923, and for many years as an obstetrician, he served Augusta's growing population and delivered over 9,000 babies, including 2 of his own. He served on the Augusta Board of Health and the Augusta Water District, and in 1933 he served as the 12th President of Le Club Calumet. Dr. Gingras was a World War I veteran, serving in the Army Medical Corps. We recognize Dr. Gingras's service to his community and to the State, and we honor his memory on the occasion of his induction into the Franco-American Hall of Fame; SLS 323

Sponsored by Senator KATZ of Kennebec.


READ.

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

Senator KATZ: Thank you Mr. President. You can't understand the history of 20th Century Maine without appreciating the story of the French-Canadians who immigrated here, seeking a better life, overcoming decades of discrimination, and eventually ascending to their rightful place in the American Dream. There were giants along the way who not only did well for themselves and their families, but also opened doors for French-Canadians in the larger community and inspire others to raise their own aspirations. Two of them, Mr. President, lived right here in Augusta. They were both doctors. They were brothers. Adolphe, "A.J.", Gingras moved here in 1923. He was the first and only Franco-American doctor in Augusta at the time. In those days virtually everyone on the "Hill" spoke French and were not always welcome in the rest
During the early days of radio, Mr. Gagne hosted live broadcasts. He founded the first American snowshoe club, Le Montagnard.

language newspaper, Lewiston in 1922, where he worked for 38 years for the French American Hall of Fame.

Mr. Gagne began a career as a journalist at the age of 18, serving 2 years as a sports editor in Quebec City. Mr. Gagne and his wife moved to Androscoggin County Commissioner. We recognize Mr. Gagne's service to his community and to the State and we honor his memory on the occasion of his induction into the Franco-American Hall of Fame;

SLS 325


READ.

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

Senator CRAVEN: Thank you Mr. President. I'm so honored today to be able to speak to Louis-Philippe Gagne posthumously. He left a legacy in Lewiston and in Maine that demands the recognition and pride of the Franco culture and the contribution that Franco's made in Maine. Although this induction is given posthumously, his legacy lives on in the Lewiston area and in the surrounding areas. His name is recognized by all in Lewiston and by those who live in the area and by his family, his extensive family, and his descendants who uphold the good name and the creativity of his legacy. I would like to read just some of the sentiment that is in his honor today.

The late Honorable Louis-Philippe Gagne, of Lewiston, on his posthumous induction into the Franco-American Hall of Fame. Mr. Gagne was born in Quebec City and raised in an orphanage and entered a seminary as the protégé of Cardinal Begin. He began a career as a journalist at the age of 18, serving 2 years as a sports editor in Quebec City. Mr. Gagne and his wife moved to Lewiston in 1922, where he worked for 38 years for the French-language newspaper, Le Messager, as editor and sports writer. He founded the first American snowshoe club, Le Montagnard. During the early days of radio, Mr. Gagne hosted live broadcasts and had an influential French-language editorial program. Mr. Gagne also served on the school board, as an alderman and for 2 terms as the Mayor of Lewiston. He went on to become an Androscoggin County Commissioner. We recognize Mr. Gagne's service to his community and to the State and we honor his memory on the occasion of his induction into the Franco-American Hall of Fame;

Thank you.

PASSED.
Sent down for concurrence.

THE PRESIDENT PRO TEM: The Chair is pleased to recognize in the rear of the chamber the family of Louis-Philippe Gagne. They are the guests today of the Senator from Androscoggin, Senator Craven. Will they please rise and accept the greetings of the Maine Senate.

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Off Record Remarks

The late Camille L. Bolduc, of Biddeford, on his posthumous induction into the Franco-American Hall of Fame. Mr. Bolduc was born in Quebec and educated in schools in both Canada and Biddeford, eventually graduating from Biddeford High School Adult Education. During World War II, Mr. Bolduc served 3 years with the Royal Canadian Air Force. He moved to Biddeford in 1953 and worked as an electrician and later owned and operated Camille’s Electric in Biddeford for 25 years. Mr. Bolduc was a member and past Master of the Biddeford Masonic Lodge, Dunlop Lodge No. 47, a member of the Biddeford Historical Society and a member of the Franco-American Genealogical Society in Biddeford. An American citizen since 1958, Mr. Bolduc was also proud of his French heritage and was an early founder of the renowned Franco-American festival, La Kermesse, in Biddeford. We acknowledge Mr. Bolduc’s service to his community and to the State, and we honor his memory on the occasion of his induction into the Franco-American Hall of Fame; SLS 326


READ.

THE PRESIDENT PRO TEM: The Chair recognizes the Senator from York, Senator Dutremble.

Senator DUTREMBLE: Thank you Mr. President. Ladies and gentlemen of the Senate, I rise today to pay tribute to the life of Camille Bolduc of Biddeford. Mr. Bolduc, in many ways, is representative of the greatest generation in my home town of Biddeford and in many ways his experience was unique. Mr. Bolduc was born in Quebec and was educated in schools in both Quebec and Biddeford. Like many in the greatest generation, he served in World War II, though his service was for the Royal Canadian Air Force. On November 13, 1946, he married Suzanne G. Roberge in Canada and in 1953 he moved to Biddeford. He worked a few years as an electrician for Saco Electric and later owned and operated Camille’s Electric in Biddeford for 25 years, retiring in 1983. That company is still operating strong today. Camille was a member and past Master of the Biddeford Masonic Lodge, Dunlop Lodge No. 47, a member of the Biddeford Historic Society, and the Franco-American Genealogical Society in Biddeford. He enjoyed traveling and genealogy. His life serves as an example to all of us of how to live a strong family life, to serve your community, and to celebrate our strong Franco-American heritage. Thank you.

PASSED.

Sent down for concurrence.

_________________________________

Off Record Remarks

THE PRESIDENT PRO TEM: The Chair is pleased to recognize in the rear of the chamber the family of Camille Bolduc. They are the guests today of the Senator from York, Senator Dutremble. Will they please rise and accept the greetings of the Maine Senate.

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Off Record Remarks

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

The President Pro Tem requested the Sergeant-At-Arms escort the Senator from Cumberland, Senator ALFOND to the rostrum where he resumed his duties as President.

The Sergeant-At-Arms escorted the Senator from Androscoggin, Senator CLEVELAND to his seat on the floor.

Senate called to order by the President.

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Off Record Remarks

PAPERS FROM THE HOUSE

Joint Resolution

The following Joint Resolution: H.P. 1096
JOINT RESOLUTION TO ENCOURAGE AWARENESS OF LYNCH SYNDROME

WHEREAS, over 600,000 persons in the United States have Lynch syndrome, an inherited condition that increases the risk of colon cancer and other cancers, but fewer than 5% of those persons are currently diagnosed; and

WHEREAS, Lynch syndrome is a hereditary predisposition presenting a high lifetime risk of contracting a variety of cancers, including up to an 85% lifetime risk of colon cancer and a 65% lifetime risk of endometrial cancer; and

WHEREAS, Lynch syndrome presents higher-than-average risks of contracting ovarian cancer, gastric tract cancers, hepatobiliary cancers, renal pelvic cancers, pancreatic cancer, prostate cancer, skin cancer, brain cancer and other cancers, often at an early age; and

WHEREAS, knowing one's family medical history of cancers may prompt genetic testing; and

WHEREAS, a positive genetic test will qualify most people for annual cancer screening and cancers may be detected early and treated or removed, often before becoming life-threatening; and

WHEREAS, the numbers of cancer deaths may be reduced as a result of public awareness of Lynch syndrome; and

WHEREAS, thousands of lives in Maine may be saved as the result of timely diagnoses of Lynch syndrome; 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 encourage everyone to be aware of Lynch syndrome and to take any necessary steps possible for the prevention of cancer and early detection of treatable cancer.

Comes from the House, READ and ADOPTED.

READ and ADOPTED, in concurrence.

COMMUNICATIONS

The Following Communication:  S.P. 582

RESOLUTION

Whereas, the voters of Maine in 2004 overwhelmingly approved a referendum calling on the State of Maine to fully fund 55% of the cost of public education; and

Whereas, public schools are integral to the economic future of our state and directly contribute to the economic vitality and overall prosperity of our great state; and

Whereas, since 2008, the state's share of the total cost of funding public K-12 education has decreased from a high of nearly 54% to 46% for the 2012-2013 school year; and

Whereas, since fiscal year 2011 - 2012, the calculation of the state's share of the total cost of funding K-12 public education has been falsely inflated by redefining it to include the state contributions to teacher retirement, retired teachers' health insurance and retired teachers' life insurance, which were never previously included; and

Whereas, in spite of diminishing actual state commitment to funding Essential Programs and Services for public schools, the state has mandated additional effort and training to implement changes in school practices and programs, leading to increased operating costs for implementation; and

Whereas, middle class property owners throughout the state have had to shoulder more of the responsibility for funding our schools, in spite of working diligently to eliminate waste and maximize efficiency in school budgets; and

Whereas, the Governor has proposed in his biennial budget beginning fiscal year 2013-2014 to move the state's share of funding for our schools backwards by "flat funding" our public education system for the next two years while cost drivers are not flat; and

Whereas, the Governor's proposed budget also requires local school districts to begin paying the cost of retirement contributions for teachers and certain other employees; and

Whereas, if the Governor's proposed budget is adopted in its current form, our school district will be forced to compromise our essential purpose by laying off educators, reducing personnel, cutting programs and services, and still ask local middle class families to pay even more in property taxes to make up for the reduction in state funding;

Therefore be it resolved, the Regional School Unit 12 School Board calls upon legislators of both parties to fully fund our public schools by providing 55% of the cost of K-12 public education in Maine; and

Be it further resolved, the Regional School Unit 12 School Board calls upon legislators to reject the Governor's proposal to shift more burdens in the form of retirement contributions onto our member cities and towns; and

Be it further resolved, the Regional School Unit 12 School Board calls upon legislators to restore the state percent of the total cost of K-12 public education calculation to its pre-2011 form.

By a 11-1-1 vote of the Regional School Unit 12 School Board on this day, April 25, 2013.

S/Hilary Holm
Chair, Sheepsct Valley Regional School Unit #12 School Board

READ and REFERRED to the Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS.
Sent down for concurrence.

The Following Communication:  S.C. 316

STATE OF MAINE
ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE
HOUSE OF REPRESENTATIVES
SPEAKER’S OFFICE

May 8, 2013

Honorable Darek M. Grant
Secretary of the Senate
3 State House Station
Augusta, ME 04333-0003

Dear Secretary Grant:

Pursuant to my authority under Title 22, Chapter 1058, §3883 of the Maine Revised Statutes, I have appointed Representative Drew Gattine of Westbrook to the board of Maine Children’s Trust Incorporated.

If you have any questions regarding this appointment, please do not hesitate to contact me.

Sincerely,

S/Mark W. Eves
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication:  S.C. 335

STATE OF MAINE
126TH LEGISLATURE
OFFICE OF THE PRESIDENT

May 13, 2013

Darek M. Grant
Secretary of the Senate
3 State House Station
Augusta, Maine 04333

Dear Secretary Grant,

Please be advised that Senator John J. Cleveland of Androscoggin County will serve as President Pro Tem during the Franco-American Day ceremony on Tuesday, May 14, 2013.

Sincerely,

S/Justin L. Alfond
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication:  S.C. 317

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

May 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. 139  An Act To Amend the Laws Governing the Sale of Firearms Carried by Maine State Police
L.D. 238  An Act To Designate the Jail in Franklin County as a Jail Rather than a Holding Facility
L.D. 708  An Act To Reduce Emergency Rescue Costs

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. 318

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

May 8, 2013

Honorable Justin L. Alfond, Senate President
Honorable Mark W. Eves, Speaker of the House
126th Maine State Legislature
State House
Augusta, Maine 04330
Dear President Alfond and Speaker Eves:

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

L.D. 152  An Act To Authorize the Commissioner of Agriculture, Conservation and Forestry To Nominate Certain Rangers in the Division of Forestry To Become Conservation Law Enforcement Officers

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. 325

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

May 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. 56  An Act To Ensure Equity in School Costs Borne by Municipalities within Consolidated School Units
L.D. 195  An Act To Fund Education by Providing Equal State Funding for Each Student
L.D. 1003  Resolve, To Establish the Commission To Study Accessibility and Affordability of Higher Education (EMERGENCY)
L.D. 1241  An Act To Protect School Athletes from Head Injuries
L.D. 1301  An Act To Create the Maine Education Investment Board
L.D. 868  An Act To Expand Funding for Early Childhood Education
L.D. 1261  An Act To Improve Access for Maine Students to Postsecondary Education
L.D. 1332  An Act To Increase the College Graduation Rate in Maine

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

Sincerely,

S/Sen. Rebecca J. Millett
Senate Chair
S/Rep. W. Bruce MacDonald
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication:  S.C. 326

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

May 13, 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. 868  An Act To Expand Funding for Early Childhood Education
L.D. 1261  An Act To Improve Access for Maine Students to Postsecondary Education
L.D. 1332  An Act To Increase the College Graduation Rate in Maine

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

Sincerely,

S/Sen. Rebecca J. Millett
Senate Chair
S/Rep. W. Bruce MacDonald
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.
S. C. 327

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

May 9, 2013

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

Dear President Alfond and Speaker Eves:

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

L.D. 797  An Act To Strengthen Basic Telephone Service

L.D. 1115  Resolve, Directing the Public Utilities Commission To Convene a Stakeholder Group To Study Reimbursement for Installation of Utility Poles

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

Sincerely,

S/Sen. John J. Cleveland
Senate Chair

S/Rep. Barry J. Hobbins
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

S. C. 328

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

May 13, 2013

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

Dear President Alfond and Speaker Eves:

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

L.D. 1336  An Act To Dissolve the Lisbon Water Department

L.D. 1456  An Act To Promote Local or Community-based Generation Projects

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

Sincerely,

S/Sen. John J. Cleveland
Senate Chair

S/Rep. Barry J. Hobbins
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

S. C. 319

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

May 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 Environment and Natural Resources has voted unanimously to report the following bills out "Ought Not to Pass":

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

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

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

S/Sen. James A. Boyle
Senate Chair

House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication:  S.C. 320

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

May 9, 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 bills out “Ought Not to Pass”:

L.D. 124  An Act To Amend the Bottle Redemption Laws
L.D. 432  An Act To Amend the Gifting of Land Exemption under the Subdivision Laws
L.D. 1028 Resolve, Authorizing a Visual Impact Assessment of Roxbury Pond and Webb Lake

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

Sincerely,

S/Sen. James A. Boyle
Senate Chair

House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication:  S.C. 321

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

May 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 Health and Human Services has voted unanimously to report the following bills out “Ought Not to Pass”:

L.D. 755  An Act To Require Estimates of Patient Costs Prior to Treatment
L.D. 846  An Act To Improve and Modernize the Authority of Local Health Officers
L.D. 1029 Resolve, Directing the Department of Health and Human Services To Amend Its Rules Pertaining to a Request for Mental Health Records
L.D. 1294 An Act To Increase the Penalty for Smoking in a Motor Vehicle When a Child Is Present
L.D. 1407 An Act To Increase Access to Postsecondary Education for Maine’s Children (EMERGENCY)

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

Sincerely,

S/Sen. Margaret M. Craven
Senate Chair

House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication:  S.C. 320

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

May 8, 2013

S/Sen. James A. Boyle
Senate Chair

House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication:  S.C. 320
Honorable Justin L. Alfond, President of the Senate
Honorable Mark W. Eves, Speaker of the House
126th Legislature
State House
Augusta, Maine 04333

Dear President Alfond and Speaker Eves:

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

L.D. 268 An Act To Improve Snowmobiling in the State
L.D. 1398 An Act To Facilitate a Pilot Program for Sunday Hunting for Residents Only

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

Sincerely,

S/Sen. David E. Dutremble
Senate Chair
S/Rep. Michael A. Shaw
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 322

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

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

L.D. 688 An Act Concerning Adverse Possession
L.D. 974 An Act To Prevent Fraudulent Trademark Registration
L.D. 1253 An Act To Allow Tribal Members a Choice of Venue

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

Sincerely,

S/Sen. Linda M. Valentino
Senate Chair
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.
The Following Communication:  S.C. 323

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

May 3, 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. 1380 Resolve, To Establish a Consistent Workers’ Compensation Classification for Pharmacies

L.D. 1381 An Act To Promote Rural Job Creation and Workforce Development

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. 331

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

May 9, 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. 992 An Act To Create a State-sponsored 401(k) Retirement Plan for Participation by Private Employers

L.D. 1196 An Act To Amend the Postgraduate Education Requirements for Physicians Who Have Completed an Accredited Residency Program in Oral and Maxillofacial Surgery

L.D. 1199 An Act Regarding Mobile Home Ownership

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. 332

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

May 9, 2013

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

Dear President Alfond and Speaker Eves:

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

L.D. 731 An Act To Increase the Number of Elver Harvesting Licenses and Preserve the Fishery through Conservation

L.D. 899 An Act Providing for a Noncommercial, Nondomiciled Resident Lobster and Crab Fishing License
L.D. 1171  Resolve, To Allow Certain Holders of Lobster and Crab Fishing Licenses To Harvest River Herring for Personal Use as Bait

L.D. 1224  An Act Regarding Advertising of Maine Shellfish

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

House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

---------------------------------------------

The Following Communication:  S.C. 324

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

May 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 Taxation has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 624  An Act To Encourage Local Business Involvement in Local Schools

L.D. 1110  An Act To Simplify the Tax Code

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. 333

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

May 9, 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. 362  An Act To Prohibit Use of Public Funds for a Private Transportation Study

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

L.D. 1209  An Act To Prohibit the Use of Public Resources for a Privately Owned East-west Highway

L.D. 1269  An Act To Require an Independent Analysis of the Impact of and a Review Process for an East-west Highway prior to Development

L.D. 1304  Resolve, Establishing the East-west Highway Study Commission To Oversee Further Study or Planning for an East-west Highway

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. 334

STATE OF MAINE
ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE
COMMITTEE ON VETERANS AND LEGAL AFFAIRS
May 13, 2013

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

Dear President Alfond and Speaker Eves:

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

L.D. 1088  An Act To Provide Another Funding Source To Better Maintain Veterans' Cemeteries
L.D. 1104  An Act Relating to Sales of Lottery Tickets by Convenience Stores

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

Sincerely,

S/Sen. John L. Tuttle
Senate Chair
S/Rep. Louis J. Luchini
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication:

H.C. 155
STATE OF MAINE
CLERK'S OFFICE
2 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0002

May 9, 2013

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

Dear Secretary Grant:

The House voted today to insist on its previous action whereby it accepted the Majority Ought Not to Pass Report of the Committee on Veterans and Legal Affairs on Bill "An Act To Reimburse Philip Wolley for Litigation Expenses Incurred in Connection with His Termination and Reinstatement as a State Employee" (H.P. 451) (L.D. 659)

Sincerely,

S/Millicent M. MacFarland
Clerk of the House

READ and ORDERED PLACED ON FILE.

SENATE PAPERS

Bill "An Act To Maintain Access to Safe Medical Marijuana" (EMERGENCY)
S.P. 578  L.D. 1531

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

On motion by Senator JACKSON of Aroostook, REFERRED to the Committee on AGRICULTURE, CONSERVATION AND FORESTRY and ordered printed.

Sent down for concurrence.

Bill "An Act To Amend the Maine Online Learning Program"
S.P. 580  L.D. 1533

Presented by President ALFOND of Cumberland.

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 Allow a Motor Vehicle Excise Tax Credit for a Vehicle No Longer in Use"
S.P. 581  L.D. 1534


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

Sent down for concurrence.

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

House

Divided Report

The Majority of the Committee on CRIMINAL JUSTICE AND PUBLIC SAFETY on Bill "An Act To Require That Carbon Monoxide Detectors Be Installed inside Educational Facilities"

H.P. 412 L.D. 593

Reported that the same Ought Not to Pass.

Signed:

Senators:
DUTREMBLE of York
PLUMMER of Cumberland

Representatives:
DION of Portland
CASAVANT of Biddeford
LONG of Sherman
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" (H-145).

Signed:

Senator:
GERZOFSKY of Cumberland

Representatives:
KAENRATH of South Portland
LAJOIE of Lewiston
WILSON of Augusta

Comes from the House with the Majority OUGHT TO PASS AS AMENDED Report READ and ACCEPTED and the Resolve PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-144).

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-144).

Signed:

Senators:
BOYLE of Cumberland
GRATWICK of Penobscot

Representatives:
WELSH of Rockport
AYOTTE of Caswell
CAMPBELL of Orrington
CHIPMAN of Portland
COOPER of Yarmouth
GRANT of Gardiner
HARLOW of Portland
McGOWAN of York
REED of Carmel

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

Signed:

Senator:
SAVIELLO of Franklin

Representative:
LONG of Sherman

Comes from the House with the Majority OUGHT TO PASS AS AMENDED Report READ and ACCEPTED and the Resolve PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-144).

Reported that the same Ought Not to Pass.

Signed:

Senator:
GOODALL of Sagadahoc

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

On motion by Senator GOODALL of Sagadahoc, TABLED until Later in Today’s Session, pending ACCEPTANCE OF EITHER REPORT.

The Majority of the Committee on ENVIRONMENT AND NATURAL RESOURCES on Resolve, Directing the Department of Environmental Protection To Develop Quantitative Odor Management Standards

H.P. 116 L.D. 141

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-136).
Signed:

Senators:
  DUTREMBLE of York
  BURNS of Washington
  HASKELL of Cumberland

Representatives:
  SHAW of Standish
  BRIGGS of Mexico
  CRAFTS of Lisbon
  DAVIS of Sangerville
  ESPLING of New Gloucester
  EVANGELOS of Friendship
  KUSIAK of Fairfield
  MARKS of Pittston
  WOOD of Sabattus

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

Signed:

Representative:
  SHORT of Pittsfield

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ and ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT “A” (H-136)**.

Reports **READ**.

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

**READ ONCE**.

Committee Amendment "A" (H-136) **READ and ADOPTED**, in concurrence.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY**.

**Divided Report**

The Majority of the Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act Regarding the Regulation of Consumer Finance Companies" **H.P. 421 L.D. 602**

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

Signed:

Senators:
  GRATWICK of Penobscot
  WOODBURY of Cumberland

Representatives:
  TREAT of Hallowell
  BEAUDOIN of Biddeford
  COOPER of Yarmouth
  DOAK of Columbia Falls
  FITZPATRICK of Houlton
  MORRISON of South Portland
  PRINGLE of Windham
  WALLACE of Dexter

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment “A” (H-139)**.

Signed:

Senator:
  WHITTEMORE of Somerset

Representatives:
  BECK of Waterville
  McCLELLAN of Raymond

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

Reports **READ**.

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

**Divided Report**

The Majority of the Committee on **JUDICIARY** on Bill "An Act To Include a Representative of the Aroostook Band of Micmacs in the House of Representatives" **H.P. 40 L.D. 45**

Reported that the same **Ought to Pass as Amended by Committee Amendment “A” (H-141)**.

Signed:

Senators:
  BURNS of Washington
  TUTTLE of York

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

S-652
The Minority of the same Committee on the same subject reported that the same **Ought Not To Pass**.

Signed:

Senator: **VALENTINO of York**

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

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A"** (H-141).

Reports **READ**.

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

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

_________________________________
**Divided Report**

The Majority of the Committee on **JUDICIARY** on Bill "An Act Regarding Comparative Negligence"  
**H.P. 308  L.D. 458**

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

Signed:

Senators:  
**VALENTINO of York**  
**BURNS of Washington**  
**TUTTLE of York**

Representatives:  
**PRIEST of Brunswick**  
**BEAULIEU of Auburn**  
**CROCKETT of Bethel**  
**DeCHANT of Bath**  
**GUERIN of Glenburn**  
**MONAGHAN-DERRIG of Cape Elizabeth**  
**MORIA RTY of Cumberland**  
**PEAVEY HASKELL of Milford**  
**VILLA of Harrison**

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A"** (H-147).

Signed:

Representative:  
**MOONEN of Portland**

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

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

Reports **READ**.


_________________________________
**Divided Report**

The Majority of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Create a License for Metal Dealers"  
**H.P. 560  L.D. 809**

Reported that the same **Ought to Pass as Amended by Committee Amendment "A"** (H-147).

Signed:

Senators:  
**PATRICK of Oxford**  
**CLEVELAND of Androscoggin**  
**CUSHING of Penobscot**

Representatives:  
**HERBIG of Belfast**  
**CAMPBELL of Newfield**  
**GILBERT of Jay**  
**HAMANN of South Portland**  
**LOCKMAN of Amherst**  
**MASON of Topsham**  
**MASTRACCIO of Sanford**  
**VOLK of Scarborough**  
**WINCHENBACH of Waldoboro**

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

Signed:

Representative:  
**DUPREY of Hampden**

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A"** (H-147).

Reports **READ**.


S-653
READ ONCE.

Committee Amendment "A" (H-147) READ and ADOPTED, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on STATE AND LOCAL GOVERNMENT on Bill "An Act To Streamline the Publication of Municipal Reports"

H.P. 43  L.D. 48

Reported that the same Ought Not to Pass.

Signed:

Senators:
  LACHOWICZ of Kennebec
  COLLINS of York

Representatives:
  GRAHAM of North Yarmouth
  BOLAND of Sanford
  COTTA of China
  HAYES of Buckfield
  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 To Pass as Amended by Committee Amendment "A" (H-146).

Signed:

Representative:
  CHENETTE of Saco

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

Reports READ.

On motion by Senator LACHOWICZ of Kennebec, the Majority OUGHT NOT TO PASS Report ACCEPTED, in concurrence.

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Senator CLEVELAND for the Committee on ENERGY, UTILITIES AND TECHNOLOGY on Bill "An Act To Streamline the Publication of Municipal Reports"

S.P. 579  L.D. 1532

Reported that the same be REFERRED to the Committee on ENERGY, UTILITIES AND TECHNOLOGY, pursuant to Joint Order, S.P. 533.

Report READ and ACCEPTED.

REFERRED to the Committee on ENERGY, UTILITIES AND TECHNOLOGY.

Sent down for concurrence.

Ought to Pass As Amended

Senator GERZOF SKY for the Committee on CRIMINAL JUSTICE AND PUBLIC SAFETY on Bill "An Act To Update the Maine Emergency Management Laws"

S.P. 121  L.D. 326

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

Report READ and ACCEPTED.

READ ONCE.

Committee Amendment "A" (S-73) 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 Further Reduce Student Hunger"

S.P. 472  L.D. 1353

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

Report READ and ACCEPTED.

READ ONCE.

Committee Amendment "A" (S-70) READ and ADOPTED.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator CLEVELAND for the Committee on ENERGY, UTILITIES AND TECHNOLOGY on Bill "An Act To Amend the Charter of the Ashland Water and Sewer District"

S.P. 351  L.D. 1026

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

Report READ and ACCEPTED.
READ ONCE.

Committee Amendment "A" (S-69) READ and ADOPTED.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator GRATWICK for the Committee on INSURANCE AND FINANCIAL SERVICES on Bill "An Act To Amend the Workers' Compensation Self-insurance Laws"
S.P. 255 L.D. 706

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-74).
Report READ and ACCEPTED.

READ ONCE.

Committee Amendment "A" (S-74) 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 Improve Workers' Compensation Coverage for All Injured Workers"
S.P. 176 L.D. 444

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-75).
Report READ and ACCEPTED.

READ ONCE.

Committee Amendment "A" (S-75) READ and ADOPTED.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator GOODALL for the Joint Select Committee on MAINE'S WORKFORCE AND ECONOMIC FUTURE on Bill "An Act To Strengthen Maine's Workforce and Economic Future"
S.P. 41 L.D. 90

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-71).
Report READ.

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

Senator HASKELL for the Committee on TAXATION on 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

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-72).
Report READ and ACCEPTED.

READ ONCE.

Committee Amendment "A" (S-72) READ and ADOPTED.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator MAZUREK for the Committee on TRANSPORTATION on Resolve, To Repeal the Requirement That the Department of Transportation Facilitate a Feasibility Study of an East-west Highway and Provide for Public Access to Certain Documents
S.P. 330 L.D. 985

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-78).
Report READ and ACCEPTED.

READ ONCE.

Committee Amendment "A" (S-78) READ and ADOPTED.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Majority of the Committee on CRIMINAL JUSTICE AND PUBLIC SAFETY on Bill "An Act Regarding the Sale of Firearms at Gun Shows"
S.P. 100 L.D. 267

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-79).
Signed:

Senators:
GERZOFSKY of Cumberland
DUTREMBLE of York
Representatives:  
DION of Portland  
CASAVANT of Biddeford  
KAENRATH of South Portland  
LAJOIE of Lewiston  
PLANTE of Berwick  

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

Signed:  

Senator:  
PLUMMER of Cumberland  

Reports **READ**.  

Senator GERZOFSKY of Cumberland moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

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

______________________________

**Divided Report**

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Make Parents More Aware of Eating Disorders"  
S.P. 498 L.D. 1394  

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

Signed:  

Senator:  
JOHNSON of Lincoln  

Representatives:  
MacDONALD of Boothbay  
DAUGHTRY of Brunswick  
HUBBELL of Bar Harbor  
JOHNSON of Greenville  
KORNFIELD of Bangor  
MAKER of Calais  
McCLELLAN of Raymond  
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-66).**  

Signed:  

Senator:  
MILLETT of Cumberland  

(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. Members of the Senate, this is my bill. I will not oppose the pending motion, but I do appreciate the good Senator from Cumberland, Senator Millett, allowing me to speak on this issue. This is an issue, to me, that doesn't only hit close to home, it hits inside my home. When my daughter was growing up, when she was 13, she battled with an eating disorder. I remember everyday how sick she was and how dangerously thin she became. At one point she went 100 pounds to down to 72 pounds in the matter of a month. As a father, I can still feel the worry that I felt during all the trips to the hospital and back. We waited to get my daughter into Mercy Hospital and we were waiting for two weeks. Back then they didn't take anybody under 14. I didn't know that ahead of time. I had my daughter there. She was literally dying in front of me. It was one of those moments in life where you can't believe it is actually happening to you. I knew then that if I had taken her back home, I'm an emergency medical technician, that she would have probably ended up in the ER. They would have given her an IV and it would have sent her into electrolyte shock and she would have lost her life. Through the grace of God, her pediatrician finally got her into Barbara Bush and it saved her life. This bill directed the Department of Education to seek assistance with the Department of Health and Human Services, school boards, school superintendents, the National Eating Disorder Association, the National Association of School Nurses, and the Maine Academy of Pediatrics to develop and implement policies for providing parents with educational information regarding eating disorders. A school board must annually provide parents of kindergarten to grade 8 students with educational information regarding eating disorders. This bill was modeled after legislation recently passed in Virginia, where it was passed by a Republican House and a Democratic Senate and it was also signed by a Republican Governor. Raising awareness about eating disorders is not a partisan issue. It is a very basic thing that we can do to assure that our children lead a happy and healthy life and productive lives. In the United States today 20 million women and 10 million men suffer from clinically significant eating disorders at some time in their life, including anorexia nervosa, bulimia nervosa, binge eating disorder, and eating disorder not otherwise specified. This means that there are lots of people out there who understand what we are going through and are eager to help. Once again, I would thank the good Senator for allowing me the opportunity to speak to this issue. I've been working on it for the last decade and will continue in the years ahead. 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 INSURANCE AND FINANCIAL SERVICES on Bill "An Act To Promote Wellness and Prevention through Health Plans" S.P. 336 L.D. 991

Reported that the same Ought Not to Pass.

Signed:

Senators:
WHITTEMORE of Somerset
WOODBURY of Cumberland

Representatives:
TREAT of Hallowell
BEAUDOIN of Biddeford
BECK of Waterville
COOPER of Yarmouth
DOAK of Columbia Falls
FITZPATRICK of Houlton
McCLELLAN of Raymond
MORRISON of South Portland
PRINGLE of Windham
WALLACE of Dexter

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

Signed:

Senator:
GRATWICK of Penobscot

Reports READ.

On motion by Senator GRATWICK of Penobscot, the Majority OUGHT NOT TO PASS Report ACCEPTED.

Sent down for concurrence.

_________________________________
Divided Report

The Majority of the Committee on STATE AND LOCAL GOVERNMENT on Bill "An Act To Ensure the Effectiveness of Constitutional Officers" S.P. 325 L.D. 947

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-67).

Signed:

Senators:
LACHOWICZ of Kennebec
GERZOFSKY of Cumberland

Representatives:
GRAHAM of North Yarmouth
BOLDUC of Auburn
CHENETTE of Saco
PEASE of Morrill

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

Signed:

Representatives:
BOLAND of Sanford
COTTA of China
HAYES of Buckfield
NADEAU of Winslow
NADEAU of Fort Kent

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 STATE AND LOCAL GOVERNMENT on Bill "An Act To Ensure Accountability in State Contracts" S.P. 406 L.D. 1169

Reported that the same Ought Not to Pass.

Signed:

Senator:
COLLINS of York

Representatives:
BOLAND of Sanford
BOLDUC of Auburn
COTTA of China
HAYES of Buckfield
MacDONALD of Old Orchard Beach
NADEAU of Fort Kent
PEASE of Morrill

The Minority of the same Committee on the same subject reported that the same Ought To Pass as Amended by Committee Amendment "A" (S-67).

Signed:
Divided Report

Seven members of the Committee on LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT on Bill "An Act To Improve Insurance Coverage for Volunteer First Responders" S.P. 71 L.D. 235

Reported in Report "A" that the same Ought to Pass as Amended by Committee Amendment "A" (S-76).

Signed:

Senator: PATRICK of Oxford

Representatives: HERBIG of Belfast
CAMPBELL of Newfield
GILBERT of Jay
HAMANN of South Portland
MASTRACCIIO of Sanford

Five members of the same Committee on the same subject reported in Report "B" that the same Ought to Pass as Amended by Committee Amendment "B" (S-77).

Signed:

Senator: CUSHING of Penobscot

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

One member of the same Committee on the same subject reported in Report "C" that the same Ought Not to Pass.

Signed:

Senator: CLEVELAND of Androscoggin

Reports READ.

SECOND READERS

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

House

Bill "An Act To Eliminate Institute Councils for Mental Health Institutions" H.P. 214 L.D. 305

Bill "An Act To Allow Nonprofit Organizations To Operate Snowmobiles as Trail-grooming Equipment" H.P. 239 L.D. 334

Bill "An Act To Clarify When a Manufactured Home Becomes Residential Real Property" H.P. 605 L.D. 854

Bill "An Act To Clarify an Exemption to the Municipal Subdivision Laws" H.P. 680 L.D. 966

Bill "An Act To Ensure Compliance with the Laws Governing Elections" H.P. 854 L.D. 1210

Bill "An Act To Require the Secretary of State To Suspend a Person's License in Certain Instances Regardless of whether an Accident Report Has Been Filed" H.P. 923 L.D. 1296

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

House As Amended

Bill "An Act Regarding Consent for Adoption"
H.P. 122  L.D. 147
(C "A" H-124)

Bill "An Act To Enhance Transparency in Government by Implementing a Waiting Period for Legislators before They May Register as Lobbyists"
H.P. 144  L.D. 184
(C "A" H-115)

Bill "An Act To Repeal the Provision of Law That Requires the Trade Name or Brand of Malt Liquor To Be Displayed in Full Sight of a Customer on a Faucet, Spigot or Dispensing Apparatus"
H.P. 238  L.D. 333
(C "A" H-120)

Bill "An Act To Appropriate Sufficient Funds for Indigent Legal Services" (EMERGENCY)
H.P. 271  L.D. 396
(C "A" H-123)

Bill "An Act To Implement the Recommendations of the Task Force on Franco-Americans"
H.P. 294  L.D. 422
(C "A" H-116)

Bill "An Act To Establish Maine Seniors Day"
H.P. 379  L.D. 560
(C "A" H-132)

Bill "An Act To Amend the Laws Governing Service of Process in Eviction Actions"
H.P. 400  L.D. 581
(C "A" H-140)

Bill "An Act To Strengthen the Law Regarding Texting and Driving"
H.P. 408  L.D. 589
(C "A" H-112)

Bill "An Act To Help Small Businesses and Promote Tourism by Allowing the Construction of a Platform, Walkway or Deck over a River or Marshland"
H.P. 415  L.D. 596
(C "A" H-137)

Bill "An Act To Allow a Minor in the Police Explorer Program To Assist with Traffic Control at Civic Events"
H.P. 424  L.D. 605
(C "A" H-130)

Bill "An Act To Amend the Charter of the Veazie Sewer District To Expand Its Boundaries" (EMERGENCY)
H.P. 467  L.D. 675
(C "A" H-138)

Bill "An Act To Create Fairness in Political Party Enrollment Deadlines"
H.P. 520  L.D. 769
(C "A" H-118)

Bill "An Act To Amend the Laws Concerning Metal Dealers"
H.P. 559  L.D. 808
(C "A" H-128)

Bill "An Act To Expand the Sales Tax Exemption for Certain Public Libraries To Include Sales by Those Libraries or Their Supporting Organizations"
H.P. 639  L.D. 915
(C "A" H-119)

Bill "An Act To Promote Fishing by Youth"
H.P. 656  L.D. 932
(C "A" H-117)

Resolve, Extending the Time That the Commissioner of Administrative and Financial Services Has To Sell or Lease Property in Augusta (EMERGENCY)
H.P. 667  L.D. 954
(C "A" H-135)

Bill "An Act To Protect Employees from Abusive Work Environments"
H.P. 845  L.D. 1201
(C "A" H-129)

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

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Senate

Bill "An Act To Improve the Unused Pharmaceutical Disposal Program"
S.P. 306  L.D. 881

READ A SECOND TIME and PASSED TO BE ENGROSSED.

Sent down for concurrence.

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Senate As Amended

Resolve, Directing the Board of Dental Examiners To Amend Its Rules To Improve Access to Oral Health Care in Maine
S.P. 85  L.D. 249
(C "A" S-65)

Bill "An Act To Streamline the General Permit Process for Tidal Power"
S.P. 169  L.D. 437
(C "A" S-62)

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.

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Senate at Ease.

Senate called to order by the President.

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ORDERS OF THE DAY

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

HOUSE REPORTS - from the Committee on CRIMINAL JUSTICE AND PUBLIC SAFETY on Bill "An Act To Require That Carbon Monoxide Detectors Be Installed inside Educational Facilities"

H.P. 412 L.D. 593

Majority - Ought Not to Pass (9 members)

Minority - Ought To Pass as Amended by Committee Amendment "A" (H-145) (4 members)

Tabled - May 14, 2013, by Senator GOODALL of Sagadahoc

Pending - ACCEPTANCE OF EITHER REPORT

(In House, May 9, 2013, the Majority OUGHT NOT TO PASS Report READ and ACCEPTED.)

(In Senate, May 14, 2013, Reports READ.)

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

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

JOINT ORDER - Recognizing Lt. Col. Terry Moore (Ret. USAF) of Bangor SLS 161

Tabled - April 3, 2013, by Senator JACKSON of Aroostook

Pending - motion by Senator VALENTINO of York to PASS

(In Senate, April 3, 2013, on motion by Senator VALENTINO of York, READ.)

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

Senator VALENTINO: Thank you Mr. President. Men and women of the Senate, it's with great honor I rise today to recognize the City of Ellsworth as it prepares for 250 years of incorporation this summer. Sestercentennial is the word, indeed, that is used for 250 years, in case you had never heard of that before. According to the "History of Ellsworth" penned by Albert Davis in 1928 the rich history of Ellsworth began with the Native Americans who came to hunt and fish. In the 1760's the white settlers arrived, chasing dreams of wealth. They came and settled the quiet river town. They built ships and found the cargo to ship. Many lumber mills and wharfs, as many as 18, sprang up on the banks of the Union River. In the 1800's, while the gold rush was attracting pioneers to the West, the salt water frontier attracted a different pioneer. People migrated to Hancock County because land and fishing were plentiful and three kinds of people chose to settle the salt water frontier; the mariner, the fisherman, and the woodsman. Ellsworth saw its greatest activity between 1820 and 1880. Ellsworth early became and remained the lumber capital of

 Sending down for concurrence.

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The Chair laid before the Senate the following Tabled and Later Assigned (4/25/13) matter:

JOINT ORDER - Recognizing the City of Ellsworth Sestercentennial in July 2013 SLS 262

Tabled - April 25, 2013, by Senator LANGLEY of Hancock

Pending - motion by same Senator to PASS

(In Senate, April 25, 2013, on motion by Senator LANGLEY of Hancock, READ.)

THE PRESIDENT: The Chair recognizes the Senator from Hancock, Senator Langley.

Senator LANGLEY: Thank you Mr. President. Men and women of the Senate, it's with great honor I rise today to recognize the City of Ellsworth as it prepares for 250 years of incorporation this summer. Sestercentennial is the word, indeed, that is used for 250 years, in case you had never heard of that before. According to the "History of Ellsworth" penned by Albert Davis in 1928 the rich history of Ellsworth began with the Native Americans who came to hunt and fish. In the 1760's the white settlers arrived, chasing dreams of wealth. They came and settled the quiet river town. They built ships and found the cargo to ship. Many lumber mills and wharfs, as many as 18, sprang up on the banks of the Union River. In the 1800's, while the gold rush was attracting pioneers to the West, the salt water frontier attracted a different pioneer. People migrated to Hancock County because land and fishing were plentiful and three kinds of people chose to settle the salt water frontier; the mariner, the fisherman, and the woodsman. Ellsworth saw its greatest activity between 1820 and 1880. Ellsworth early became and remained the lumber capital of
LEGISLATIVE RECORD - SENATE, TUESDAY, MAY 14, 2013

Eastern Maine. It lay on both sides of the Union River, which was navigable but for good sized schooners. At one time Ellsworth ranked as the second largest lumber shipping port in the world. Downeast still like to think of themselves as having the characteristics of the early Americans. They consider themselves as independent and rugged individuals without excessive regard to wealth, position, or learning. According to Albert Davis, “A celebrity can be freer from attention in Downeast Maine than just about anywhere else in the country and Downeasters take the facts as they add up to be, not as someone else says they ought to be and this independence carries with it a polite dignity.” I would say this still holds true today. Today Ellsworth is the county seat of Hancock County. The 2010 census determined it had a population of 7,741 and Ellsworth was Maine’s fastest growing city from 2000 to 2010 with a growth rate of nearly 20%. Under the capable leadership of the City Manager and strong council, this city is poised to become a model city in the 21st Century with a mixed use downtown, planned green spaces, a conscience effort to make the city pedestrian friendly, and a business friendly climate. Please join me in recognizing Ellsworth’s Sestercentennial and its 250 Committee. Thank you for your time and attention.

On motion by Senator LANGLEY of Hancock, the Joint Order was PASSED.

Sent down for concurrence.

THE PRESIDENT: The Chair is pleased to recognize in the rear of the chamber from the Ellsworth 250 Committee; Thelma Beal, Gary Fortier, Alan Fitch, Terry Carlisle, and Fred Erlenbach. They are here as the guests of the Senator from Hancock, Senator Langley. Will they please rise and accept the warm greetings of the Maine State Senate.

The Chair laid before the Senate the following Tabled and Later Assigned (5/9/13) matter:

HOUSE REPORT - from the Committee on MARINE RESOURCES, pursuant to Joint Rule 204, on Bill “An Act To Require the Development of a Statewide Approach to Seaweed Management”

H.P. 404 L.D. 585

Report - Ought to Pass as Amended by Committee Amendment "A" (H-126)

Tabled - May 9, 2013, by Senator JACKSON of Aroostook Pending - ACCEPTANCE OF REPORT, in concurrence

(In House, May 8, 2013, Report READ and ACCEPTED and Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-126).)

(In Senate, May 9, 2013, Report READ.)

Report ACCEPTED, in concurrence.

READ ONCE.

Committee Amendment "A" (H-126) READ and ADOPTED, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Chair laid before the Senate the following Tabled and Later Assigned (5/9/13) matter:

Resolve, To Provide for Livable, Affordable Neighborhoods H.P. 1101 L.D. 1528

Tabled - May 9, 2013, by Senator BOYLE of Cumberland Pending - REFERENCE

(In House, May 9, 2013, REFERRED to the Committee on ENVIRONMENT AND NATURAL RESOURCES and ordered printed.)

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

Senate at Ease.

Senate called to order by the President.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Promote the Delivery of Natural Gas to Central Maine"

H.P. 1105 L.D. 1537

Comes 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.

Resolve, To Establish a Task Force on Poverty and Personal Responsibility

H.P. 1106 L.D. 1538

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

Bill "An Act To Provide Maine's Businesses Tax Relief for Destroyed or Stolen Products"
H.P. 1102  L.D. 1535

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

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

Pursuant to Statute
Revisor of Statutes

The Revisor of Statutes, pursuant to the Maine Revised Statutes, Title 1, section 94 asked leave to report that the accompanying Bill "An Act To Correct Errors and Inconsistencies in the Laws of Maine"
H.P. 1103  L.D. 1536

Be REFERRED to the Committee on JUDICIARY and ordered printed pursuant to Joint Rule 218.

Comes from the House with the Report READ and ACCEPTED and the Bill REFERRED to the Committee on JUDICIARY and ordered printed pursuant to Joint Rule 218.

Report READ and ACCEPTED, in concurrence.

On motion by Senator VALENTINO of York, REFERRED to the Committee on JUDICIARY and ordered printed pursuant to Joint Rule 218, in concurrence.

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

Senator PATRICK of Oxford was granted unanimous consent to address the Senate off the Record.

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

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

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

Off Record Remarks

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

On motion by Senator GOODALL of Sagadahoc, ADJOURNED to Wednesday, May 15, 2013, at 10:00 in the morning.