

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

In Senate Chamber
Thursday
February 21, 2013

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

Prayer by Pastor David Pouchot, Crossroads Community Baptist Church in Lincolnville.

PASTOR POUCHOT: Let us pray together. Our Father who art in heaven, we are thankful for Your presence here with us today. How excellent is Your name in all the earth. We are thankful for the wisdom that You give to these lawmakers. We pray that wisdom which is first pure, peaceful, gentle, and willing to yield will be a hallmark of this 15th legislative day. We are thankful, Lord, that the legislation framed and formed, and ultimately passed by this Body, will be pleasing in Your sight, productive in the life of Mainers, and profitable to the State of Maine. We are thankful You have given us all things that pertain to life and godliness through Jesus Christ our Lord. We know when life's final session is over we pray that we will hear the kind, gentle, and affirming words of our Savior, "Well done, thou good and faithful servant." We pray in Jesus' name and for his sake. Amen and amen.

Pledge of Allegiance led by Senator Geoffrey M. Gratwick of Penobscot County.

Reading of the Journal of Tuesday, February 19, 2013.

Doctor of the day, Richard Swett, MD of Dover-Foxcroft.

Off Record Remarks

Out of order and under suspension of the Rules, the Chair laid before the Senate the following Tabled and Later Assigned (2/19/13) matter:

Bill "An Act To Make Supplemental Appropriations and Allocations for the Expenditures of State Government and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2013" (EMERGENCY)

S.P. 86 L.D. 250

Tabled - February 19, 2013, by Senator **GOODALL** of Sagadahoc

Pending - **ADOPTION OF COMMITTEE AMENDMENT "A" (S-1)**

(In Senate, February 19, 2013, Report **READ** and **ACCEPTED**. **READ ONCE**. Committee Amendment "A" (S-1) **READ**.)

On motion by Senator **HILL** of York, Senate Amendment "A" (S-3) to Committee Amendment "A" (S-1) **READ**.

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

Senator **HILL:** Thank you Mr. President. Ladies and gentlemen of the Senate, Senate Amendment "A" with filing number S-3 is a technical amendment to language Part J in the Appropriations and Financial Affairs Committee Report on Supplemental Budget that you now have before you. We learned the language the committee had first inserted was an inadvertent overreach of both the jurisdiction for the Committee of Appropriations and Financial Affairs as well as for the jurisdiction we were designating to the Committee of Agriculture, Conservation and Forestry. This amendment corrects that overreach and we ask, as a committee of a whole, that you support the amendment. Thank you, Mr. President.

On motion by Senator **HILL** of York, Senate Amendment "A" (S-3) to Committee Amendment "A" (S-1) **ADOPTED**.

Committee Amendment "A" (S-1) as Amended by Senate Amendment "A" (S-3) thereto, **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME**.

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-1) AS AMENDED BY SENATE AMENDMENT "A" (S-3) thereto.

Ordered sent down forthwith for concurrence.

Senate at Ease.

Senate called to order by the President.

Out of order and under suspension of the Rules, on motion by Senator **GOODALL** of Sagadahoc, the following Joint Order:
S.P. 235

Ordered, the House concurring, that when the House and Senate adjourn they do so until Tuesday, February 26, 2013, at 10:00 in the morning.

READ and **PASSED**.

Ordered sent down forthwith for concurrence.

Out of order and under suspension of the Rules, on motion by Senator **GOODALL** of Sagadahoc, the following Senate Order:
S.O. 13

Ordered, that a message be sent to the House of Representatives proposing a Convention of the two branches of the Legislature be held at 11:00 this morning in the Hall of the House for the purpose of extending to the Honorable Leigh Ingalls Saufley, Chief Justice of the Supreme Judicial Court, the Justices of the Supreme Judicial Court, and members of the Judiciary, an invitation to attend and request the Chief Justice make such communication as pleases her.

READ and PASSED.

The Chair appointed the Senator from Sagadahoc, Senator **GOODALL** to deliver the message to the House of Representatives. The Senator was escorted to the House of Representatives.

Subsequently, the Senator from Sagadahoc, Senator **GOODALL** reported that he had delivered the message with which he was charged.

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Establish a Veteran-to-farmer Training Pilot Program"

H.P. 284 L.D. 409

Committee on **VETERANS AND LEGAL AFFAIRS** suggested and ordered printed.

Comes from the House, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS.**

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

COMMUNICATIONS

The Following Communication: S.C. 74

**STATE OF MAINE
SUPREME JUDICIAL COURT**

January 14, 2013

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

The Honorable Mark W. Eves
Speaker of the House
2 State House Station
Augusta, Maine 04333-0002

Dear President Alfond and Speaker Eves:

I am pleased to accept your invitation to address a Joint Session of the 126th Maine Legislature on Thursday, February 21, 2013, at 11:00 a.m. I appreciate the courtesy of the Legislative Branch of government in inviting me to address the cause of justice in Maine.

I look forward to seeing you on February 21, 2013.

Sincerely,

S/Leigh I. Saufley
Chief Justice

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 77

**MAINE STATE LEGISLATURE
OFFICE OF THE EXECUTIVE DIRECTOR
LEGISLATIVE COUNCIL**

February 13, 2013

Honorable Justin L. Alfond
President of the Senate
126th Maine Legislature
Augusta, Maine 04333

Dear President Alfond:

I am notifying you that pursuant to 12 MRSA §683-A, I have forwarded to the Joint Standing Committee on Agriculture, Conservation and Forestry the following nominations made to the Maine Land Use Planning Commission by the County Commissioners of the counties of Aroostook and Piscataquis:

Duane R. Lander of Greenville, Piscataquis
Paul J. Underwood of Presque Isle, Aroostook

Pursuant to 12 MRSA §683-A, these appointments are subject to confirmation by the Maine Senate after review by the committee having jurisdiction over conservation matters.

Sincerely,

S/David E. Boulter
Executive Director of the Legislative Council

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 78

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

February 5, 2013

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

Dear Honorable Justin L. Alford,

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

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

On January 2, 2013 the Piscataquis County Commissioners voted to rescind Sally Farrand, the nominee approved by the commissioners September 4, 2012, to the Land Use Planning Commission.

The Piscataquis County Commissioners voted on February 5, 2013 to nominate **Duane Lander a resident of Harford's Point** (a town within jurisdiction of the commission), to the Land Use Planning Commission. The Commissioners would like to bring his name forward to the joint standing committee of the Legislature having jurisdiction over conservation matters and to the Maine Senate for confirmation.

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

Sincerely,

S/Marilyn Tourtelotte
Piscataquis County Manager

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 79

**COUNTY OF AROOSTOOK
COMMISSIONERS OFFICE
COURTHOUSE, 144 SWEDEN STREET, SUITE 1,
CARIBOU, MAINE 04736**

November 8, 2012

The Honorable Kevin L. Raye
President of the Senate
Maine Legislature
3 State House Station
Augusta, Maine 04333-0003

The Honorable Robert W. Nutting
Speaker of the House of Representatives
Maine Legislature
2 State House Station
Augusta, Maine 04333-0002

Dear President Raye and Speaker Nutting:

Pursuant to Sections 7 and 37 of Public Law 2011, Chapter 682, one (1) member of the Land Use Regulation Commission must be nominated by each of the eight (8) counties with the most acreage in the unorganized or deorganized areas subject to the jurisdiction of the commission. It is in accordance with this statute that I am writing this letter.

Please be advised that the Aroostook Board of County Commissioners met on November 7, 2012 and unanimously nominated Commissioner Paul J. Underwood of Presque Isle to this important post.

We understand that this nomination will be reviewed by the Joint Standing Committee of the Legislature having jurisdiction over conservation matters, subject to confirmation by the Maine Senate.

If additional information is required, please let me know and I will convey the message to my Board.

Thank you for your consideration.

Sincerely,

S/Douglas F. Beaulieu
County Administrator

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 75

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

February 12, 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 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 bill out "Ought Not to Pass":

L.D. 117 An Act To Change the Composition of the Board of Dental Examiners

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

Sincerely,

S/Sen. John Patrick
Senate Chair

S/Rep. Erin Herbig
House Chair

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

The Following Communication: S.C. 76

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

February 19, 2013

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

Dear President Alfond and Speaker Eves:

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

L.D. 52 An Act To Improve the Safety of School Buses

We have also notified the sponsor and cosponsors 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.**

SENATE PAPERS

Bill "An Act To Reserve Ten Percent of Campsites at State Parks for Maine Residents"

S.P. 220 L.D. 630

Presented by Senator TUTTLE of York.
Cosponsored by Senators: BOYLE of Cumberland, JACKSON of Aroostook, PATRICK of Oxford, Representatives: CRAY of Palmyra, DILL of Old Town.

Bill "An Act To Require Payment Quotes in Service Contracts for the Harvesting and Hauling of Wood"

S.P. 229 L.D. 639

Presented by Senator JACKSON of Aroostook.
Cosponsored by Senators: PATRICK of Oxford, SHERMAN of Aroostook, Representatives: BLACK of Wilton, DILL of Old Town.

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 Authorize a General Fund Bond Issue To Support Public Higher Educational Facilities"

S.P. 226 L.D. 636

Presented by Senator CAIN of Penobscot.
Cosponsored by Representative TIPPING-SPITZ of Orono and Senators: President ALFOND of Cumberland, MILLETT of Cumberland, YOUNGBLOOD of Penobscot, Representatives: CAREY of Lewiston, FREY of Bangor, McCABE of Skowhegan, NELSON of Falmouth, ROTUNDO of Lewiston.

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

Sent down for concurrence.

Bill "An Act To Remove the Mandatory Minimum Jail Sentence in Certain Cases"

S.P. 216 L.D. 626

Presented by Senator KATZ of Kennebec.
Cosponsored by Representative FREDETTE of Newport and Representative: COTTA of China.

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 Restore Eligibility and Funding for Drug Programs for the Elderly and Disabled"

S.P. 219 L.D. 629

Presented by Senator TUTTLE of York.
Cosponsored by Representative FARNSWORTH of Portland and Senators: CAIN of Penobscot, CRAVEN of Androscoggin, GOODALL of Sagadahoc, GRATWICK of Penobscot, HASKELL of Cumberland, HILL of York, JOHNSON of Lincoln, LACHOWICZ of Kennebec.

Bill "An Act To Grant the Commissioner of Health and Human Services and the Commissioner's Designees the Independent Authority To Issue Adjudicatory Subpoenas"

S.P. 223 L.D. 633

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.

Bill "An Act Regarding Permits for Final Disposition of Dead Human Bodies"

S.P. 224 L.D. 634

Presented by Senator CRAVEN of Androscoggin.
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 Relating to Orally Administered Cancer Therapy"

S.P. 217 L.D. 627

Presented by Senator CAIN of Penobscot.
Cosponsored by Representative HOBBS of Saco and Senators: President ALFOND of Cumberland, CRAVEN of Androscoggin, CUSHING of Penobscot, GRATWICK of Penobscot, Representatives: McCABE of Skowhegan, POULIOT of Augusta.

Bill "An Act To Clarify Uninsured Vehicle Coverage for Multiple Claimants"

S.P. 218 L.D. 628

Presented by Senator KATZ of Kennebec.
Cosponsored by Representative CROCKETT of Bethel.

Bill "An Act To Require That School Budget Referenda Be Held on the Same Day as Primary Elections"

S.P. 228 L.D. 638

Presented by Senator WHITTEMORE of Somerset.
Cosponsored by Representative DUNPHY of Embden and Senators: LANGLEY of Hancock, MASON of Androscoggin, SAVIELLO of Franklin, THIBODEAU of Waldo, THOMAS of Somerset, Representatives: DOAK of Columbia Falls, MORRISON of South Portland, WALLACE of Dexter.

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 Exempt Farmers from Certain Oversight in Shoreland Areas"

S.P. 231 L.D. 641

Presented by Senator SAVIELLO of Franklin.
Cosponsored by Representative BLACK of Wilton and Senator: SHERMAN of Aroostook, Representatives: CRAY of Palmyra, DILL of Old Town, HICKMAN of Winthrop, MAREAN of Hollis, TIMBERLAKE of Turner.

Bill "An Act To Exempt All-terrain Vehicle Trail Management from Storm Water Management Requirements"

S.P. 232 L.D. 642

Presented by Senator SAVIELLO of Franklin.
Cosponsored by Senators: JACKSON of Aroostook, SHERMAN of Aroostook, Representatives: BLACK of Wilton, HARVELL of Farmington, TIMBERLAKE of Turner.

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

Sent down for concurrence.

Bill "An Act To Exempt Certain Businesses from Being Considered Campgrounds" (EMERGENCY)

S.P. 215 L.D. 625

Presented by Senator MASON of Androscoggin.
Cosponsored by Representative TIMBERLAKE of Turner and Senators: HAMPER of Oxford, PATRICK of Oxford, VALENTINO of York, Representatives: CRAFTS of Lisbon, HARVELL of Farmington, McCABE of Skowhegan, SHAW of Standish.

Bill "An Act To Prohibit Consideration of Preexisting Conditions in Short-term Disability Insurance"

S.P. 227 L.D. 637

Presented by Senator TUTTLE of York.
Cosponsored by Representative BECK of Waterville and Senators: CRAVEN of Androscoggin, DUTREMBLE of York, GERZOFISKY of Cumberland, GRATWICK of Penobscot, JACKSON of Aroostook, PATRICK of Oxford, Representatives: BRIGGS of Mexico, TREAT of Hallowell.

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 Regarding Legal Representation in Certain Eviction Actions"

S.P. 230 L.D. 640

Presented by Senator WHITTEMORE of Somerset.
Cosponsored by Representative LONGSTAFF of Waterville, Representative DUNPHY of Embden and Senators: BURNS of Washington, CUSHING of Penobscot, MASON of Androscoggin, THIBODEAU of Waldo, THOMAS of Somerset, Representatives: DOAK of Columbia Falls, PRINGLE of Windham, WALLACE of Dexter.

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

Sent down for concurrence.

Bill "An Act To Improve Enforcement Mechanisms to the Elver Industry and To Make Technical Changes to Maine's Marine Resources Laws"

S.P. 222 L.D. 632

Presented by Senator JOHNSON of Lincoln.
Cosponsored by Representative KUMIEGA of Deer Isle.
Submitted by the Department of Marine Resources pursuant to Joint Rule 204.

Bill "An Act To Create a Tax Incentive Program To Improve the Maine Lobster Industry" (EMERGENCY)

S.P. 233 L.D. 643

Presented by Senator JOHNSON of Lincoln.
Cosponsored by Representative KUMIEGA of Deer Isle and Senators: President ALFOND of Cumberland, BOYLE of Cumberland, DUTREMBLE of York, GERZOFISKY of Cumberland, GOODALL of Sagadahoc, HASKELL of Cumberland, HILL of York, JACKSON of Aroostook, MAZUREK of Knox, PATRICK of Oxford, SAVIELLO of Franklin, Representatives: BLACK of Wilton, COOPER of Yarmouth, DICKERSON of Rockland, HICKMAN of Winthrop, HUBBELL of Bar Harbor, MASON of Topsham, PEOPLES of Westbrook, SAXTON of Harpswell, VILLA of Harrison.

On motion by Senator **JOHNSON** of Lincoln, **REFERRED** to the Committee on **MARINE RESOURCES** and ordered printed.

Sent down for concurrence.

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

S.P. 221 L.D. 631

Presented by Senator JACKSON of Aroostook.
Cosponsored by Senators: GERZOFISKY of Cumberland, SAVIELLO of Franklin, SHERMAN of Aroostook, THOMAS of Somerset, Representatives: BLACK of Wilton, TIMBERLAKE of Turner.

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

Sent down for concurrence.

Resolve, Authorizing the Estate of Mitchell A. Kessler To Bring Suit against the Department of Health and Human Services

S.P. 225 L.D. 635

Presented by Senator BOYLE of Cumberland.
Cosponsored by Senators: GERZOFISKY of Cumberland, MILLETT of Cumberland, Representative: CAMPBELL of Orrington.

Bill "An Act To Strengthen the State's Wholesale Liquor Business" (EMERGENCY)

S.P. 234 L.D. 644

Presented by Senator GOODALL of Sagadahoc.

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.

At this point a message was received from the House of Representatives, borne by Representative BERRY of Bowdoinham informing the Senate that the House concurred with the proposition for a Convention of the two branches of the Legislature to be held in the Hall of the House at 11:00 in the morning for the purpose of extending to the Honorable Leigh Ingalls Saufley, Chief Justice of the Supreme Judicial Court, the Justices of the Supreme Judicial Court, and members of the Judiciary, an invitation to attend and request the Chief Justice make such communication as pleases her.

ORDERS

Joint Order

An Expression of Legislative Sentiment recognizing:

Officer John Lizanecz, of York, a member of the York Police Department, who was selected to represent Maine in the International Law Enforcement Torch Run Final Leg for the 2013 Special Olympics World Winter Games. Officer Lizanecz joined 95 law enforcement officers from around the world and a total of 133 runners, on a 9-day trek throughout South Korea to raise awareness for the special athletes and games, ending with the arrival of the Flame of Hope for opening day ceremonies. Officer Lizanecz has been a police officer since 1989 and has been with the York Police Department for 17 years. He has been involved with the Law Enforcement Torch Run for Special Olympics since 1989. We extend our appreciation to him for his exemplary efforts in promoting Special Olympics and send him our best wishes;

SLS 81

Sponsored by Senator HILL of York.
Cosponsored by Representatives: McGOWAN of York, WEAVER of York.

READ.

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

Senator **HILL:** Thank you Mr. President. Ladies and gentlemen of the Senate, I wanted to share with you that on January 30th this year the World Winter Games opened in Korea. Several days before that happened one of our own, a Mainer, climbed onto a plane and flew over there. He did so to be a Maine Special Olympics volunteer. Officer John Lizanecz has been a police officer in the town of York, my town, for more than 20 years. For that same period of time he has also been a volunteer for Special Olympics here in Maine. How befitting that he was chosen to represent Maine in the International Torch Run of Law Enforcement Officers and to carry the Flame of Hope for 2,300

athletes from around the world that had come to play in the games. Given that one of the largest minorities in the United States is developmental disabilities, it is also so befitting that it was an American that was chosen to do this, and especially an American from Maine, and to carry that torch on our behalf. Officer Lizanecz, we thank you for the big heart that you obviously have and for being the face of Maine at this worldwide event.

PASSED.

Sent down for concurrence.

THE PRESIDENT: The chair would ask that Mr. Lizanecz and his family please rise and accept the greetings of the Maine State Senate.

Off Record Remarks

REPORTS OF COMMITTEES

House

Ought to Pass

The Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Resolve, Regarding Legislative Review of Portions of Chapter 252: Rules Governing Certification of Seed Potatoes in the State of Maine, a Major Substantive Rule of the Department of Agriculture, Conservation and Forestry (EMERGENCY)

H.P. 4 L.D. 2

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.

The Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Authorize the Commissioner of Inland Fisheries and Wildlife To Change a Fishing Season Opening Date Statewide" H.P. 24 L.D. 26

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.

SECOND READERS

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

Senate

Bill "An Act To Provide Support Services to Adults with Intellectual Disabilities or Autistic Disorder"
S.P. 18 L.D. 29

Bill "An Act To Provide Home and Community Services for Individuals with Intellectual Disabilities or Autism"
S.P. 19 L.D. 30

READ A SECOND TIME and PASSED TO BE ENGROSSED.

Sent down for concurrence.

ORDERS OF THE DAY

The Chair laid before the Senate the following Tabled and Later Assigned (2/14/13) matter:

Bill "An Act To Prohibit the Sale and Purchase of Human Fetal Tissue"
H.P. 313 L.D. 463

Tabled - February 14, 2013, by Senator **CRAVEN** of Androscoggin

Pending - **REFERENCE**

(In House, February 14, 2013, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.)

On motion by Senator **CRAVEN** of Androscoggin, **REFERRED** to the Committee on **JUDICIARY**, in **NON-CONCURRENCE**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (2/19/13) matter:

Bill "An Act Regarding the Law Pertaining to the Confidentiality of Enhanced 9-1-1 System Information and Records"
S.P. 188 L.D. 495

Tabled - February 19, 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 **JUDICIARY**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (2/19/13) matter:

Resolve, Directing the Commissioner of Agriculture, Conservation and Forestry To Conduct an Internal Review of the Snowmobile Trail Fund (EMERGENCY)
S.P. 195 L.D. 505

Tabled - February 19, 2013, by Senator **DUTREMBLE** of York

Pending - **REFERENCE**

(Committee on **INLAND FISHERIES AND WILDLIFE** suggested and ordered printed.)

Senator **DUTREMBLE** of York moved to **REFER** to the Committee on **INLAND FISHERIES AND WILDLIFE**.

Senate at Ease.

Senate called to order by the President.

Senator **DUTREMBLE** of York requested and received leave of the Senate to withdraw his motion to **REFER** to the Committee on **INLAND FISHERIES AND WILDLIFE**.

On motion by same Senator, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (2/19/13) matter:

Bill "An Act To Amend the Laws Governing the Discharge of a Firearm or Crossbow near a Dwelling or Building"
H.P. 359 L.D. 540

Tabled - February 19, 2013, by Senator **DUTREMBLE** of York

Pending - **REFERENCE**, in concurrence

(In House, February 19, 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.

Off Record Remarks

At this point, the Senate retired to the Hall of the House, where a Joint Convention was formed.

After Convention
In Senate Chamber
Senate called to order by the President

Off Record Remarks

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 Amend the Laws Concerning Reciprocal Disciplinary Actions in Harness Racing and Pulling Events" (EMERGENCY)
H.P. 441 L.D. 622

Comes from the House, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed.

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

Bill "An Act To Require That Carbon Monoxide Detectors Be Installed inside Educational Facilities"
H.P. 412 L.D. 593

Bill "An Act To Prohibit Possession of a Firearm by a Person Who Has Created a Police Standoff"
H.P. 413 L.D. 594

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

On motion by Senator **GERZOFSKY** of Cumberland, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** 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 Exempt School Administrative Units That Do Not Directly Serve Children with Disabilities from Certain Reporting Requirements"
H.P. 414 L.D. 595

Bill "An Act To Increase Suicide Awareness and Prevention in Maine Public Schools"
H.P. 428 L.D. 609

Bill "An Act To Protect School Administrative Units from a Sudden Decrease in Funding due to Reduced Enrollments"
H.P. 434 L.D. 615

Come from the House, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.

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

Bill "An Act To Clarify the Role of Career and Technical Education Region Adult Education Programs"
H.P. 396 L.D. 577

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

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

Bill "An Act To Award Academic Credit to Service Members for Military Education, Experience and Training"
H.P. 397 L.D. 578

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

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

Bill "An Act To Promote the Attainment of Higher Education Degrees"

H.P. 442 L.D. 623

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Amend the Expedited Permitting Area for Wind Energy Development under the Jurisdiction of the Maine Land Use Planning Commission"

H.P. 435 L.D. 616

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.

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

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

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

Resolve, To Clarify and Improve the Eligibility Process for Services for Persons with Intellectual Disabilities or Autism

H.P. 398 L.D. 579

Bill "An Act To Inform Persons of the Options for the Treatment of Lyme Disease"

H.P. 416 L.D. 597

Resolve, Directing All Relevant Agencies of State Government To Work in Concert with a Plan To End and Prevent Homelessness To Ensure That Resources Are Available To End Homelessness in the State

H.P. 417 L.D. 598

Resolve, To Amend the Rule Regarding Certain Mandatory Charity Care Policies To Be Consistent with MaineCare and the Federal Patient Protection and Affordable Care Act

H.P. 429 L.D. 610

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Review Possible Expansion of Dip Net Fishing in Northern Maine"

H.P. 418 L.D. 599

Bill "An Act To Include Archery Hunting Licenses among the Complimentary Licenses Issued to a Member of a Federally Recognized Indian Tribe, Nation or Band"

H.P. 419 L.D. 600

Bill "An Act To Protect the State's Native and Wild Brook Trout and Discourage Illegal Fish Introduction"

H.P. 436 L.D. 617

Bill "An Act To Eliminate Restrictions on Affiliated Outfitters in Laws Governing Whitewater Rafting"

H.P. 437 L.D. 618

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 Require That Certain Changes in Conservation Law Not Be Made by Rule"

H.P. 420 L.D. 601

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Prohibit Denial of Insurance Coverage When a Building Contains a Wood Stove"

H.P. 399 L.D. 580

Bill "An Act Regarding the Regulation of Consumer Finance Companies"

H.P. 421 L.D. 602

Bill "An Act To Repeal an Insurance Reporting Requirement"

H.P. 422 L.D. 603

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

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

Bill "An Act To Amend the Laws Governing Service of Process in Eviction Actions"

H.P. 400 L.D. 581

Bill "An Act To Protect Owners of Property in Foreclosure from Accumulation of Debts When Mortgagees Refuse To Complete the Foreclosure Process" (EMERGENCY)

H.P. 431 L.D. 612

Bill "An Act To Prohibit the Sharing of Personal Information by State Agencies"

H.P. 438 L.D. 619

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 Adjust Maine's Minimum Wage Annually Based on Cost-of-living Changes"

H.P. 430 L.D. 611

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

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

Bill "An Act To Allow the Exchange of Scallop Licenses"

H.P. 402 L.D. 583

Bill "An Act To Provide for Passage of River Herring on the St. Croix River in Accordance with an Adaptive Management Plan"

H.P. 403 L.D. 584

Bill "An Act To Require the Development of a Statewide Approach to Seaweed Management"

H.P. 404 L.D. 585

Bill "An Act Regarding Commercial Elver Fishing Licenses Issued by the Penobscot Nation" (EMERGENCY)

H.P. 423 L.D. 604

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

On motion by Senator **JOHNSON** of Lincoln, **REFERRED** to the Committee on **MARINE RESOURCES** 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 Enable Municipalities To Establish Business Development Loan Programs Using Municipally Raised or Appropriated Money"

H.P. 405 L.D. 586

Bill "An Act To Designate Election Day as an Official State Holiday"

H.P. 406 L.D. 587

Resolve, Directing the Bureau of General Services To Erect a Memorial in Memory of Those Who Died at the Former Augusta Mental Health Institute

H.P. 432 L.D. 613

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.

Bill "An Act To Adjust Fuel Taxes To Improve Sustainability"
H.P. 433 L.D. 614

Bill "An Act To Encourage Local Business Involvement in Local Schools"
H.P. 443 L.D. 624

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.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Abolish the Maine Turnpike Authority and Transfer Its Functions and Duties to the Department of Transportation"
H.P. 407 L.D. 588

Bill "An Act To Strengthen the Law Regarding Texting and Driving"
H.P. 408 L.D. 589

Resolve, To Include Questions about Texting on the State's Written Driver's License Examination
H.P. 409 L.D. 590

Bill "An Act To Amend the Laws Governing Motorcycle and Moped Permits"
H.P. 410 L.D. 591

Bill "An Act To Expand the Authorized Operation of All-terrain Vehicles on Roads"
H.P. 439 L.D. 620

Bill "An Act To Change the Tolling on the Maine Turnpike"
H.P. 440 L.D. 621

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

On motion by Senator **MAZUREK** of Knox, **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed, in concurrence.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Amend the Laws Dealing with the Purchase of Wine Online"
H.P. 411 L.D. 592

Bill "An Act To Amend the Law Concerning Landlord and Tenant Relationships"
H.P. 425 L.D. 606

Bill "An Act To Make an Employee Who Sells Alcoholic Beverages or Tobacco to a Minor Responsible for Paying the Fine"
H.P. 426 L.D. 607

Bill "An Act To Assist Maine Businesses Paying Taxes on Spirits"
H.P. 427 L.D. 608

Come 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:

ENACTORS

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

Emergency Measure

An Act To Make Supplemental Appropriations and Allocations for the Expenditures of State Government and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2013
S.P. 86 L.D. 250
(S "A" S-3 to C "A" S-1)

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

Senator **HILL:** Thank you Mr. President. Men and women of the Senate, before us is L.D. 250, the Supplemental Budget. It brings us in balance until the end of this biennial year June 30th. To frame up the work we did and what we have before us, I wanted to bring your attention to two points that stayed with me throughout this process. At \$153 million, this represents only 2.46% of our biennial budget and yet, my second point is, that given its size, it still was thoroughly vetted by the Appropriations and Financial Affairs Committee. There were long hours and we came up with insightful solutions where possible, because often we couldn't find some. All of these went into the final version. We did some good things here. We minimized impact of the losses of direct services to our elderly, to our sick, and to our disabled and we met our constitutional obligations. Very important things, all of the above. Because of Maine's economy and because of the national economy, often we found ourselves between a rock and a bigger rock. We were forced to go into

nooks and crannies and look for money in all sorts of places. Sometimes we had success. Often we didn't. We met with disappointment regularly and we did the best we could with the options we had. We tried to remedy the initiatives as best we could that were unsavory to us. I hope you will appreciate the work of this fine committee. I want to go back to my point in the beginning, which is that this is just approximately 2% of the biennial budget. It's temporary. We only have four months that this will be in effect. Truly, we need to get past this and get to the larger bill, the biennial budget. We've got to get it in balance and we have to move forward to FY 14 and FY 15. It is our obligation. It's our duty. I can't end the process we're in today and begin starting the other process without first recognizing those who played an incredibly important role in getting here in terms of the process and as well as the final product. I have to show my great regard and honor for Senator Flood. He is wonderful to work with. Senator Cain was there all the time for us. As Senators, I have to say I'm especially proud of them. Their demeanor and attitude are always exemplary. I mean that. It was always, through this entire process. The Appropriations Committee, as a whole, both Republicans and Democrats alike, I was proud of them and I said that several times, several times on mike and several times in the back rooms where we worked so hard. They always were professional. They worked really hard and they met the aim of finding common ground and so we put out a unanimous report even though this is a pretty complicated bill despite its smallness compared to the rest of the biennial budget. Then I have to tell you, I have to thank the Commissioner, Sawin Millett, and his staff because they stayed with us day in and day out and they gave us good information and they gave us guidance. Sometimes they were really happy with what we did and other times they weren't quite so happy, but they were steadfast with us and that was really important. Just in summary, I want to tell you that it was pretty clear to me that you came to this committee, the Appropriations and Financial Affairs Committee, and said, "We need you to do the job." I'm here to tell you we did the job and I'm here to tell you now I need your vote for it. Thank you very much.

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

Senator FLOOD: Thank you Mr. President. Ladies and gentlemen of the Senate, I want to start by saying that you have an outstanding Chair of the Appropriations Committee. The Senator from York, Senator Hill, did a great job at making us all very comfortable with our roles and treating us all as equals and running a very good process and keeping the distractions that tend to impact us to a minimum. I want to thank her for that. In the House, I wanted to say to my longtime friend, the Representative from Lewiston, Representative Rotundo, and thank her for her leadership as well and to thank my co-leader in the Republican caucus, the Representative from Wells, Representative Chase, for all their leadership and the good working relationships that we all worked to establish. I want to also say that my committee seatmate, the Senator from Penobscot, Senator Cain, provided several breakthrough innovations during this deliberation. I want to be sure that we acknowledge the help that she provided to us. Like what Senator Hill said, the OFPR staff, Commissioner Millett and the staff, were with us throughout and they did a great service to us by listening and responding to our concerns. My initial thought in December

regarding this bill was that it should be relatively straight forward. It actually was from the standpoint of getting it done on time and working through it productively. I think it was fairly straight forward. I'm not using the word easy, but everything about the bill, actually from beginning to end, was actually quite predictable and very normal. There were a few unique aspects of the bill that I thought were very interesting and indicative of some things that I'll mention in my closing comments. Supplemental budget bills like this always have unique characteristics. They always require speed. They require short term fixes, transfers, curtailments, spending reductions, and things that are of a very short term nature to achieve a balance by year end. Like all budget bills, they tend to have broad impacts across State agencies and local governments and they are all imperfect. There is probably something for everyone to dislike, but a unanimous bill out of the committee is the objective and that way we can hopefully achieve an emergency support in both Bodies. We did achieve the unanimous committee report, but I wanted to say that a significant factor in achieving that was that so many of the Joint Standing Committees gave us unanimous reports. Where there weren't unanimous reports, there were many unanimous votes.

I thank all of you in this Chamber for the part that you played in helping us. I wanted to let you know also, from my perspective, the Appropriations Committee atmosphere is excellent. Again, that is a testament to the good work that Senator Hill has done. There are very good working relationships that I think are going to stick with us right through all the other work that we must do. Very thoughtful individuals on that committee and I'm very very proud of them. I want to thank the Chairs certainly, but I also want to take the time to thank the leaders in this building, particularly you, Mr. President, for allowing the committee to do its work as constructively as possible and helping us when we sought help. There were several times when we needed help from our leaders and they provided it. It was just what we needed at just the right time. The committee doesn't have the option of voting Ought Not to Pass, not on budget bills. It is vital that we have a continuous and favorable work climate that enables us to agree on a final, but imperfect, product. Our leaders helped us and I want to acknowledge that. From an appropriator's view point, there were two unique things about this supplemental budget worth pointing out. Both, to me, indicate severity.

I've been on the committee for now my seventh year and for the first time in my memory we did not appropriate the full amount requested by the Executive Branch. We actually appropriated \$2 million less than requested because we simply could not feel comfortable removing those \$2 million from other arms of government. That is fairly unique. We granted greater than normal authorization to the Executive Branch to actually try to find these funds between now and June 30th if they were necessary. The second thing worth pointing out as an appropriator is that we pulled the Budget Stabilization Fund down to only several million dollars. That was certainly a step none of us, including our Commissioner, wished to take. That is also a step indicating severity and it's worth pointing out. In that regard, we also created a mechanism to help replenish the Stabilization Fund much more quickly than usual. I thank the committee and, again, particularly Senator Cain for working on that procedure. Finally, the committee felt strongly that the cost of living process developed for our State retirees two years ago was a fundamental part of the pension reforms of 2011. Therefore, we could not concur with the Executive Branch to eliminate what had been referred to as ADHOC Cost of Living Adjustments for our State

retirees. This supplemental budget provides that retirees will receive the appropriate cost of living changes to their pensions in the next two years.

Mr. President, I thank you for the opportunity to speak in support of the amended version of L.D. 250 that is before you. Again, I want to thank Senator Hill and all the leaders and all members of this Body for your roles in preparing the amended version. I seek your support today. 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, I rise to urge your support and thank you in advance for that support of this supplemental budget. L.D. 250 is only focused on this fiscal year, between now and June 30th of 2013. Thanks to the work of your committees and the work of our committee in the Appropriations Room, it does the job of balancing the current fiscal year in a way that is thoughtful while keeping our promises from prior budgets to retirees, maintaining services to those in crisis or needing substance abuse services, minimizing impact to municipalities, and prioritizing replenishment of the Budget Stabilization Fund with available resources at the end of the year. Really this budget is just a warm up budget. It is to get us ready for the immense work that we have ahead of us in the biennial budget. It is my sincere hope and intention that we will find ourselves in a similar place a few months from now, coming together on the next budget. I add my thanks to the members of the Appropriations Committee from the other Body and to the good Senator, and my friend from Kennebec, the good Chair, the Senator from York, to the amazing staff of the Office of Fiscal and Program Review, Commissioner Millett and his team, and to joint legislative leadership. Thank you again in advance for your support of L.D. 250 today. I urge you to join us in supporting this budget. Thank you, Mr. President.

THE PRESIDENT: The Chair recognizes the Senator from Waldo, Senator Thibodeau.

Senator **THIBODEAU:** Thank you Mr. President. Ladies and gentlemen of the Senate, I rise today in support of this document as well. First let me acknowledge the tremendous work that has gone into it and thank Senator Hill, Senator Cain, and Senator Flood for the hours that they've spent clearly understanding and working through the issues that were before us. This supplemental budget closes a substantial structural gap that we were facing when we arrived here in January. I appreciate the amount of work and thought that has gone into it. With that said, we all recognize that this committee faces a daunting task in front of them when we tackle the biennial budget. There are still many, many tough decisions to be made during that deliberation and we're going to have to make some really tough decisions trying to right-size state government and setting priorities that are going to be a challenge to many of us. With that said, we need to make sure that we have a government that we can afford, a state government that we can afford, without asking Mainers, working families, for a bigger portion of their paychecks. Thank you, ladies and gentlemen.

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

Senator **GOODALL:** Thank you Mr. President. Men and women of the Senate, I rise today first to thank the hard work of the committee members of the Appropriations Committee. You worked, as I think it has happened in times prior, I believe six times prior, to come together and had success. At times there have been disagreements. Overwhelmingly, even with these challenges on supplemental budgets, all except for one I believe over these last two years, we have come together to have a strong result and it has been bipartisan in fashion. That being said, we were able to make great progress and resolve some of the differences that we had with the Executive Branch based on his proposal. We were able to make strides with retirees. We were able to make strides, as we heard earlier both from Republicans and Democrats in this Body, around those in crisis. We also were able to make progress in drugs for the elderly based on a proposal that was put forth in front of us. One area though we must not lose track of as we go forward is about investing in our future. The foundation for which our economy will be based on is our children and education. I hope we will work together as we move forward in the biennial to make sure we realize that GPA dollars, the dollars that we send back to our educational facilities, are of great value to our future economy, to our kids, and really everything that we do here. It all relates back to education. Yes, we will have differences, but we can work together to solve these great challenges and make progress. States around the country are grappling with this and we must grapple with this issue too as we move forward. On that note, I would encourage all of us to support this budget and, with the votes in this Legislature and the stroke of the pen by the Chief Executive, we will have balanced our budget and solved this constitutional issue and fulfilled our duty. Now it will be time to get to work on the upcoming two-year budget. Thank you, Mr. President.

This being an Emergency Measure and having received the affirmative vote of 35 Members of the Senate, with no Senators having voted in the negative, and 35 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

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

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

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

Senator **YOUNGBLOOD** of Penobscot 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.

Off Record Remarks

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

On motion by Senator **GOODALL** of Sagadahoc, **ADJOURNED**, pursuant to the Joint Order, to Tuesday, February 26, 2013, at 10:00 in the morning.