

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

In Senate Chamber  
Thursday  
January 17, 2013

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

Prayer by Minister John McCall, First Congregational Church  
United in South Portland.

**MINISTER McCALL:** I've served the First Congregational  
Church United Church of Christ in South Portland for 23 years  
and will soon be at the end of that ministry. I'm retiring in June  
after 42 years. Now that Maine is our home, it will always be our  
home. There is just nowhere else we would rather be. Before  
coming to Maine I served as Pastor in Concord, New Hampshire  
and had the privilege and interesting experience of being the  
elected House Chaplain at the House of Representatives, the  
General Court of New Hampshire, during the tenure of Governor  
John Sununu. I am so pleased to be with you today and invite  
you to be with me now in prayerful openness. Let us pray.

Abiding spirit, whom we call by so many names and know in  
so many ways, we affirm together that You create, renew, refresh,  
redeem, guide, and shape us as a people and community. We  
thank You for each one here who deeply desires to be faithful in  
his or her serving and for each one whom they serve. Grant us,  
we pray, a larger sense of our work, that the agenda of the day  
and the pressures of the moment won't obscure the deeper  
meanings of our gathering and the larger scope of our lives. Help  
compassionate hearts and wise minds listen to each other. Grant  
us courage and patience in the necessary disagreements and,  
finally, an overarching and undergirding desire to do what is right  
for the common wealth. Hear our prayers. Amen.

Pledge of Allegiance led by Senator Emily Ann Cain of Penobscot  
County.

Reading of the Journal of Tuesday, January 15, 2013.

Doctor of the day, Richard Fein, DO of Manchester.

Out of order and under suspension of the Rules, on motion by  
Senator **GOODALL** of Sagadahoc, the following Joint Order:  
S.P. 23

Ordered, the House concurring, that when the House and Senate  
adjourn they do so until Tuesday, January 22, 2013, at 10:00 in  
the morning.

**READ and PASSED.**

Ordered sent down forthwith for concurrence.

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**PAPERS FROM THE HOUSE**

**House Papers**

Bill "An Act To Make Changes to the Potato Marketing  
Improvement Fund"

H.P. 9 L.D. 5

Presented by Representative WILLETTE of Mapleton.  
Cosponsored by Senator JACKSON of Aroostook and Senator:  
SHERMAN of Aroostook, Representatives: BLACK of Wilton,  
CRAY of Palmyra, LONG of Sherman, McELWEE of Caribou,  
SAUCIER of Presque Isle, TYLER of Windham.

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.

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

H.P. 10 L.D. 6

Presented by Representative CASAVANT of Biddeford.  
Cosponsored by Senator DUTREMBLE of York and Senator:  
KATZ of Kennebec, Representatives: BEAUDOIN of Biddeford,  
POULIOT of Augusta, ROCHELO of Biddeford, WILSON of  
Augusta.

Bill "An Act To Fund Public Education for Kindergarten to Grade  
12 at 55%"

H.P. 22 L.D. 18

Presented by Representative CAMPBELL of Newfield.  
Cosponsored by Senator MILLETT of Cumberland and Senators:  
HASKELL of Cumberland, JACKSON of Aroostook, MAZUREK of  
Knox, Representatives: CAREY of Lewiston, JOHNSON of  
Greenville, MOONEN of Portland, SAUCIER of Presque Isle,  
STANLEY of Medway.

Bill "An Act To Exclude Certain State-funded Costs from the State Share of the Total Cost of Funding Public Education"  
H.P. 23 L.D. 25

Presented by Representative MASON of Topsham.  
Cosponsored by Senator GOODALL of Sagadahoc and  
Representatives: DAUGHTRY of Brunswick, HARLOW of  
Portland, KORNFELD of Bangor, KUSIAK of Fairfield,  
MacDONALD of Boothbay, PLANTE of Berwick, RUSSELL of  
Portland.

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.

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Bill "An Act To Equalize the Premiums Imposed on the Sale of  
Motor Vehicle Oil"

H.P. 11 L.D. 7

Presented by Representative HARVELL of Farmington.

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.

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Resolve, Directing the Department of Health and Human Services  
To Provide Coverage under the MaineCare Program for Home  
Life Skills Services for Adults with Intellectual Disabilities or  
Autistic Disorder

H.P. 12 L.D. 8

Presented by Representative CHASE of Wells.  
Cosponsored by Senator HAMPER of Oxford and Senator:  
CRAVEN of Androscoggin, Representatives: MALABY of  
Hancock, SANDERSON of Chelsea, SIROCKI of Scarborough.

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

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

Bill "An Act To Authorize the Commissioner of Inland Fisheries  
and Wildlife To Change a Fishing Season Opening Date  
Statewide"

H.P. 24 L.D. 26

Presented by Representative SHAW of Standish.  
Cosponsored by Senator PATRICK of Oxford and Senator:  
DUTREMBLE of York, Representatives: BRIGGS of Mexico, DILL  
of Old Town, ESPLING of New Gloucester, GUERIN of Glenburn,  
TIMBERLAKE of Turner.

Comes 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.

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Bill "An Act To Amend the Laws Governing Record Keeping for  
Pawn Transactions"

H.P. 31 L.D. 36

Presented by Representative HAYES of Buckfield.  
Cosponsored by Representative: COTTA of China.

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.

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Bill "An Act To Enable the Town of Livermore Falls To Withdraw  
from Androscoggin County and Join Franklin County"

H.P. 25 L.D. 27

Presented by Representative KNIGHT of Livermore Falls.  
Cosponsored by Senator SAVIELLO of Franklin and Senators:  
CRAVEN of Androscoggin, MASON of Androscoggin, PATRICK  
of Oxford, Representatives: BEAULIEU of Auburn, GILBERT of  
Jay, GRAHAM of North Yarmouth, HARVELL of Farmington,  
LAJOIE of Lewiston.

Comes 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 Allow the Maine Potato Board To Have Access to Information Regarding the Potato Tax" (EMERGENCY)  
H.P. 13 L.D. 9

Presented by Representative SAUCIER of Presque Isle.  
Cosponsored by Senator BOYLE of Cumberland and  
Representatives: BLACK of Wilton, CRAY of Palmyra, DILL of  
Old Town, HICKMAN of Winthrop, JONES of Freedom, NADEAU  
of Fort Kent, THERIAULT of Madawaska, WILLETTE of  
Mapleton.

Bill "An Act To Provide a Property Tax Exemption for Family  
Burying Grounds"

H.P. 14 L.D. 10

Presented by Representative HARVELL of Farmington.

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.

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Bill "An Act To Allow Vehicles Engaged in Snow Removal or  
Sanding Operations on Public Ways To Use Preemptive Traffic  
Light Devices" (EMERGENCY)

H.P. 15 L.D. 11

Presented by Representative VOLK of Scarborough.  
Cosponsored by Senator COLLINS of York and Senator: BOYLE  
of Cumberland, Representatives: CASAVANT of Biddeford,  
NUTTING of Oakland, PARRY of Arundel, PEOPLES of  
Westbrook, SIROCKI of Scarborough.

Resolve, Directing the Department of Transportation To Add a  
Reference to the Katahdin Trail to the Sign for the First Newport  
Exit on Interstate 95 North

H.P. 16 L.D. 12

Presented by Representative DAVIS of Sangerville.  
Cosponsored by Senator THOMAS of Somerset and  
Representatives: FREDETTE of Newport, JOHNSON of  
Greenville.

Resolve, Directing the Maine Turnpike Authority To Place Signs  
Directing Motorists to Berwick Academy

H.P. 17 L.D. 13

Presented by Representative BEAVERS of South Berwick.  
Cosponsored by Senator COLLINS of York and Senator: HILL of  
York, Representatives: DUNPHY of Embden, PLANTE of  
Berwick.

Resolve, Directing the Department of Transportation To Name a  
Bridge between Kennebunk and Kennebunkport the Mathew  
Lanigan Bridge (EMERGENCY)

H.P. 18 L.D. 14

Presented by Representative CASAVANT of Biddeford.  
Cosponsored by Senator DUTREMBLE of York and  
Representatives: BENNETT of Kennebunk, PARRY of Arundel.

Bill "An Act To Require Motorists To Stop for Pedestrians in  
Crosswalks" (EMERGENCY)

H.P. 21 L.D. 17

Presented by Representative MORRISON of South Portland.  
Cosponsored by Senator MILLETT of Cumberland and  
Representatives: GILBERT of Jay, HAMANN of South Portland,  
HARLOW of Portland, KAENRATH of South Portland, PEOPLES  
of Westbrook, RUSSELL of Portland.

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.

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

H.P. 19 L.D. 15

Presented by Representative GILBERT of Jay.  
Cosponsored by Senator PATRICK of Oxford and  
Representatives: BLACK of Wilton, HARVELL of Farmington,  
KNIGHT of Livermore Falls, LAJOIE of Lewiston, McCABE of  
Skowhegan, SHORT of Pittsfield, STANLEY of Medway,  
THERIAULT of Madawaska.

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

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

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**Pursuant to Statute  
Board of Pesticides Control**

**Board of Pesticides Control**, pursuant to the Maine Revised  
Statutes, Title 5, section 8072 asked leave to report that the  
accompanying Resolve, Regarding Legislative Review of Portions  
of Chapter 27: Standards for Pesticide Applications and Public  
Notification in Schools, a Major Substantive Rule of the Board of  
Pesticides Control (EMERGENCY)

H.P. 26 L.D. 33

Be **REFERRED** to the Committee on **AGRICULTURE,  
CONSERVATION AND FORESTRY** and ordered printed  
pursuant to Joint Rule 218.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed pursuant to Joint Rule 218.

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

On motion by Senator **JACKSON** of Aroostook, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed pursuant to Joint Rule 218, in concurrence.

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**Pursuant to Statute**  
**Department of Agriculture, Conservation and Forestry**

**Department of Agriculture, Conservation and Forestry**, pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 4: Rules of Practice, a Major Substantive Rule of the Department of Agriculture, Conservation and Forestry (EMERGENCY)

H.P. 32 L.D. 37

Be **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed pursuant to Joint Rule 218.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed pursuant to Joint Rule 218.

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

On motion by Senator **JACKSON** of Aroostook, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed pursuant to Joint Rule 218, in concurrence.

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**Pursuant to Statute**  
**Office of Program Evaluation and Government Accountability**

**Office of Program Evaluation and Government Accountability**, pursuant to the Maine Revised Statutes, Title 3, section 997, subsection 2 asked leave to report that the accompanying Bill "An Act To Implement the Recommendations of the Government Oversight Committee and the Office of Program Evaluation and Government Accountability Regarding Child Development Services"

H.P. 27 L.D. 34

Be **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** 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 **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218.

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

On motion by Senator **MILLETT** of Cumberland, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218, in concurrence.

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**Pursuant to Statute**  
**Public Utilities Commission**

**Public Utilities Commission**, pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Chapter 201: Provider of Last Resort Service Quality, a Major Substantive Rule of the Public Utilities Commission (EMERGENCY)

H.P. 33 L.D. 38

Be **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed pursuant to Joint Rule 218. Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed pursuant to Joint Rule 218.

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

On motion by Senator **CLEVELAND** of Androscoggin, **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed pursuant to Joint Rule 218, in concurrence.

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Off Record Remarks

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Senate at Ease.

Senate called to order by the President.

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Off Record Remarks

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**COMMUNICATIONS**

The Following Communication:      H.P. 28

**STATE OF MAINE**  
**HOUSE OF REPRESENTATIVES**  
**HOUSE REPUBLICAN OFFICE**  
**AUGUSTA, MAINE 04333-0002**

January 10, 2013

Honorable Millicent M. MacFarland  
Clerk of the House  
2 State House Station  
Augusta, Maine 04333

Dear Clerk MacFarland:

Pursuant to my authority under Article IV, Part Third, Section 1-A of the Constitution of the State of Maine, I am appointing the following members to serve on the Apportionment Commission:

Representative Matthew G. Pouliot of Augusta  
Representative Amy Fern Volk of Scarborough  
Representative Wayne R. Parry of Arundel

Please let me know if you have any questions.

Sincerely,

S/Kenneth W. Fredette  
House Minority Leader

Comes from the House, **READ and ORDERED PLACED ON FILE.**

**READ and ORDERED PLACED ON FILE**, in concurrence.

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The Following Communication: H.P. 29

**MAINE STATE LEGISLATURE  
AUGUSTA, MAINE 04333-0002**

January 10, 2013

Honorable Millicent M. MacFarland  
Clerk of the House  
2 State House Station  
Augusta, Maine 04333

Dear Clerk MacFarland:

This is to notify you that pursuant to our authority under Article IV, Part Third, Section 1-A of the Constitution of the State of Maine, we have appointed the following member to serve on the Apportionment Commission:

Honorable Joshua A. Tardy of Newport

Sincerely,

S/Michael D. Thibodeau  
Senate Republican Leader

S/Kenneth W. Fredette  
House Republican Leader

Comes from the House, **READ and ORDERED PLACED ON FILE.**

**READ and ORDERED PLACED ON FILE**, in concurrence.

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The Following Communication: S.C. 19

**STATE OF MAINE  
126<sup>TH</sup> LEGISLATURE  
SENATE REPUBLICAN LEADER**

January 14, 2013

Honorable Justin L. Alford, President  
Maine State Senate  
3 State House Station  
Augusta, Maine 04333-0003

Dear President Alford:

In accordance with the requirements of the Maine Constitution, I am pleased to inform you that I have appointed Senator Garrett Mason of Androscoggin and Senator Andre E. Cushing, III of Penobscot, to serve on the newly established 2013 Apportionment Commission.

Thank you for your attention to this matter. Please do not hesitate to contact me should you have any concerns or questions.

Sincerely,

S/Michael D. Thibodeau  
Senate Republican Leader

**READ and ORDERED PLACED ON FILE.**

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**SENATE PAPERS**

Bill "An Act Relating to the Unlawful Cutting of Trees"  
S.P. 26 L.D. 59

Presented by Senator LANGLEY of Hancock.  
Cosponsored by Senator THOMAS of Somerset and Senator: JACKSON of Aroostook, Representative: JOHNSON of Greenville.

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

Sent down for concurrence.

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RESOLUTION, Proposing an Amendment to the Constitution of  
Maine To Restrict the Use of Eminent Domain  
S.P. 25 L.D. 58

Presented by Senator THOMAS of Somerset.  
Cosponsored by Representative DAVIS of Sangerville and  
Senators: HAMPER of Oxford, SHERMAN of Aroostook,  
Representatives: CROCKETT of Bethel, GIFFORD of Lincoln,  
STANLEY of Medway.

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

Sent down for concurrence.

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Bill "An Act To Exempt Occupants of Antique Autos from Seat  
Belt Requirements" (EMERGENCY)  
S.P. 24 L.D. 57

Presented by Senator COLLINS of York.  
Cosponsored by Representative COTTA of China and Senators:  
JACKSON of Aroostook, PLUMMER of Cumberland, SAVIELLO  
of Franklin, THOMAS of Somerset, TUTTLE of York,  
Representatives: BOLDUC of Auburn, GIFFORD of Lincoln,  
STANLEY of Medway.

On motion by Senator **JACKSON** of Aroostook, **REFERRED** to  
the Committee on **TRANSPORTATION** and ordered printed.

Sent down for concurrence.

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

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## ORDERS

### Joint Order

On motion by Senator **GOODALL** of Sagadahoc under  
unanimous consent on behalf of President **ALFOND** of  
Cumberland (Cosponsored by Representative: Speaker EVES of  
North Berwick), the following Joint Order:  
S.P. 27

WHEREAS, there are currently approximately 50,000 Maine  
residents who are unemployed, and many more than that who are  
underemployed; and

WHEREAS, Maine is lagging behind other states in economic  
growth and job creation; and

WHEREAS, it is essential that the Legislature work with the  
State's business community and its workforce, as well as with  
policy experts, to craft and implement solutions to strengthen the  
State's economy and grow the middle class; and

WHEREAS, the State's workforce, businesses and policy experts  
have determined that an exceptionally well-trained workforce is  
essential to job creation and economic growth; and

WHEREAS, Maine has numerous small businesses that are  
critical to the State's economic recovery and long-term prosperity;  
and

WHEREAS, Maine's downtown centers and Main Streets are  
economic assets and serve as centers of growth for the State's  
small businesses; and

WHEREAS, a prosperous Maine economy is one in which Maine  
workers are well-trained, businesses are innovating and growing  
and communities are thriving; and

WHEREAS, it is essential that the 126th Legislature focus on  
strengthening the workforce, growing small businesses and  
revitalizing our downtowns in order to grow our economy; now,  
therefore, be it

ORDERED, the House concurring, that the Joint Select  
Committee on Maine's Workforce and Economic Future is  
established as follows.

1. Establishment. The Joint Select Committee on Maine's  
Workforce and Economic Future, referred to in this order as "the  
committee," is established.

2. Membership. The committee consists of 15 members of  
the Legislature: 5 members of the Senate appointed by the  
President of the Senate and 10 members of the House of  
Representatives appointed by the Speaker of the House of  
Representatives. The President of the Senate shall appoint no  
more than 3 Senators from the party holding the largest number  
of seats in the Senate and no more than 2 Senators from the  
party holding the 2nd largest number of seats in the Senate. The  
Speaker of the House of Representatives shall appoint no more  
than 6 Representatives from the party holding the largest number  
of seats in the House of Representatives and no more than 4  
Representatives from the party holding the 2nd largest number of  
seats in the House of Representatives. Nothing in this section  
precludes the appointment of a member who is not a member of  
the party holding the largest number of seats or the 2nd largest  
number of seats in the chamber. The first-named Senate and  
House members shall serve as co-chairs of the committee.

3. Authority. The committee shall hold public hearings and  
work sessions on any legislation referred to it and shall vote on  
and report out the legislation to the appropriate chamber in the  
manner prescribed in Joint Rule 310. In addition to reporting out  
legislation referred to it, the committee is authorized to submit  
legislation to the Senate concerning the State's workforce and  
economic future.

4. Meetings; staff assistance. The committee and any  
authorized subcommittees may meet on days and at locations  
jointly authorized by the President of the Senate and the Speaker  
of the House of Representatives. The Legislative Council shall  
provide staffing to the committee. The co-chairs of the committee  
may request technical assistance from appropriate sources  
whenever necessary. The committee shall report out all

legislation referred to it in accordance with deadlines established by the President of the Senate and the Speaker of the House of Representatives.

5. Termination. Unless the committee is extended beyond July 1, 2013, the committee terminates on July 1, 2013.

**READ and PASSED.**

Sent down for concurrence.

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**Joint Resolution**

On motion by Senator **GOODALL** of Sagadahoc under unanimous consent on behalf of President **ALFOND** of Cumberland, the following Joint Resolution:  
S.P. 28

**JOINT RESOLUTION  
RECOGNIZING THE RELATIONSHIP BETWEEN THE STATE  
OF MAINE, THE UNITED STATES AND NEW ZEALAND AS  
EXEMPLIFIED BY THE MAINE HUTS AND TRAILS SYSTEM**

WHEREAS, the Maori were New Zealand's first settlers, having made an epic journey from the legendary Hawaiki about 1,000 years ago. The great explorer Kupe, who legend says first discovered New Zealand, named the new land Aotearoa - Land of the Long White Cloud; and

WHEREAS, the Treaty of Waitangi, New Zealand's founding document establishing the country as a nation, was signed on February 6, 1840, between leading Maori chiefs and representatives of the British Crown at Waitangi, in the Bay of Islands. The anniversary of the signing of this treaty has become New Zealand's national day, known as Waitangi Day; and

WHEREAS, the United States is New Zealand's 2nd-largest trading partner after its neighbor Australia, and many of the products produced by New Zealand are used by Maine consumers and businesses; and

WHEREAS, New Zealand and Maine both enjoy strong outdoor recreation industries; and

WHEREAS, Maine Huts and Trails, a system of hiking trails and overnight cabins being developed from Bethel to Rockwood, was inspired in part by the Milford Track and similar trail systems in New Zealand; and

WHEREAS, in recognition of this special relationship, the New Zealand Ambassador to the United States, the Right Honourable Mike Moore, attended a dedication ceremony for Maine Huts and Trails; and

WHEREAS, citizens and officials from the State of Maine and the New Zealand Ambassador to the United States will celebrate the inauguration of President Barack Obama on January 20, 2013 at an event at the New Zealand Embassy; 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, recognize the strong relationship between the State of Maine, the United States and New Zealand as exemplified by Maine Huts and Trails and express our gratitude to the New Zealand Ambassador and the people of New Zealand for their hospitality and friendship.

**READ and ADOPTED.**

Sent down for concurrence.

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Senate at Ease.

Senate called to order by the President.

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Senator **KATZ** of Kennebec was granted unanimous consent to address the Senate off the Record.

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

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Off Record Remarks

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**RECESSED** until the sound of the bell.

After Recess

Senate called to order by the President.

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

**PAPERS FROM THE HOUSE**

**House Papers**

Bill "An Act To Expand the Number of Qualified Educators"  
H.P. 34 L.D. 39

Presented by Representative **JOHNSON** of Greenville.

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

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

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Bill "An Act To Protect a Private Memorial Placed in a Public Right-of-way"

H.P. 35 L.D. 40

Presented by Representative CHASE of Wells.  
Cosponsored by Senator CUSHING of Penobscot and Senator: FLOOD of Kennebec, Representatives: BENNETT of Kennebunk, HARVELL of Farmington, PARRY of Arundel, SANDERSON of Chelsea, SIROCKI of Scarborough.

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

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

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Bill "An Act To Ensure Equity in School Costs Borne by Municipalities within Consolidated School Units"

H.P. 51 L.D. 56

Presented by Representative BEAVERS of South Berwick.  
Cosponsored by Senators: HILL of York, LANGLEY of Hancock, Representatives: DUNPHY of Embden, NELSON of Falmouth.

Comes 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.

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

#### **PAPERS FROM THE HOUSE**

##### **House Papers**

Bill "An Act To Allow a Person 65 Years of Age or Older To Fish with Bait in any Inland Water"

H.P. 36 L.D. 41

Presented by Representative DUNPHY of Embden.  
Cosponsored by Representatives: CRAY of Palmyra, GIFFORD of Lincoln, HARLOW of Portland, KESCHL of Belgrade, MALABY of Hancock, McCLELLAN of Raymond, NELSON of Falmouth, TURNER of Burlington.

Bill "An Act To Prohibit the Use of Rubber Lures for Fishing"

H.P. 37 L.D. 42

Presented by Representative DAVIS of Sangerville. (BY REQUEST)

Bill "An Act To Ban the Use of Nondegradable Hooks for Fishing"  
H.P. 38 L.D. 43

Presented by Representative DAVIS of Sangerville. (BY REQUEST)

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.

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Bill "An Act Regarding Pharmacy Provider Audits"  
H.P. 39 L.D. 44

Presented by Representative BECK of Waterville.  
Cosponsored by Senator LACHOWICZ of Kennebec and Senator: WHITTEMORE of Somerset, Representatives: KUSIAK of Fairfield, McCABE of Skowhegan, NADEAU of Winslow, NUTTING of Oakland.

Comes 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.

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

#### **PAPERS FROM THE HOUSE**

##### **House Papers**

Bill "An Act To Include a Representative of the Aroostook Band of Micmacs in the House of Representatives"  
H.P. 40 L.D. 45

Presented by Representative WILLETTE of Mapleton.  
Cosponsored by Senator JACKSON of Aroostook and Representatives: BEAR of the Houlton Band of Maliseet Indians, BERRY of Bowdoinham, MITCHELL of the Penobscot Nation, SAUCIER of Presque Isle, SOCTOMAH of the Passamaquoddy Tribe, THERIAULT of Madawaska.

Bill "An Act To Protect Maine Business Names"  
H.P. 41 L.D. 46

Presented by Representative BECK of Waterville.  
Cosponsored by Senator LACHOWICZ of Kennebec and Representatives: GILBERT of Jay, LONGSTAFF of Waterville.

Bill "An Act To Retain the Position of Parent Coordinator in the Judicial Branch"

H.P. 42 L.D. 47

Presented by Representative HAYES of Buckfield.

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.

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Bill "An Act To Streamline the Publication of Municipal Reports"

H.P. 43 L.D. 48

Presented by Representative WALLACE of Dexter.  
Cosponsored by Senator CUSHING of Penobscot and Representatives: DAVIS of Sangerville, JOHNSON of Eddington, LONG of Sherman.

Bill "An Act To Amend the Laws Governing Payment of Fees to Registers of Deeds"

H.P. 44 L.D. 49

Presented by Representative STANLEY of Medway.  
Cosponsored by Senator GRATWICK of Penobscot and Senator: COLLINS of York, Representatives: GOODE of Bangor, SCHNECK of Bangor, TURNER of Burlington.

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.

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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 Fuel Used in Small Commercial Aircraft from Fuel Sales Tax"

H.P. 45 L.D. 50

Presented by Representative JOHNSON of Greenville.

Bill "An Act To Promote Filmmaking in the State"

H.P. 50 L.D. 55

Presented by Representative HARVELL of Farmington.  
Cosponsored by Representatives: BENNETT of Kennebunk, CHASE of Wells, CLARK of Easton, FREDETTE of Newport, PARRY of Arundel, SANDERSON of Chelsea, WILLETTE of Mapleton.

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.

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Bill "An Act To Allow Lifetime Disability Plates or Placards for Eligible Applicants with Lower Limb Loss"

H.P. 46 L.D. 51

Presented by Representative DUNPHY of Embden.  
Cosponsored by Representatives: CRAY of Palmyra, GIFFORD of Lincoln, HARLOW of Portland, KESCHL of Belgrade, MALABY of Hancock, McCLELLAN of Raymond, NELSON of Falmouth, TURNER of Burlington.

Bill "An Act To Improve the Safety of School Buses"

H.P. 47 L.D. 52

Presented by Representative JOHNSON of Greenville.

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.

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Bill "An Act To Increase Voting Access"

H.P. 48 L.D. 53

Presented by Representative BECK of Waterville.  
Cosponsored by Senator PATRICK of Oxford and Senator: LACHOWICZ of Kennebec, Representatives: LIBBY of Lewiston, POWERS of Naples, RUSSELL of Portland.

Bill "An Act To Expand Access to Absentee Ballots"

H.P. 49 L.D. 54

Presented by Representative LIBBY of Lewiston.  
Cosponsored by Senator CLEVELAND of Androscoggin and Representative: WERTS of Auburn.

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.

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

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

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

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Senator **JACKSON** of Aroostook was granted unanimous consent to address the Senate off the Record.

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Senator **KATZ** of Kennebec was granted unanimous consent to address the Senate off the Record.

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Senator **CLEVELAND** of Androscoggin was granted unanimous consent to address the Senate off the Record.

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

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

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Off Record Remarks

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On motion by Senator **GOODALL** of Sagadahoc, **ADJOURNED**, pursuant to the Joint Order, to Tuesday, January 22, 2013, at 10:00 in the morning.