

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

In Senate Chamber
Thursday
January 31, 2013

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

Prayer by Pastor Lynne Campbell, Thorton Heights United Methodist Church in South Portland.

PASTOR CAMPBELL: Good morning. Thank you very much. It was a pleasure to meet you, President Alfond. It is a pleasure to be here with you, Maine Senators. If you don't mind, with your permission, I'd like to offer a brief introduction to the prayer to set it in a proper tone for hearing.

As usual, the red light was blinking on my phone when I got to the church office. The first message was from Ashley, inviting me to come here to pray with you this morning. The next seven messages were all from Sadie, calling for help. A food card, a gas card, something to help her bridge the gap between benefits and basic needs for her 6-year old granddaughter, Iris, and for herself. Seven messages. I called back and said yes to Ashley and yes to Sadie. Then I invited Sadie and Iris to come with me today. It seemed like the right thing to do. I wrote a prayer for us to read together and Iris asked if she could bring you a plant that she had repotted all by herself. I was beginning to wonder whether their presence here was the real invocation after all until Sadie got sick and cancelled at the last minute. Sometimes Plan A, as good as it seems, just doesn't work and circumstances call for Plan B. This happens in ministry and I suppose it happens in your line of work. Plan B for me is a pray written by Maren Tirabassi and Joan Grant entitled simply Prayer with Political Leaders. It was inspired by the temptations of Christ in the wilderness; temptations to forget who and whose he was and why he had come. So I invite you to keep Sadie and Iris in mind as you hear these words. Please join me in a spirit of prayer.

Gracious God, we are tempted to promise bread, bread, bread, in whatever form is longed for when we know that there are only stones, stones, stones. It isn't just the desire to win votes or even just to please the public, deep in us we want abundance for people; easy, miracle like abundance would be preferred. Bread would feed them and would make us loved, so we are tempted to promise bread. Gentle God, we are tempted to worship someone else, a poll-powerful God, a proven effective leader God, a God who gives a sign when asked God, a God communicator who awes the Pontius Pilates of this world. Yes, we could handle the whole realms of power, not for bad things, not for ourselves, but because we could use power for good. God, empower us for justice. Empower us as peacemakers. Empower us to serve the poor. Empower us to save the nation, the state, the city. Empower us, empower us, empower us. No, unpower us, O God, to become servants. Keep us honest, open to the best ideas of any political party, willing to compromise and commit public image suicide if necessary. Lead us by Your spirit, sometimes to a lonely place. Feed us by the angels. Strengthen

us against the obvious demons and against the subtle tempting of both the evil and the benevolent. God of David and Esther, God of the King of the Jews, You see our hearts. Cleanse them. You know our minds. Keep them discerning. Keep us healthy in body and spirit, that we may bring honor to this complicated and difficult profession, offering injustice in our decisions, humility in our opinions, compassion for those in need, and respect for all the people we seek to serve. Gracious, gentle, unpowering God, hear our prayer. Amen.

Pledge of Allegiance led by Senator Stanley J. Gerzofsky of Cumberland County.

Reading of the Journal of Tuesday, January 29, 2013.

Doctor of the day, Merideth Norris, DO, FACOFP of Kennebunk.

Out of order and under suspension of the Rules, on motion by Senator **GOODALL** of Sagadahoc, the following Joint Order:
S.P. 67

Ordered, the House concurring, that when the House and Senate adjourn they do so until Tuesday, February 5, 2013, at 10:00 in the morning.

READ and PASSED.

Ordered sent down forthwith for concurrence.

Off Record Remarks

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Provide Assistance to Municipalities Recovering from a Municipally Significant Disaster"
H.P. 104 L.D. 122

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

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

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

Joint Resolution

The following Joint Resolution:

H.P. 105

**JOINT RESOLUTION EXPRESSING SUPPORT
FOR ADHERENTS OF FALUN DAFU**

WHEREAS, Falun Dafa, also known as Falun Gong, is a Chinese practice of gentle exercise and meditation based on the universal principles of truthfulness, compassion and forbearance; and

WHEREAS, this practice, which transcends all cultural, social, economic and national boundaries, has helped millions of practitioners in over 70 countries create and improve personal well-being and become more productive members of society; and

WHEREAS, in 1999 the government of the People's Republic of China outlawed the practice of Falun Dafa in that nation and created a campaign of persecution and terror against its peaceful adherents; and

WHEREAS, the Chinese regime commits forced organ harvesting on Falun Dafa prisoners of conscience that results in their deaths; and

WHEREAS, this persecution campaign against practitioners of Falun Dafa denies the basic human rights of freedom of belief, assembly and expression; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-sixth Legislature of the State of Maine now assembled in the First Regular Session, on behalf of the people we represent, declare our support for the Falun Dafa movement and its followers by proclaiming February 2013 as Falun Dafa Month; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be displayed at the office of the Secretary of State on behalf of the people of the State of Maine.

Comes from the House, **READ** and **ADOPTED**.

READ and **ADOPTED**, in concurrence.

COMMUNICATIONS

The Following Communication: S.C. 34

**STATE OF MAINE
126TH MAINE LEGISLATURE**

January 4, 2013

Honorable Paul R. LePage
Governor of Maine
1 State House Station
Augusta, ME 04333

Dear Governor LePage:

We are pleased to invite you to deliver the State of the State address at a Joint Session of the 126th Maine Legislature on Tuesday, February 5, 2013 at 7:00 p.m.

We look forward to seeing you then.

Sincerely,

S/Justin L. Alfond
President of the Senate

S/Mark W. Eves
Speaker of the House

READ and **ORDERED PLACED ON FILE**.

The Following Communication: S.C. 35

MAINE MUNICIPAL BOND BANK

January 28, 2013

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

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

Dear President Alfond and Speaker Eves,

5 M.R.S.A. c. 379, sub-c 3, section 12022 outlines financial policies and procedures which must be adopted and implemented by Quasi Independent State Entities by July 1, 2013. Section 12023 of the same law requires the Bank to provide a report as to the adoption and implementation status of section 12022, due not later than February 1, 2013. This letter will serve as that report.

The written procedures governing the selection of vendors have been completed and will be fully implemented on or before July 1, 2013.

The written procedures governing the use of Bank resources for contributions are completed and will be fully implemented on or before July 1, 2013.

The Bank has a written procedure regarding travel meals and entertainment which meets the new requirements.

The Bank does not employ any person, other than Bank staff, for the purpose of lobbying.

The Bank board approves an annual budget and reviews monthly treasurer's reports showing actual to budget analysis as well as

listing all disbursements made within the month as a tool to monitor compliance with all policies and procedures. Board meetings are also held on a regular basis.

Please feel free to contact me with any questions or comments. I can be reached at 622-9386 or by email at mrg@mmbb.com.

Sincerely Yours,

S/Michael R. Goodwin
Executive Director

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 36

MAINE GOVERNMENTAL FACILITIES AUTHORITY

January 28, 2013

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

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

Dear President Alford and Speaker Eves,

5 M.R.S.A. c. 379, sub-c 3, section 12022 outlines financial policies and procedures which must be adopted and implemented by Quasi Independent State Entities by July 1, 2013. Section 12023 of the same law requires the Authority to provide a report as to the adoption and implementation status of section 12022, due not later than February 1, 2013. This letter will serve as that report.

The written procedures governing the selection of vendors have been completed and will be fully implemented on or before July 1, 2013.

The written procedures governing the use of Authority resources for contributions are completed and will be fully implemented on or before July 1, 2013.

The Authority has a written procedure regarding travel meals and entertainment which meets the new requirements.

The Authority does not employ any person, other than Authority staff, for the purpose of lobbying.

The Authority board approves an annual budget and reviews monthly treasurer's reports showing actual to budget analysis as well as listing all disbursements made within the month as a tool to monitor compliance with all policies and procedures. Board meetings are also held on a regular basis.

Please feel free to contact me with any questions or comments. I can be reached at 622-9386 or by email at mrg@mgfa.com.

Sincerely Yours,

S/Michael R. Goodwin
Executive Director

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 37

**MAINE HEALTH AND HIGHER EDUCATIONAL
FACILITIES AUTHORITY**

January 28, 2013

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

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

Dear President Alford and Speaker Eves,

5 M.R.S.A. c. 379, sub-c 3, section 12022 outlines financial policies and procedures which must be adopted and implemented by Quasi Independent State Entities by July 1, 2013. Section 12023 of the same law requires the Authority to provide a report as to the adoption and implementation status of section 12022, due not later than February 1, 2013. This letter will serve as that report.

The written procedures governing the selection of vendors have been completed and will be fully implemented on or before July 1, 2013.

The written procedures governing the use of Authority resources for contributions are completed and will be fully implemented on or before July 1, 2013.

The Authority has a written procedure regarding travel meals and entertainment which meets the new requirements.

The Authority does not employ any person, other than Authority staff, for the purpose of lobbying.

The Authority board approves an annual budget and reviews monthly treasurer's reports showing actual to budget analysis as well as listing all disbursements made within the month as a tool to monitor compliance with all policies and procedures. Board meetings are also held on a regular basis.

Please feel free to contact me with any questions or comments. I can be reached at 622-1958 or by email at mrg@mhhefa.com.

Sincerely Yours,

S/Michael R. Goodwin
Executive Director

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 38

**STATE OF MAINE
WORKERS' COMPENSATION BOARD**

January 28, 2013

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

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

RE: Financial Policies and Procedures Status Report
Submitted by the Workers' Compensation Board Pursuant to
5 M.R.S.A. §12023(1)

Dear President Alfond and Speaker Eves,

Attached to this letter of transmittal is the Financial Policies and
Procedures Report submitted by the Workers' Compensation
Board pursuant to 5 M.R.S.A. §12023(1).

Please do not hesitate to contact me if you have any questions or
would like any additional information.

Sincerely,

S/Paul H. Sighinolfi, Esq.
Executive Director/Chair

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

The Following Communication: S.C. 39

MAINE EDUCATIONAL LOAN AUTHORITY

January 28, 2013

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

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

Re: Maine Educational Loan Authority's Report to the Legislature
in Compliance with
Public Law 2011, chapter 616

Dear President Alfond and Speaker Eves:

Pursuant to 5 MRSA, chapter 379, subchapter 3, §12023,
enclosed is the Maine Educational Loan Authority's (MELA) report
to the Legislature on the adoption and implementation of written
policies and procedures required by Public Law 2011, chapter
616: An Act to Implement the Recommendations of the Office of
Program Evaluation and Government Accountability and the
Government Oversight Committee Regarding Quasi-Independent
State Entities. MELA's policies and procedures were written
consistent with MELA's authorizing law.

If you have any questions or need additional information, please
contact me at 729-5897 or via e-mail atjchris203@gmail.com.

Sincerely,

S/John C. Atkinson
Chair

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

SENATE PAPERS

Bill "An Act To Criminalize Importation of So-called Bath Salts
Containing Synthetic Hallucinogenic Drugs"
S.P. 55 L.D. 166

Presented by Senator MAZUREK of Knox.
Cosponsored by Senators: BOYLE of Cumberland, GERZOFSKY
of Cumberland, GOODALL of Sagadahoc, GRATWICK of
Penobscot, JACKSON of Aroostook, LACHOWICZ of Kennebec,
Representatives: DICKERSON of Rockland, THERIAULT of
Madawaska.

Bill "An Act To Establish Reasonable Restrictions on the Use of
Fireworks"

S.P. 57 L.D. 168

Presented by Senator JOHNSON of Lincoln.
Cosponsored by Representative LAJOIE of Lewiston and
Senators: CRAVEN of Androscoggin, GERZOFSKY of
Cumberland, MILLETT of Cumberland, PATRICK of Oxford,
Representatives: MacDONALD of Boothbay, POULIOT of
Augusta.

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 Provide MaineCare Reimbursement for Pastoral Counselors"

S.P. 53 L.D. 164

Presented by Senator SAVIELLO of Franklin.

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

Sent down for concurrence.

Bill "An Act To Increase the Number of Rafting Passengers Allowed for Licensed Outfitters on Unallocated Rivers"

S.P. 52 L.D. 163

Presented by Senator SAVIELLO of Franklin.

Resolve, To Allow the Use of Live Bait When Ice Fishing in Certain Waters of the State

S.P. 59 L.D. 170

Presented by Senator JACKSON of Aroostook.
Cosponsored by Representative THERIAULT of Madawaska and Senators: DUTREMBLE of York, THIBODEAU of Waldo, Representatives: DAVIS of Sangerville, ESPLING of New Gloucester, GUERIN of Glenburn, SHAW of Standish, WOOD of Sabattus.

Bill "An Act To Make Permanent the Reciprocal Agreement between Maine and Other States Regarding a Snowmobile Weekend"

S.P. 61 L.D. 172

Presented by Senator SAVIELLO of Franklin.

Bill "An Act To Remove the Rangeley Plantation Sanctuary from the List of Wildlife Sanctuaries"

S.P. 62 L.D. 173

Presented by Senator SAVIELLO of Franklin.

Bill "An Act To Expand Moose Hunting Opportunities"
S.P. 66 L.D. 177

Presented by Senator SAVIELLO of Franklin.

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

Sent down for concurrence.

Bill "An Act To Amend and Clarify the Maine Uniform Securities Act"

S.P. 65 L.D. 176

Presented by Senator WHITTEMORE of Somerset.
Cosponsored by Representative MORRISON of South Portland and Senator: GRATWICK of Penobscot, Representatives: DOAK of Columbia Falls, FITZPATRICK of Houlton.
Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.

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

Sent down for concurrence.

Bill "An Act To Prohibit the Use of Eminent Domain in Certain Public-Private Partnerships"

S.P. 54 L.D. 165

Presented by Senator THOMAS of Somerset.
Cosponsored by Representative BOLAND of Sanford and Senators: SAVIELLO of Franklin, WHITTEMORE of Somerset, Representatives: BENNETT of Kennebunk, BLACK of Wilton, SIROCKI of Scarborough, STANLEY of Medway, WOOD of Sabattus.

Committee on **JUDICIARY** suggested and ordered printed.

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

Bill "An Act To Facilitate the Licensing of International Mail Order Prescription Pharmacies by the Maine Board of Pharmacy"

S.P. 60 L.D. 171

Presented by Senator JACKSON of Aroostook.
Cosponsored by Senator THOMAS of Somerset, Representative TREAT of Hallowell and Senators: CAIN of Penobscot, GRATWICK of Penobscot, HILL of York.

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

Sent down for concurrence.

Bill "An Act To Update the Laws Governing Energy Efficiency Building Performance Standards"

S.P. 64 L.D. 175

Presented by Senator CLEVELAND of Androscoggin.
Cosponsored by Representative HOBBS of Saco.
Submitted by the Public Utilities Commission pursuant to Joint Rule 204.

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

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

Bill "An Act To Base the Motor Vehicle Excise Tax on the Purchase Price of the Motor Vehicle"
S.P. 56 L.D. 167

Presented by Senator **PATRICK** of Oxford.
Cosponsored by Senators: **BOYLE** of Cumberland, **DUTREMBLE** of York, Representatives: **BEAULIEU** of Auburn, **HARLOW** of Portland.

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

Sent down for concurrence.

Bill "An Act To Provide Revenue to Veterans' Organizations and the Maine Veterans' Memorial Cemetery System Care Fund from Table Game Revenue" (EMERGENCY)
S.P. 58 L.D. 169

Presented by Senator **PATRICK** of Oxford.
Cosponsored by Representative **LONGSTAFF** of Waterville and Senators: **JACKSON** of Aroostook, **TUTTLE** of York, Representatives: **BEAULIEU** of Auburn, **BRIGGS** of Mexico, **FOWLE** of Vassalboro, **KINNEY** of Limington, **SAUCIER** of Presque Isle, **SCHNECK** of Bangor.

Bill "An Act To Prohibit the Placement of Political Signs within 25 Feet of a Cemetery or Burial Site"
S.P. 63 L.D. 174

Presented by Senator **SAVIELLO** of Franklin.

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.

Senate at Ease.

Senate called to order by the President.

ORDERS OF THE DAY

Unfinished Business

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

The Chair laid before the Senate the following Tabled and Later Assigned (1/24/13) matter:

Bill "An Act To Reduce the Number of Public Safety Answering Points"
H.P. 52 L.D. 60

Tabled - January 24, 2013, by Senator **GERZOFSKY** of Cumberland

Pending - **REFERENCE**, in concurrence

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

(In House, January 22, 2013, **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY**.)

Senator **CLEVELAND** of Androscoggin moved to **INDEFINITELY POSTPONE** the Bill and accompanying papers, in **NON-CONCURRENCE**.

Senate at Ease.

Senate called to order by the President.

Senator **CLEVELAND** of Androscoggin requested and received leave of the Senate to withdraw his motion to **INDEFINITELY POSTPONE** the Bill and accompanying papers, in **NON-CONCURRENCE**.

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

The Chair laid before the Senate the following Tabled and Later Assigned (1/29/13) matter:

Bill "An Act To Amend the Laws Governing Pine Tree Development Zones To Require Payment of a Livable Wage"
H.P. 98 L.D. 116

Tabled - January 29, 2013, by Senator **PATRICK** of Oxford

Pending - **REFERENCE**, in concurrence

(In House, January 29, 2013, **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.

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 Governing Retirement under the Maine Public Employees Retirement System" (EMERGENCY)
H.P. 112 L.D. 137

Bill "An Act To Amend the Laws Governing the Issuance of Bonds That Have Been Ratified by the Citizens of the State"
H.P. 113 L.D. 138

Come 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.

Bill "An Act To Amend the Laws Governing the Sale of Firearms Carried by Maine State Police"
H.P. 114 L.D. 139

Bill "An Act To Create a Permanent Wabanaki Law Enforcement Seat on the Board of Trustees of the Maine Criminal Justice Academy"
H.P. 115 L.D. 140

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.

Bill "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"

H.P. 127 L.D. 152

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**.

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 Pertaining to Archaeological Sites"

H.P. 135 L.D. 160

Resolve, To Provide Consistency in Rules of the Department of Education Regarding Visual and Performing Arts Requirements for High School Graduation

H.P. 138 L.D. 178

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 Amend the Anson and Madison Water District Charter"

H.P. 139 L.D. 179

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.

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

PAPERS FROM THE HOUSE

House Papers

Resolve, Directing the Department of Environmental Protection To Develop Quantitative Odor Management Standards
H.P. 116 L.D. 141

Bill "An Act To Modify Administration of the Fund Insurance Review Board"
H.P. 132 L.D. 157

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

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

Bill "An Act To Ensure Adequate Child Protective Services throughout the State"
H.P. 120 L.D. 145

Bill "An Act To Repeal the Maine Certificate of Need Act of 2002"
H.P. 137 L.D. 162

Bill "An Act Concerning the Use of Tobacco Settlement Funds for Children's Health Care"
H.P. 140 L.D. 180

Resolve, To Require Hospitals To Provide Information Regarding Testing for Krabbe Disease for Parents of Infants
H.P. 141 L.D. 181

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 Add Using an All-terrain Vehicle to the List of Activities Included in the Definition of 'Guide' in the Inland Fisheries and Wildlife Laws"
H.P. 117 L.D. 142

Bill "An Act To Allow a Hunter To Harvest a Wild Turkey of Either Sex during the Month of October without an Extra Charge for the Permit"
H.P. 118 L.D. 143

Bill "An Act To Remove the Requirement That a Person Training Dogs on Sundays Possess a Valid Hunting License" (EMERGENCY)
H.P. 119 L.D. 144

Bill "An Act To Establish a Comprehensive Hunting and Fishing License"
H.P. 128 L.D. 153

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.

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 Unfair Discrimination in Long-term Care Insurance"
H.P. 121 L.D. 146

Bill "An Act To Amend the Notice of Risk to Personal Data Act To Further Protect Consumers"
H.P. 133 L.D. 158

Bill "An Act To Prohibit a Health Insurance Carrier from Establishing a Separate Premium Rate Based on Geographic Area"
H.P. 136 L.D. 161

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 Regarding Consent for Adoption"
H.P. 122 L.D. 147

Bill "An Act To Amend the Laws Governing Limited Liability for Recreational or Harvesting Activities"
H.P. 129 L.D. 154

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 Amend the Laws Governing Drugs and Vaccines Administered by Pharmacists"
H.P. 123 L.D. 148

Bill "An Act To Make Gold and Silver Coins and Bars Legal Tender"
H.P. 124 L.D. 149

Bill "An Act Regarding the Laws Governing Unemployment Compensation Benefits for Employees of Temporary Staffing Agencies"
H.P. 134 L.D. 159

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

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

Bill "An Act To Support the Maine Lobster Industry"
H.P. 142 L.D. 182

Comes 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 Modernize State Income Tax Refunds"
H.P. 125 L.D. 150

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.

Bill "An Act To Streamline the Approval of Accessibility Structures" (EMERGENCY)
H.P. 130 L.D. 155

Bill "An Act To Exempt Municipalities That Do Not Hold Annual Meetings from Required Publication of an Annual Report"
H.P. 143 L.D. 183

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Allow 2 Eligible Organizations To Jointly Hold a Game of Beano or Bingo"
H.P. 126 L.D. 151

RESOLUTION, Proposing an Amendment to the Constitution of Maine Concerning Early Voting and Voting by Absentee Ballot
H.P. 131 L.D. 156

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

Bill "An Act To Increase the Discount Rate on Alcoholic Beverages Sold by Agency Liquor Stores"
H.P. 145 L.D. 185

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:

PAPERS FROM THE HOUSE

Joint Resolution

The following Joint Resolution:
H.P. 146

**JOINT RESOLUTION RECOGNIZING JANUARY 28, 2013
AS NATIONAL DATA PRIVACY DAY**

WHEREAS, many new and innovative technologies enhance our lives by increasing our ability to communicate, learn, share and produce; and

WHEREAS, using these new and innovative technologies without safeguards has the potential to compromise the privacy of our personal information, and it is important to protect the privacy of personal information for not only the individual, but for governments, commerce and civil society; and

WHEREAS, many individuals and companies are unaware of the risks to the privacy of personal information posed by these new and innovative technologies, of data protection and privacy laws or of the specific steps they can take to protect the privacy of personal information; and

WHEREAS, the United States Congress has through the years encouraged people nationwide to be aware of data privacy and to protect the privacy of their personal information; and

WHEREAS, National Data Privacy Day constitutes a day of recognition of an international collaboration and a nationwide effort to educate and raise awareness about data privacy and about protecting the privacy of personal information; and

WHEREAS, government officials and agencies from the United States and around the world, as well as representatives of the business community, nonprofit organizations, privacy professionals, academic communities, legal scholars and educators, are working together to educate and raise awareness about data privacy and about protecting the privacy of personal information; 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 January 28, 2013 as National Data Privacy Day to raise awareness of the importance of protecting personal information and to promote trust in technologies; and be it further

RESOLVED: That we encourage all members of the community to discuss data privacy and security with vulnerable citizens throughout the State, we encourage all people to learn about data privacy and the specific steps they can take to protect the privacy of their personal information and we encourage businesses and agencies to commit to better protect the privacy and security of the personal information of their clients and consumers and to design data privacy into products they create whenever possible.

Comes from the House, **READ** and **ADOPTED**.

READ and **ADOPTED**, in concurrence.

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

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

Senator **MILLETT** of Cumberland was granted unanimous consent to address the Senate off the Record.

Senator **SAVIELLO** of Franklin was granted unanimous consent to address the Senate off the Record.

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

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

On motion by Senator **GOODALL** of Sagadahoc, **ADJOURNED**, pursuant to the Joint Order, to Tuesday, February 5, 2013, at 10:00 in the morning.

Off Record Remarks
