

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

In Senate Chamber
Thursday
March 17, 2011

Senate called to order by President Kevin L. Raye of Washington County.

Prayer by Senator Margaret Craven of Androscoggin County.

SENATOR CRAVEN: Thank you Mr. President. Mr. President and fellow Senators, happy St. Patrick's Day. Many people are often surprised when I tell them that Ireland has their own unique language. We call it Irish but a lot of people call it Gaelic. I'm going to recite the Lord's Prayer today in Irish and then I will recite a poem by John O'Donohue in remembrance of the contributions that the Irish have made in building this country and their contributions to art and to literature and to civic work in this state.

Ar n-Athair a tha air nèamh, gu naomhaichear d'ainm. Thigeadh do riochachd. Dèanar do thoil air an talamh, mar a nìhear air nèamh. Tabhair dhuinn an-diugh ar n-aran làitheil. Agus maith dhuinn ar fiachan, amhail a mhaitheas sinne dar luchd-fiach. Agus na leig ann am buaireadh sinn; ach saor sinn o olc; oir is leatsa an rioghachd, agus an cumhachd, agus a' ghlòir, gu siorraidh. Amen.

This is a poem called *Beannacht* by the late John O'Donohue, who was a wonderful and honored poet in Ireland.

On the day when the weight deadens on your shoulders and you stumble, may the clay dance to balance you.

And when your eyes freeze behind the gray window and the ghost of loss gets into you, may a flock of colors, indigo, red, green, and azure blue come to awaken in you a meadow of delight.

When the canvas frays in the currach of thought and a stain of ocean blackens beneath you, may there come across the waters a path of yellow moonlight to bring you safely home.

May the nourishment of the earth be yours, may clarity of light be yours, may the fluency of the ocean be yours, may the protection of the ancestors be yours.

And so may a slow wind work these words of love around you, an invisible cloak to mind your life.

Happy St. Patrick's Day.

Pledge of Allegiance led by Senator Barry J. Hobbins of York County.

Reading of the Journal of Wednesday, March 16, 2011.

Doctor of the day, Tamas Peredy, MD of Freeport.

Off Record Remarks

Out of order and under suspension of the Rules, on motion by Senator **COURTNEY** of York, the following Joint Order:
S.P. 355

Ordered, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, March 22, 2011, at 10:00 in the morning.

READ and PASSED.

Ordered sent down forthwith for concurrence.

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

SENATE PAPERS

Resolve, To Require the Purchase of Maine Wood Fuel by Recipients of Certain Public Funds
S.P. 345 L.D. 1145

Presented by Senator SAVIELLO of Franklin.

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

Sent down for concurrence.

Bill "An Act To Regulate the Bonded Indebtedness of the State"
S.P. 353 L.D. 1153

Presented by Senator THIBODEAU of Waldo.
Cosponsored by Representatives: CHASE of Wells, CURTIS of Madison, DAVIS of Sangerville.
Submitted by the Treasurer of State pursuant to Joint Rule 204.

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

Sent down for concurrence.

Bill "An Act To Provide Equitable Access to Postsecondary Courses"

S.P. 349 L.D. 1149

Presented by Senator MASON of Androscoggin.
Cosponsored by Senator RECTOR of Knox and Senators: KATZ of Kennebec, WHITTEMORE of Somerset, Representatives: BEAULIEU of Auburn, CRAFTS of Lisbon, MALONEY of Augusta, WILLETTE of Mapleton.

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

Sent down for concurrence.

Resolve, To Direct the Department of Environmental Protection To Adopt Rules Establishing Sound Level Limits for Wind Turbines

S.P. 346 L.D. 1146

Presented by Senator SAVIELLO of Franklin.

Committee on **ENVIRONMENT AND NATURAL RESOURCES** suggested and ordered printed.

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

Bill "An Act To Amend the Child and Family Services and Child Protection Act"

S.P. 352 L.D. 1152

Presented by Senator CRAVEN of Androscoggin.
Cosponsored by Representative WEBSTER of Freeport and Senators: ALFOND of Cumberland, ROSEN of Hancock, SULLIVAN of York, Representatives: NASS of Acton, PETERSON of Rumford, SANBORN of Gorham, STUCKEY of Portland, WAGNER of Lewiston.

Committee on **HEALTH AND HUMAN SERVICES** suggested and ordered printed.

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

Bill "An Act To Conform Maine's Estate Tax to the Federal Estate Tax"

S.P. 347 L.D. 1147

Presented by Senator WOODBURY of Cumberland.
Cosponsored by Representatives: AYOTTE of Caswell, KNIGHT of Livermore Falls, PILON of Saco and Senator: **LANGLEY** of Hancock, Representatives: BENNETT of Kennebunk, HARMON of Palermo, VALENTINO of Saco.

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

Sent down for concurrence.

Bill "An Act To Improve Vehicle Safety for First Responders"
S.P. 348 L.D. 1148

Presented by Senator MASON of Androscoggin.
Cosponsored by Senators: GERZOFISKY of Cumberland, PLOWMAN of Penobscot, WHITTEMORE of Somerset, Representatives: BEAULIEU of Auburn, BURNS of Whiting, PLUMMER of Windham, WILLETTE of Mapleton.

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

Sent down for concurrence.

Bill "An Act To Improve the Administration of the Legislative Ethics Laws"

S.P. 350 L.D. 1150

Presented by Senator FARNHAM of Penobscot.
Cosponsored by Representative: BEAULIEU of Auburn.
Submitted by the Commission on Governmental Ethics and Election Practices pursuant to the Maine Revised Statutes, Title 1, section 1009.

Bill "An Act Regarding Reporting Procedures of Lobbyists"
S.P. 351 L.D. 1151

Presented by Senator FARNHAM of Penobscot.
Cosponsored by Representative: BEAULIEU of Auburn.
Submitted by the Commission on Governmental Ethics and Election Practices pursuant to the Maine Revised Statutes, Title 1, section 1009.

On motion by Senator **FARNHAM** of Penobscot, **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.

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

ORDERS

Joint Resolution

On motion by Senator **CRAVEN** of Androscoggin (Cosponsored by Representative **CAIN** of Orono and Senators: **ALFOND** of Cumberland, **BARTLETT** of Cumberland, **BLISS** of Cumberland, **BRANNIGAN** of Cumberland, **COLLINS** of York, **COURTNEY** of York, **DIAMOND** of Cumberland, **FARNHAM** of Penobscot, **GERZOFISKY** of Cumberland, **GOODALL** of Sagadahoc, **HASTINGS** of Oxford, **HILL** of York, **HOBBINS** of York, **JACKSON** of Aroostook, **KATZ** of Kennebec, **LANGLEY** of Hancock, **MARTIN** of Kennebec, **MASON** of Androscoggin, **McCORMICK** of Kennebec, **PATRICK** of Oxford, **PLOWMAN** of Penobscot, President **RAYE** of Washington, **RECTOR** of Knox, **ROSEN** of Hancock, **SAVIELLO** of Franklin, **SCHNEIDER** of Penobscot, **SHERMAN** of Aroostook, **SNOWE-MELLO** of Androscoggin, **SULLIVAN** of York, **THIBODEAU** of Waldo, **THOMAS** of Somerset, **TRAHAN** of Lincoln, **WHITTEMORE** of Somerset, **WOODBURY** of Cumberland, Representatives: **AYOTTE** of Caswell, **BEAUDOIN** of Biddeford, **BEAULIEU** of Auburn, **BEAVERS** of South Berwick, **BECK** of Waterville, **BELIVEAU** of Kittery, **BENNETT** of Kennebunk, **BERRY** of Bowdoinham, **BICKFORD** of Auburn, **BLACK** of Wilton, **BLODGETT** of Augusta, **BOLAND** of Sanford, **BOLDUC** of Auburn, **BRIGGS** of Mexico, **BRYANT** of Windham, **BURNS** of Whiting, **BURNS** of Alfred, **CAREY** of Lewiston, **CASAVANT** of Biddeford, **CEBRA** of Naples, **CELLI** of Brewer, **CHAPMAN** of Brooksville, **CHASE** of Wells, **CHIPMAN** of Portland, **CLARK** of Millinocket, **CLARK** of Easton, **CLARKE** of Bath, **CORNELL** du **HOUX** of Brunswick, **COTTA** of China, **CRAFTS** of Lisbon, **GRAY** of Palmyra, **CROCKETT** of Bethel, **CURTIS** of Madison, **CUSHING** of Hampden, **DAMON** of Bangor, **DAVIS** of Sangerville, **DILL** of Cape Elizabeth, **DILL** of Old Town, **DION** of Portland, **DOW** of Waldoboro, **DRISCOLL** of Westbrook, **DUCHESNE** of Hudson, **DUNPHY** of Embden, **EBERLE** of South Portland, **EDGECOMB** of Caribou, **ESPLING** of New Gloucester, **EVES** of North Berwick, **FITTS** of Pittsfield, **FITZPATRICK** of Houlton, **FLEMINGS** of Bar Harbor, **FLOOD** of Winthrop, **FOSEL** of Alna, **FOSTER** of Augusta, **FREDETTE** of Newport, **GIFFORD** of Lincoln, **GILBERT** of Jay, **GILLWAY** of Searsport, **GOODE** of Bangor, **GRAHAM** of North Yarmouth, **GUERIN** of Glenburn, **HAMPER** of Oxford, **HANLEY** of Gardiner, **HARLOW** of Portland, **HARMON** of Palermo, **HARVELL** of Farmington, **HASKELL** of Portland, **HAYES** of Buckfield, **HERBIG** of Belfast, **HINCK** of Portland, **HOGAN** of Old Orchard Beach, **HUNT** of Buxton, **INNES** of Yarmouth, **JOHNSON** of Eddington, **JOHNSON** of Greenville, **KAENRATH** of South Portland, **KENT** of Woolwich, **KESCHL** of Belgrade, **KNAPP** of Gorham, **KNIGHT** of Livermore Falls, **KRUGER** of Thomaston, **KUMIEGA** of Deer Isle, **LAJOIE** of Lewiston, **LIBBY** of Waterboro, **LONG** of Sherman, **LONGSTAFF** of Waterville, **LOVEJOY** of Portland, **LUCHINI** of Ellsworth, **MacDONALD** of Boothbay, **MAKER** of Calais, **MALABY** of Hancock, **MALONEY** of Augusta, **MARTIN** of Eagle Lake, **MAZUREK** of Rockland, **McCABE** of Skowhegan, **McCLELLAN** of Raymond, **McFADDEN** of Dennysville, **McKANE** of Newcastle, **MITCHELL** of the Penobscot Nation, **MORISSETTE** of Winslow, **MORRISON** of South Portland, **MOULTON** of York, **NASS** of Acton, **NELSON** of Falmouth, **NEWENDYKE** of Litchfield, **Speaker NUTTING** of Oakland, **O'BRIEN** of Lincolnville, **O'CONNOR** of Berwick, **OLSEN** of Phippsburg, **PARKER** of Veazie, **PARRY** of Arundel, **PEOPLES** of Westbrook, **PETERSON** of Rumford, **PICCHIOTTI** of Fairfield, **PILON** of Saco, **PLUMMER** of Windham, **PRESCOTT** of Topsham, **PRIEST** of Brunswick, **RANKIN** of Hiram, **RICHARDSON** of Carmel, **RICHARDSON** of Warren, **RIOUX** of

Winterport, **ROCHELO** of Biddeford, **ROSEN** of Bucksport, **ROTUNDO** of Lewiston, **RUSSELL** of Portland, **SANBORN** of Gorham, **SANDERSON** of Chelsea, **SARTY** of Denmark, **SHAW** of Standish, **SIROCKI** of Scarborough, **SOCTOMAH** of the Passamaquoddy Tribe, **STEVENS** of Bangor, **STRANG** **BURGESS** of Cumberland, **STUCKEY** of Portland, **THERIAULT** of Madawaska, **TILTON** of Harrington, **TIMBERLAKE** of Turner, **TREAT** of Hallowell, **TURNER** of Burlington, **TUTTLE** of Sanford, **VALENTINO** of Saco, **VOLK** of Scarborough, **WAGNER** of Lewiston, **WATERHOUSE** of Bridgton, **WEAVER** of York, **WEBSTER** of Freeport, **WELSH** of Rockport, **WILLETTE** of Mapleton, **WILLETTE** of Presque Isle, **WINSOR** of Norway, **WINTLE** of Garland, **WOOD** of Sabattus), the following Joint Resolution:

S.P. 354

JOINT RESOLUTION IN HONOR OF ST. PATRICK'S DAY AND IN RECOGNITION OF THE IRISH CONTRIBUTION TO MAINE AND TO THE UNITED STATES

WHEREAS, St. Patrick is the patron saint of Ireland, known for bringing Christianity to Ireland and, it is said, for instilling a sense of literacy and learning that allowed Ireland to become the "isle of saints and scholars" when the rest of Europe was in the Dark Ages; and

WHEREAS, the feast day of St. Patrick is the only national holiday that is given recognition outside its native land, which indicates the Irish influence throughout the world; and

WHEREAS, the modern secular holiday of St. Patrick's Day was first celebrated in America in Boston during colonial days and the first St. Patrick's Day Parade in New York City was in 1766 and now all Americans celebrate St. Patrick's Day with pride; and

WHEREAS, millions of Irish people emigrated from Ireland in the 1800s to escape brutal poverty and starvation during the Irish potato famine, and most of those people came to America to start new lives and to embrace and contribute to a new land; and

WHEREAS, tens of thousands of Irish immigrants arrived in New England and many came to Maine, and the Irish have been an important part of Maine's culture, history and society ever since; and

WHEREAS, within a few years of their arrival in the United States and in Maine, these Irish immigrants became part of the American cultural landscape while preserving the best of their native culture, and they dedicated themselves to helping build this Nation and State; and

WHEREAS, 4 signers of the Declaration of Independence were Irish-born and 9 signers were of Irish ancestry and 19 Presidents of the United States have proudly claimed Irish heritage, including George Washington, the father of our country; John Fitzgerald Kennedy; and Ronald Reagan; and

WHEREAS, the 44,000,000 Americans of Irish ancestry, like their forebears, continue to enrich all aspects of life in the United States, in science, education, art, agriculture, business, industry, literature, music, athletics, entertainment and military and government service; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-fifth Legislature now assembled in the First Regular Session, on behalf of the people we represent, take this opportunity to encourage the celebration of St. Patrick's Day, and, recognizing the valuable contribution to our State and to our Nation of all Irish-American citizens, we urge the citizens of the State to commend and celebrate the integrity and richness of the Irish culture.

READ.

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

Senator **HOBBS:** Thank you Mr. President. Men and women of the Senate, this week has been a very important week. First of all we celebrated the Franco-American tradition and culture yesterday. I'm proud to say that my father was half French and half Irish, and I am a quarter Franco-American. Today we are celebrating St. Patrick's Day. I thank the Senator from Androscoggin, Senator Craven, for her eloquence in saying the Our Father in Irish and, as always, the poem is very touching. Also I'd like to have everyone think about their own historical backgrounds and I'm sure all of you have great pride and memories of your backgrounds also.

I do want to share with you a story that you will, I think, appreciate. In 2008 we had a monumental election. I'm not talking about the Presidential election. I'm talking about an election for the State Senate in Lewiston, Maine. On that date the citizens of Lewiston elected the first Irish born State Senator in the whole country, of any State Senate in the whole country, in fact any legislator in the whole country, when the good gentle lady from Androscoggin, Senator Craven, was elected. As I do every year, with 17 different trips, I went to Ireland with a cast of very honorable Maine citizens. Some people might call them great Americans, but I will say that they are a cast of good citizens. We do that after every election. We go to Ireland. Go back and find our roots. This time, which was a real special occasion, I was treated a little differently over in Ireland because of the good Senator from Androscoggin. When I arrived I didn't realize that a national Irish television camera crew and national press had followed the Senator from Androscoggin around the last week of the election. They followed her on the plane and over to Ireland. Of course we had made arrangements through a former member of the other Body, former Representative Ed Kelleher, who was the tour guide for most of us during these visits, to have Senator Craven meet with us in Spiddal. We were a group of 12 Mainers who were making another pilgrimage to Ireland. When Senator Craven came little did we know that we had a rock star in our midst. There were camera crews. There were newspaper reporters. Of course everyone was very impressed. The person who was coordinating after the interviews with Senator Craven decided that they were going to have a group photo, or so we thought. Everyone lined up for the photo and they said, "No, no, no. We just want the two Senators for the photograph." Senator Craven and myself were in the photograph. I didn't realize that some of the members of the national press thought that both Senator Craven and myself were United States Senators. After brushing aside questions about the weather in Washington D.C. and whether or not I was on the seniority of committee assignments in Washington D.C. and the United

States capital, the two of us, with a gasp from our friends, had our pictures taken. It went further than that. That picture went in every newspaper in all of Ireland. As a result of this filming there was a documentary that was in the same timeframe as *60 Minutes* is, or 20-20 on the nightly news, of Senator Craven. As a result of that monumental effort I figured I should make a journey also to her hometown, to her birth home, in Connamara, which was an incredible experience. I wish I could have shared that moment because my father, who passed away 20 years ago a week after St. Patrick's Day, reminded me that many in Ireland have different Irish prayers and Senator Craven knows them all. I just didn't want it to end because I think this is a very important and special day but it also, I think, talks a little about our comradery and friendship here in the Senate. This is one of the Irish prayers. There are many but this is how this one goes. It was my father's favorite. There are woodchips, there are good ships, ships that sail the sea, but the best ships are friendships, may they always be. Thank you and happy St. Patrick's Day.

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

Senator **CRAVEN:** Thank you Mr. President. Men and women of the Senate, I just wanted to say that we did acknowledge that we were not U.S. Senators but after a pause the response was, "Oh well, everything is ready. We're going to have the party anyway."

On motion by Senator **CRAVEN** of Androscoggin, the Joint Resolution was **ADOPTED**.

Sent down for concurrence.

COMMUNICATIONS

The Following Communication: S.C. 158

**STATE OF MAINE
ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE
COMMITTEE ON APPROPRIATIONS AND FINANCIAL
AFFAIRS**

March 15, 2011

Honorable Kevin L. Raye, Senate President
Honorable Robert W. Nutting, Speaker of the House
125th Maine State Legislature
State House
Augusta, Maine 04333

Dear President Raye and Speaker Nutting,

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

Resolve, Directing the Maine Public Employees Retirement System To Consider Warden Bayley Grant's Game Warden Service as Having Begun in 1983, without an Interruption in Service

Sincerely,

S/Sen. Richard W. Rosen
Senate Chair

S/Rep. Patrick S.A. Flood
House Chair

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

The Following Communication: S.C. 159

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

March 11, 2011

Honorable Kevin L. Raye, President of the Senate
Honorable Robert W. Nutting, Speaker of the House
125th Legislature
State House
Augusta, Maine 04333

Dear President Raye and Speaker Nutting:

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

L.D. 232 Resolve, To Change the Name of the Northern Penobscot Technical Center

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

Sincerely,

S/Sen. Brian D. Langley
Senate Chair

S/Rep. David E. Richardson
House Chair

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

The Following Communication: S.C. 160

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

March 15, 2011

Honorable Kevin L. Raye, Senate President
Honorable Robert W. Nutting, Speaker of the House
125th Maine State Legislature
State House
Augusta, Maine 04333

Dear President and Speaker Nutting,

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

L.D. 916 An Act To Clarify Notification Procedures during an Emergency Excavation

Sincerely,

S/Sen. Michael D. Thibodeau
Senate Chair

S/Rep. Stacey A. Fitts
House Chair

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

The Following Communication: S.C. 165

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

March 10, 2011

Honorable Kevin L. Raye, President of the Senate
Honorable Robert W. Nutting, Speaker of the House
125th Legislature
State House
Augusta, Maine 04333

Dear President Raye and Speaker Nutting:

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

L.D. 78 An Act To Allow Antlerless Deer Permits To Be Transferred to Family Members

L.D. 200 An Act To Provide Complimentary Any-Deer Permits to Persons 70 Years of Age and Older

L.D. 270 An Act To Reserve a Number of Moose Permits for the Tribes of Maine

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

Sincerely,

S/Sen. Thomas H. Martin, Jr.
Senate Chair

S/Rep. Paul T. Davis, Sr.
House Chair

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

The Following Communication: S.C. 161

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

March 11, 2011

Honorable Kevin L. Raye, President of the Senate
Honorable Robert W. Nutting, Speaker of the House
125th Legislature
State House
Augusta, Maine 04333

Dear President Raye and Speaker Nutting:

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

L.D. 402 An Act To Improve Credit Reporting Regarding Consumers without a Credit History

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

Sincerely,

S/Sen. Rodney L. Whittemore
Senate Chair

S/Rep. Wesley E. Richardson
House Chair

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

The Following Communication: S.C. 162

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

March 11, 2011

Honorable Kevin L. Raye, President of the Senate
Honorable Robert W. Nutting, Speaker of the House
125th Legislature
State House
Augusta, Maine 04333

Dear President Raye and Speaker Nutting:

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

L.D. 237 An Act To Make Public the Names of Members of Limited Liability Companies

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

Sincerely,

S/Sen. David R. Hastings III
Senate Chair

S/Rep. Joan M. Nass
House Chair

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

The Following Communication: S.C. 166

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

March 15, 2011

Honorable Kevin L. Raye, President of the Senate
Honorable Robert W. Nutting, Speaker of the House
125th Legislature
State House
Augusta, Maine 04333

Dear President Raye and Speaker Nutting:

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

L.D. 244 Resolve, Directing the Department of Marine Resources To Extend the Carrier Vessel Size Limit in the Menhaden Pilot Program

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

Sincerely,

S/Sen. Lois A. Snowe-Mello
Senate Chair

S/Rep. Windol C. Weaver
House Chair

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

The Following Communication: S.C. 163

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

March 11, 2011

Honorable Kevin L. Raye, President of the Senate
Honorable Robert W. Nutting, Speaker of the House
125th Legislature
State House
Augusta, Maine 04333

Dear President Raye and Speaker Nutting:

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

- L.D. 144 An Act To Regulate the Use of Magnesium Chloride
- L.D. 246 An Act To Require the Daytime Use of Headlights on Motor Vehicles
- L.D. 283 An Act To Require That Motor Vehicles Be Clear of Solid Precipitation When Operated on Public Ways
- L.D. 354 Resolve, To Improve the Intersection of Route 1 and Manktown Road in Waldoboro
- L.D. 414 An Act To Allow Landowners Road Access

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

Sincerely,

S/Sen. Ronald F. Collins
Senate Chair

S/Rep. Richard M. Cebra
House Chair

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

The Following Communication: S.C. 164

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

March 10, 2011

Honorable Kevin L. Raye, President of the Senate
Honorable Robert W. Nutting, Speaker of the House
125th Legislature
State House
Augusta, Maine 04333

Dear President Raye and Speaker Nutting:

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

- L.D. 34 An Act To Require Candidates for Public Office To Provide Proof of Citizenship

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

Sincerely,

S/Sen. Nichi S. Farnham
Senate Chair

S/Rep. Michael G. Beaulieu
House Chair

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

The Following Communication: S.C. 167

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

March 15, 2011

Honorable Kevin L. Raye, President of the Senate
Honorable Robert W. Nutting, Speaker of the House
125th Legislature
State House
Augusta, Maine 04333

Dear President Raye and Speaker Nutting:

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

L.D. 481 An Act To Make the Cashier or Clerk Who Sells Alcoholic Beverages or Tobacco to an Underage Person Responsible for Paying the Fine

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

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

Sincerely,

S/Sen. Nichi S. Farnham
Senate Chair

S/Rep. Michael G. Beaulieu
House Chair

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

Ought to Pass As Amended

The Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act Relating to Standardbred Horse Breeding" (EMERGENCY)

H.P. 55 L.D. 67

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-9).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-9).**

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

READ ONCE.

Committee Amendment "A" (H-9) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

REPORTS OF COMMITTEES

House

Ought to Pass

The Committee on **ENVIRONMENT AND NATURAL RESOURCES** on Resolve, Regarding Legislative Review of Portions of Chapter 232: Well Drillers and Pump Installers Rules, a Major Substantive Rule of the Maine Water Well Commission (EMERGENCY)

H.P. 252 L.D. 310

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.

Divided Report

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Remove the Restriction against a Spouse's Working in a School Administrative Unit in which the Other Spouse Serves on the School Board" (EMERGENCY)

H.P. 342 L.D. 449

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

Signed:

Senators:

LANGLEY of Hancock
ALFOND of Cumberland

Representatives:

EDGECOMB of Caribou
JOHNSON of Greenville
LOVEJOY of Portland
MAKER of Calais
McCLELLAN of Raymond
McFADDEN of Dennysville
NELSON of Falmouth
RANKIN of Hiram
WAGNER of Lewiston

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

The Committee on **TRANSPORTATION** on Bill "An Act To Amend the Laws Regarding Noncommercial Foreign Vessels"
H.P. 293 L.D. 367

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.

Signed:

Senator:

MASON of Androscoggin

Representative:

RICHARDSON of Carmel

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

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

Reports **READ**.

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

Divided Report

The Majority of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** on Resolve, To Allow Service Stations in Maine To Use Their Inventory of Lead Wheel Weights
H.P. 373 L.D. 480

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

Signed:

Senators:

SAVIELLO of Franklin
GOODALL of Sagadahoc

Representatives:

HAMPER of Oxford
DUCHESNE of Hudson
HARLOW of Portland
INNES of Yarmouth
KNAPP of Gorham
LONG of Sherman
NASS of Acton
PARKER of Veazie
WELSH of Rockport

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

Signed:

Senator:

SHERMAN of Aroostook

Representative:

AYOTTE of Caswell

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

Reports **READ**.

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

Divided Report

The Majority of the Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Prohibit Water-ski Courses on Small Ponds"

H.P. 228 L.D. 284

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

Signed:

Senators:

MARTIN of Kennebec
PATRICK of Oxford
TRAHAN of Lincoln

Representatives:

BRIGGS of Mexico
CLARK of Millinocket
EBERLE of South Portland
ESPLING of New Gloucester
GUERIN of Glenburn
SARTY of Denmark
SHAW of Standish
WOOD of Sabattus

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

Signed:

Representatives:

DAVIS of Sangerville
CRAFTS of Lisbon

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

Reports **READ**.

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

Divided Report

Six members of the Committee on **TRANSPORTATION** on Bill "An Act To Amend the Laws Governing Municipal Motor Vehicle Registration and License Agent Fees"

H.P. 232 L.D. 288

Reported in Report "A" that the same **Ought to Pass**.

Signed:

WAGNER of Lewiston

Representatives:

GILLWAY of Searsport
HOGAN of Old Orchard Beach
MAZUREK of Rockland
PEOPLES of Westbrook
RIOUX of Winterport
THERIAULT of Madawaska

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-8).**

Signed:

Senator:

LANGLEY of Hancock

Six members of the same Committee on the same subject reported in Report "B" that the same **Ought Not to Pass.**

(Representative SOCTOMAH of the Passamaquoddy Tribe - of the House - supports the Minority **Ought To Pass as Amended Report.**)

Signed:

Reports **READ.**

Senators:

COLLINS of York
DIAMOND of Cumberland
THOMAS of Somerset

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

Representatives:

CEBRA of Naples
PARRY of Arundel
WILLETTE of Mapleton

Sent down for concurrence.

Comes from the House with Report "B", **OUGHT NOT TO PASS READ and ACCEPTED.**

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

Reports **READ.**

On motion by Senator **COLLINS** of York, Report "B", **OUGHT NOT TO PASS ACCEPTED**, in concurrence.

Off Record Remarks

SECOND READERS

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

Senate
Divided Report

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Mandate That the School Year Not Begin before September 1st"
S.P. 108 L.D. 395

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

Signed:

Bill "An Act To Authorize the Sale of Surplus Property to Nonprofit Animal Shelters"

Senators:

ALFOND of Cumberland
MASON of Androscoggin

H.P. 4 L.D. 12

H.P. 295 L.D. 369

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

Representatives:

RICHARDSON of Carmel
EDGECOMB of Caribou
JOHNSON of Greenville
LOVEJOY of Portland
MAKER of Calais
McCLELLAN of Raymond
McFADDEN of Dennysville
NELSON of Falmouth
RANKIN of Hiram

Senate As Amended

Bill "An Act Implementing a Fisheries Permit Banking Program"
S.P. 34 L.D. 61
(C "A" S-5)

Bill "An Act To Establish Governor William King Day"
S.P. 65 L.D. 214
(C "A" S-6)

Resolve, To Enhance Economic Development in the City of
Eastport by Facilitating the Ability of the City of Eastport To
Transfer Ownership of Property (EMERGENCY)
S.P. 177 L.D. 594
(C "A" S-7)

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

Sent down for concurrence.

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

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 (3/1/11) Assigned matter:

JOINT ORDER - Establishing the Joint Select Committee on Health Care Costs

H.P. 597

Tabled - March 1, 2011, by Senator **COURTNEY** of York

Pending - **PASSAGE**, in concurrence

(In House, March 1, 2011, **READ** and **PASSED**.)

(In Senate, March 1, 2011, **READ**.)

On motion by Senator **COURTNEY** of York, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**, in **NON-CONCURRENCE**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (3/16/11) Assigned matter:

Bill "An Act To Make a Violation of the Laws Governing Seat Belts a Secondary Offense"

S.P. 37 L.D. 64

Tabled - March 16, 2011, by Senator **DIAMOND** of Cumberland

Pending - motion by same Senator to **RECONSIDER** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-4)**

(In Senate, March 16, 2011, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-4)**.)

On motion by Senator **COURTNEY** of York, supported by a Division of one-fifth of the members present and voting, a Roll Call was ordered.

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

Senator **DIAMOND:** Thank you Mr. President. Ladies and gentlemen of the Senate, just one quick note. We've hit this thing around quite a few times and everyone has been real good about it. I just wanted to remind everybody that this does have a fiscal note to the General Fund of \$1.3 million. That's what we're going to be voting on if this motion to continue the Minority Report continues and not allowing for reconsideration. That is the amount of the cost of this, \$1.3 million over the biennium. Thank you, Mr. President.

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

Senator **COLLINS:** Thank you Mr. President. Men and women of the Senate, that fiscal note is fines. A large portion of that \$1.3 million is nothing more than an estimate of projected fines. We can hardly predict the weather three or four days in advance. I don't know how we can predict the income from fines. Even though it's a guess, nevertheless it is a guess of projected lost revenue as a result if fining people for not wearing their seatbelts. Thank you.

THE PRESIDENT: The pending question before the Senate is the motion by the Senator from Cumberland, Senator Diamond to **RECONSIDER** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-4)**. A Roll Call has been ordered. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#19)

YEAS: Senators: ALFOND, BARTLETT, BLISS, BRANNIGAN, CRAVEN, DIAMOND, GERZOFKY, GOODALL, HILL, HOBBS, PATRICK, ROSEN, SULLIVAN, WOODBURY

NAYS: Senators: COLLINS, COURTNEY, FARNHAM, HASTINGS, JACKSON, KATZ, LANGLEY, MARTIN, MASON, MCCORMICK, PLOWMAN, RECTOR, SAVIELLO, SCHNEIDER, SHERMAN, SNOWE-MELLO, THIBODEAU, THOMAS, TRAHAN, WHITTEMORE, THE PRESIDENT - KEVIN L. RAYE

14 Senators having voted in the affirmative and 21 Senators having voted in the negative, the motion by Senator **DIAMOND** of Cumberland to **RECONSIDER** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-4), FAILED.**

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.

The Chair laid before the Senate the following Tabled and Later (3/15/11) Assigned matter:

JOINT ORDER - Expression of Legislative Sentiment Recognizing Kathy Crowley Fuller, of Hallowell, on the occasion of her retirement from State service after over 25 years of dedicated service to the Legislature and the people of the State of Maine.

SLS 164

Tabled - March 15, 2011, by Senator **PLOWMAN** of Penobscot

Pending - **PASSAGE**

(In Senate, March 15, 2011, **READ.**)

READ.

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

Senator **DIAMOND:** Thank you Mr. President. Ladies and gentlemen of the Senate, I will probably not have a greater honor than what I'm about to do right now in this Senate Body. Kathy Crowley, now Kathy Crowley Fuller, is retiring, as you have just heard, after all these years. Kathy and I kind of came in together. My first stint in the Senate in 1984, Kathy Crowley worked for the Audit and Program Review Committee, which was the beginning of the Government Oversight Committee. She was outstanding then and then proceeded to be, as we learned, one of the most genuine and nicest persons you will ever want to meet. I hope you get a chance to say hi to her today. She is retiring today. Again, she came in when it was my first time in the Senate. For

the last past several years she's been working with the Appropriations Committee. I had the honor to work with her again. She kind of came in with me and is going out with me. I really appreciate all that she has done for the state. Those of you who don't know her, you will find her to be, again, one of the most gracious, well liked, nicest persons you would ever want to meet, and beyond all that, she's very very competent. She helped us through some of the toughest times on the Audit and Program Review Committee. That was a time when we wrote the Underground Gasoline Tank Leakage legislation. She was right there with us throughout. She's been phenomenal. I can't say enough nice things about her. I hope you will join me in saying thank you for her service and wishing her Godspeed and well in her new relaxation time which she will have for herself and her family. Thank you very much, Mr. President. Please join me in recognizing her.

PASSED.

Sent down for concurrence.

THE PRESIDENT: The Chair is very pleased to recognize in the rear of the chamber Kathy Crowley Fuller. Would she please stand and accept the greetings and the thanks of the Maine Senate.

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

REPORTS OF COMMITTEES

Senate

Ought to Pass As Amended

Senator LANGLEY for the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Resolve, To Establish a Stakeholder Group To Review the Maine State Grant Program
S.P. 59 L.D. 209

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-10).**

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

READ ONCE.

Committee Amendment "A" (S-10) **READ** and **ADOPTED.**

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator COLLINS for the Committee on **TRANSPORTATION** on Bill "An Act To Make Supplemental Allocations from the Highway Fund and Other Funds 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, 2011" (EMERGENCY)

S.P. 168 L.D. 576

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-9)**.

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

READ ONCE.

Committee Amendment "A" (S-9) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

All matters thus acted upon were ordered sent down forthwith for 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 Paper

Bill "An Act To Require Timely Reporting of Dog Licensing"
H.P. 867 L.D. 1169

Presented by Representative KNIGHT of Livermore Falls. (BY REQUEST)
Cosponsored by Senator MARTIN of Kennebec and Representatives: AYOTTE of Caswell, BRIGGS of Mexico, COTTA of China, FOSSEL of Alna, MAZUREK of Rockland, McCABE of Skowhegan, McKANE of Newcastle, PRESCOTT of Topsham.

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

REFERRED to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** 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 Implement the Recommendations of the Commissioner of Corrections' Study Regarding the Placement of Special Management Prisoners"

H.P. 861 L.D. 1163

Presented by Representative DION of Portland.

Bill "An Act To Enable Prosecutions for Criminal Invasion of Computer Privacy"

H.P. 863 L.D. 1165

Presented by Representative DION of Portland.

Bill "An Act To Exempt Firearms Manufactured in this State from Federal Regulation"

H.P. 866 L.D. 1168

Presented by Representative CEBRA of Naples.
Cosponsored by Senator SNOWE-MELLO of Androscoggin and Representatives: BLACK of Wilton, CRAFTS of Lisbon, DAVIS of Sangerville, GIFFORD of Lincoln, HANLEY of Gardiner, LIBBY of Waterboro, SARTY of Denmark, TIMBERLAKE of Turner.

Bill "An Act To Enhance Reciprocity Agreements Regarding Permits To Carry Concealed Firearms"

H.P. 874 L.D. 1176

Presented by Representative CEBRA of Naples.
Cosponsored by Senator COLLINS of York and Representatives: CLARK of Millinocket, CRAFTS of Lisbon, CRAY of Palmyra, CROCKETT of Bethel, GIFFORD of Lincoln, HANLEY of Gardiner, SARTY of Denmark, TIMBERLAKE of Turner.

Bill "An Act To Repeal the Laws Governing the Consolidation of Jails"

H.P. 876 L.D. 1178

Presented by Representative DAVIS of Sangerville.
Cosponsored by Representative FOSSEL of Alna, Senator TRAHAN of Lincoln and Senator: THOMAS of Somerset, Representatives: AYOTTE of Caswell, BLACK of Wilton, CLARK of Easton, CRAFTS of Lisbon, CROCKETT of Bethel, McKANE of Newcastle, WILLETTE of Mapleton.

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

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 Paper

Bill "An Act To Make Changes to the Maine College Savings Program"

H.P. 871 L.D. 1173

Presented by Representative RICHARDSON of Carmel.
Cosponsored by Senator LANGLEY of Hancock.
Submitted by the Treasurer of State pursuant to Joint Rule 204.

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

REFERRED to the Committee on **EDUCATION AND CULTURAL AFFAIRS** 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 Change the Regulation of Liquefied Petroleum Gas Distribution Facilities"

H.P. 856 L.D. 1158

Presented by Representative FITTS of Pittsfield.

Bill "An Act To Establish a Code of Ethics for Individuals Involved in Grid-scale Wind Energy Development"

H.P. 868 L.D. 1170

Presented by Representative DUNPHY of Embden.
Cosponsored by Senator WHITTEMORE of Somerset and Representatives: CRAFTS of Lisbon, CRAY of Palmyra, JOHNSON of Eddington, LIBBY of Waterboro, MAKER of Calais, MALABY of Hancock, SIROCKI of Scarborough, WINTLE of Garland.

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

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 Paper

Bill "An Act To Exempt from Subdivision Requirements Land Sold by 65 Years of Age or Older Persons"

H.P. 854 L.D. 1156

Presented by Representative KNIGHT of Livermore Falls.
Cosponsored by Senator KATZ of Kennebec and Senators: LANGLEY of Hancock, MASON of Androscoggin, TRAHAN of Lincoln, Representatives: FOSSEL of Alna, HARMON of Palermo, PICCHIOTTI of Fairfield, WINTLE of Garland.

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

REFERRED to the Committee on **ENVIRONMENT AND NATURAL 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 Amend the Identification Requirements under the Maine Medical Use of Marijuana Act"

H.P. 857 L.D. 1159

Presented by Representative HASKELL of Portland.
Cosponsored by Senator GERZOFKY of Cumberland and Representatives: BOLAND of Sanford, LAJOIE of Lewiston, MALONEY of Augusta, WAGNER of Lewiston.

Resolve, To Promote Education Regarding Parkinson's Disease among Health Care and Emergency Personnel
H.P. 858 L.D. 1160

Presented by Representative HARLOW of Portland.
Cosponsored by Senator CRAVEN of Androscoggin and Representatives: KAENRATH of South Portland, MacDONALD of Boothbay, MORRISON of South Portland, PETERSON of Rumford, RANKIN of Hiram, ROCHELO of Biddeford, SANBORN of Gorham, STUCKEY of Portland.

Bill "An Act To Improve Electronic Prescribing"
H.P. 864 L.D. 1166

Presented by Representative FITTS of Pittsfield.

Bill "An Act To Make Minor Changes to Municipal Health Inspection Activities"

H.P. 875 L.D. 1177

Presented by Representative SANBORN of Gorham.
Cosponsored by Senator BRANNIGAN of Cumberland and Representatives: EVES of North Berwick, ROCHELO of Biddeford, WELSH of Rockport.

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

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 Allow Members of Professional Associations To Purchase Health Insurance across State Lines"
H.P. 860 L.D. 1162

Presented by Representative VOLK of Scarborough.
Cosponsored by Senator SNOWE-MELLO of Androscoggin and Representatives: FITZPATRICK of Houlton, HARVELL of Farmington, LIBBY of Waterboro, McKANE of Newcastle, MORISSETTE of Winslow, PICCHIOTTI of Fairfield, RICHARDSON of Warren, SANDERSON of Chelsea.

Bill "An Act To Allow a Homeowner To Insure a Residence for Less than Actual Cash Value"
H.P. 873 L.D. 1175

Presented by Representative FREDETTE of Newport.
Cosponsored by Representative: DAVIS of Sangerville.

Bill "An Act To Require Advance Review and Approval of Certain Small Group Health Insurance Rate Increases and To Implement the Requirements of the Federal Patient Protection and Affordable Care Act"
H.P. 877 L.D. 1179

Presented by Representative GOODE of Bangor.
Cosponsored by Senator BRANNIGAN of Cumberland and Representatives: CAIN of Orono, EVES of North Berwick, GRAHAM of North Yarmouth, MORRISON of South Portland, PRIEST of Brunswick, SANBORN of Gorham, STUCKEY of Portland, TREAT of Hallowell.

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

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 Paper

Bill "An Act To Amend the Pine Tree Development Zone Laws To Provide a Better Measurement of Per Capita Income"
(EMERGENCY)

H.P. 869 L.D. 1171

Presented by Representative SHAW of Standish.
Cosponsored by Senator DIAMOND of Cumberland and Senators: BARTLETT of Cumberland, MARTIN of Kennebec, SAVIELLO of Franklin, Representatives: DUCHESNE of Hudson, EVES of North Berwick, FLOOD of Winthrop, HUNT of Buxton, TUTTLE of Sanford.

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

REFERRED to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** 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 Protect Property Tax Revenue in the Unorganized Territory"
H.P. 855 L.D. 1157

Presented by Representative DUNPHY of Embden.
Cosponsored by Senator WHITTEMORE of Somerset and Representatives: CRAFTS of Lisbon, CRAY of Palmyra, HARMON of Palermo, JOHNSON of Eddington, LIBBY of Waterboro, MAKER of Calais, MALABY of Hancock, SIROCKI of Scarborough.

Bill "An Act To Waive Penalties Imposed under Laws Governing Taxation for Persons Who Are Unemployed"
H.P. 859 L.D. 1161

Presented by Representative BOLDUC of Auburn.

Bill "An Act To Help Maine's Employers To Recruit Skilled Workers by Expanding the Availability of the Educational Opportunity Tax Credit"
H.P. 872 L.D. 1174

Presented by Representative KNIGHT of Livermore Falls.
Cosponsored by Senator WOODBURY of Cumberland and Senators: GERZOFISKY of Cumberland, GOODALL of Sagadahoc, Representatives: BRIGGS of Mexico, CORNELL du HOUX of Brunswick, CURTIS of Madison, HARMON of Palermo, KNAPP of Gorham, WAGNER of Lewiston.

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

REFERRED to the Committee on **TAXATION** and ordered printed, in concurrence.

Bill "An Act To Support Maine Farms and Alleviate Hunger"
H.P. 862 L.D. 1164

Presented by Representative DION of Portland.
Cosponsored by Representative STUCKEY of Portland, Senator ALFOND of Cumberland and Representatives: CHIPMAN of Portland, CLARK of Millinocket.

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

On motion by Senator **TRAHAN** of Lincoln, **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 Paper

Bill "An Act To Protect the Privacy of Persons Involved in Reportable Motor Vehicle Accidents"
H.P. 865 L.D. 1167

Presented by Representative CEBRA of Naples.
Cosponsored by Senator COLLINS of York and Senator: DIAMOND of Cumberland, Representatives: CLARK of Millinocket, HASKELL of Portland, KNAPP of Gorham, PARRY of Arundel, PEOPLES of Westbrook, PLUMMER of Windham, RIOUX of Winterport.
Submitted by the Department of Public Safety pursuant to Joint Rule 204.

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

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 Allow Harness Racing Betting To Be Conducted at Class A Lounges"

H.P. 853 L.D. 1155

Presented by Representative CRAY of Palmyra.
Cosponsored by Senator SHERMAN of Aroostook and Representatives: BEAULIEU of Auburn, CAREY of Lewiston, DUNPHY of Embden, FITTS of Pittsfield, FREDETTE of Newport, LIBBY of Waterboro.

Bill "An Act To Transfer Responsibility for Oversight of Games of Chance to the Gambling Control Board"

H.P. 878 L.D. 1180

Presented by Representative CAREY of Lewiston.

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

REFERRED to the Committee on **VETERANS AND LEGAL AFFAIRS** and ordered printed, in concurrence.

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

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

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

On motion by Senator **COURTNEY** of York, **ADJOURNED**, pursuant to the Joint Order, to Tuesday, March 22, 2011, at 10:00 in the morning.