

MAINE STATE LEGISLATURE

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One Hundred and Twenty-Fifth Legislature

State of Maine

Daily Edition

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

In Senate Chamber
Thursday
February 10, 2011

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

Prayer by Senator Nancy B. Sullivan of York County.

SENATOR SULLIVAN: Good morning colleagues. I'm sure you realize that I'm not the Reverend Brian Hale, who was supposed to be here, but I am here and I offer this prayer this morning. I cheated. It's not my own prayer. I tend to use my own prayers but I really need to have time to think about it and I didn't have a lot of time to think this morning. If you would bow your heads or close your eyes or mediate in what ever way your religious tradition allows you and listen to the prayer. This is the prayer of St. Francis. It is probably my favorite prayer.

Lord, make me an instrument of Your peace. Where there is hatred, let me so love. Where there is injury, pardon. Where there is doubt, faith. Where there is despair, hope. Where there is darkness, light. Where there is sadness, joy. O Devine Master, grant that I may not so much seek to be consoled as to console; to be understood as to understand; to be loved as to love. For it is in giving that we receive. It is in pardoning that we are pardoned. It is in dying that we are born to eternal life. Thank you.

Pledge of Allegiance led by Senator Earle L. McCormick of Kennebec County.

Reading of the Journal of Tuesday, February 8, 2011.

Doctor of the day, Benoit Blondeau, MD of Auburn.

Out of order and under suspension of the Rules, on motion by Senator **COURTNEY** of York, the following Joint Order:
S.P. 116

Ordered, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, February 15, 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, on motion by Senator **PLOWMAN** of Penobscot, the following Senate Order:
S.O. 12

Ordered, that a message be sent to the House of Representatives proposing a Convention of the two branches of the Legislature be held at 11:00 this morning, in the Hall of the House for the purpose of extending to Governor Paul R. LePage, an invitation to attend and make such communication as pleases him.

READ and PASSED.

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

Senate at Ease.

Senate called to order by the President.

Off Record Remarks

Senate at Ease.

Senate called to order by the President.

Subsequently, the Senator from Penobscot, Senator **PLOWMAN** reported that she had delivered the message with which she was charged.

Off Record Remarks

At this point a message was received from the House of Representatives, borne by Representative **CURTIS** of Madison informing the Senate that the House concurred with the proposition for a Convention of the two branches of the Legislature to be held in the Hall of the House at 11:00 in the morning for the purpose of extending to Governor Paul R. LePage, an invitation to attend and make such communication as pleases him.

Off Record Remarks

COMMUNICATIONS

The Following Communication: S.C. 70

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

February 8, 2011

The Honorable Kevin L. Raye
President of the Senate of Maine
125th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Transportation has had under consideration the nomination of David B. Bernhardt of Vassalboro, for appointment as the Commissioner of the Department of Transportation.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	3	Collins of York, Diamond of Cumberland, Thomas of Somerset
	Representatives	10	Cebra of Naples, Gillway of Searsport, Hogan of Old Orchard Beach, Mazurek of Rockland, Parry of Arundel, Peoples of Westbrook, Rioux of Winterport, Rosen of Bucksport, Theriault of Madawaska, Willette of Mapleton
NAYS		0	
ABSENT		0	

Thirteen members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of David B. Bernhardt of Vassalboro, for appointment as the Commissioner of the Department of Transportation be confirmed.

Signed,

S/Ronald F. Collins
Senate Chair

S/Richard M. Cebra
House Chair

READ and ORDERED PLACED ON FILE.

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

Senator **COLLINS:** Thank you Mr. President. Men and women of the Senate, I rise this morning to talk to you about our nominee for Commissioner of the Department of Transportation, David Bernhardt. First of all I'd like to mention, as you can see by the calendar, that he had a unanimous vote from the committee and that is impressive. Additionally what was impressive was the fact that there were no dissenting comments about David Bernhardt. It was all 100% in favor of that nominee for Commissioner. David has been with the department for 26 years. He played a key role in developing the Adopt A Highway improvement program and the Rural Road Initiative program improving 100 miles of Adopt A Highways over a four year period. He is a 1984 graduate of the University of Maine at Orono with an Associate Bachelor of Science degree and Civil Engineering and is registered as a professional engineer. He lives in the town of Vassalboro with his wife and three children, two daughters and a son. I mention this again only for the fact that he has roots here in Maine. He has worked for the department for a long time. I know he will do a good job for us. He's the right man at the right place at the right time. I fully endorse David Bernhardt for Commissioner of the Department of Transportation. Thank you.

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

Senator **DIAMOND:** Thank you Mr. President. Ladies and gentlemen of the Senate, I too rise in support of this nominee. In fact I think that Governor LePage has picked an excellent person for this job. Let me tell you there are two key reasons why David Bernhardt is good for this job at this time. The first is that he's actually got proven ability about the efficiencies in the Department of Transportation. He's been there a little over 26 years. During that time he's been promoted and promoted and promoted because of good reasons. Efficiencies is what he's good at. He's also good at finding solutions when there are problems with people competing against each other, whether internally or externally. That, I think, is very important because that brings credibility to the department. That's the first reason. The second reason is that he's very willing, with the leadership of Senate Chair from York, Senator Collins, and the committee, to participate in a new day in the Highway Fund. By that I mean a new examination of the budget. A line by line examination of the budget. That, I think, is very very important for the leader of that department to be partnering with such an effort with the committee and with this legislature. Those are the two reasons why he's key at this point.

Now let's talk about the huge challenge that faces him, because it is huge. As we know, the roads and bridges in the state are crumbling before our eyes. You all have them in your districts. I have the River Road which we're working on. You all have your own River Roads and you know full well how necessary it is to find the funds to repair these roads. How do we find the funding? How does David Bernhardt do that as the leader of this department? What does he do? That's his challenge. The fuel tax, of course, is shrinking. The fuel tax is at a point now where it's really become an outdated source of funding. David Bernhardt knows that. The fuel tax income is less in 2008 than it was in 2007 and less in 2009 than it was in 2008

and so forth. By the way, the entire budget for the Department of Transportation is \$622 million. Fuel tax is around \$197 million. The second thing we might look at that David Bernhardt is going have to be challenged with is that the federal funds are shrinking. In 2002 we were getting about 71% from the feds. In 2010 we got 62%. Another funding source getting smaller and then, at least this time, no bonding. We're in a position where there has to be some creative thinking because the efficiencies I believe David Bernhardt will bring to this department will no where near come near what we need for income to fix your roads and my roads. That's his challenge. His challenge is to find the way to do what we need to do so that our highways, our system that our economy can develop on, can grow on. Having said that, I think that David Bernhardt is the one that can meet that challenge and I, for one, hope you will all support him today. Thank you Mr. President.

THE PRESIDENT: The Chair recognizes the Senator from Somerset, Senator Thomas.

Senator **THOMAS:** Thank you Mr. President. Ladies and gentlemen of the Senate, when we look at all the work that needs to be done to Maine's transportation system I don't know of a better man to oversee that work than David Bernhardt. Thank you.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **TRANSPORTATION** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 125th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#11)

YEAS: Senators: None

NAYS: Senators: ALFOND, BARTLETT, BLISS, BRANNIGAN, COLLINS, COURTNEY, CRAVEN, DIAMOND, FARNHAM, GERZOFSKY, GOODALL, HASTINGS, HILL, HOBBS, JACKSON, KATZ, LANGLEY, MARTIN, MASON, MCCORMICK, PATRICK, PLOWMAN, RECTOR, ROSEN, SAVIELLO, SCHNEIDER, SHERMAN, SNOWE-MELLO, SULLIVAN, THIBODEAU, THOMAS, TRAHAN, WHITTEMORE, WOODBURY, THE PRESIDENT - KEVIN L. RAYE

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **David B. Bernhardt** of Vassalboro for appointment as the Commissioner of the Department of Transportation was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

THE PRESIDENT: The Chair is pleased to recognize in the rear of the chamber David Bernhardt. Would he please rise and accept the greetings of the Maine Senate.

The Following Communication: S.C. 63

**STATE OF MAINE
125TH LEGISLATURE
OFFICE OF THE GOVERNOR**

February 8, 2011

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

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

Dear Senator Raye and Representative Nutting:

I thank you for the invitation to deliver my Budget Address at a Joint Session of the 125th Maine Legislature. I will be there on Thursday, February 10, 2011 at 11:00 a.m.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 64

**STATE OF MAINE
125TH LEGISLATURE
OFFICE OF THE PRESIDENT**

February 8, 2011

Honorable Joseph G. Carleton
Secretary of the Senate
3 State House Station
Augusta, ME 04333

Dear Secretary Carleton,

Pursuant to my authority under Title 22 MRSA, §3739, I am pleased to appoint Senator Lois Snowe-Mello of Androscoggin to the Child Care Advisory Council, as a member of the Senate.

Please contact my office if you have any questions regarding this appointment.

Sincerely,

S/Kevin L. Raye
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 65

**STATE OF MAINE
125TH LEGISLATURE
SPEAKER'S OFFICE**

February 7, 2011

Honorable Joseph G. Carleton
Secretary of the Senate
3 State House Station
Augusta, ME 04333

Dear Secretary Carleton,

Pursuant to my authority under 3 MRSA, §168-B, I am pleased to appoint Representative Alexander Willette of Mapleton to the Legislative Youth Advisory Council.

Please let me know if you have any questions regarding this appointment.

Sincerely,

S/Robert W. Nutting
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 66

**STATE OF MAINE
125TH LEGISLATURE
SPEAKER'S OFFICE**

February 7, 2011

Honorable Joseph G. Carleton
Secretary of the Senate
3 State House Station
Augusta, ME 04333

Dear Secretary Carleton,

Pursuant to my authority under Title 2 MRSA, Chapter 5, §104, I am pleased to appoint Representative Les Fossel of Alna to the Advisory Council on Health Systems Development as a Representative serving on the Joint Standing Committee on Health & Human Services.

Please let me know if you have any questions regarding this appointment.

Sincerely,

S/Robert W. Nutting
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 68

**STATE OF MAINE
125TH LEGISLATURE**

February 7, 2011

Honorable Joseph G. Carleton
Secretary of the Senate
3 State House Station
Augusta, ME 04333

Dear Secretary Carleton,

Pursuant to our authority under Title 12, MRSA, Chapter 419, §4652, we are pleased to appoint Senator Brian D. Langley of Hancock to the Atlantic States Marine Fisheries Commission.

Please let us know if you have any questions regarding this appointment.

Sincerely,

S/Kevin L. Raye
President of the Senate

S/Robert W. Nutting
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 71

**STATE OF MAINE
125TH LEGISLATURE
SPEAKER'S OFFICE**

February 8, 2011

Honorable Joseph G. Carleton
Secretary of the Senate
3 State House Station
Augusta, ME 04333

Dear Secretary Carleton,

Pursuant to my authority under Title 2, MRSA, Chapter 5, §104, I am pleased to appoint Representative Adam A. Goode of Bangor to the Advisory Council on Health Systems Development as a Representative serving on the Joint Standing Committee on Insurance and Financial Services.

Please let me know if you have any questions regarding this appointment.

Sincerely,

S/Robert W. Nutting
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 72

**STATE OF MAINE
125TH LEGISLATURE
SPEAKER'S OFFICE**

February 8, 2011

Honorable Joseph G. Carleton
Secretary of the Senate
3 State House Station
Augusta, ME 04333

Dear Secretary Carleton,

Pursuant to my authority under Title 10, MRSA Chapter 1-A, Section 11, I am pleased to appoint Representative Joyce A. Maker of Calais to the Citizen Trade Policy Commission.

Please let me know if you have any questions regarding this appointment.

Sincerely,

S/Robert W. Nutting
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 69

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

February 3, 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 bill out "Ought Not to Pass":

L.D. 23 An Act To Authorize the Inclusion of
Information Regarding Blood Type on Driver's
Licenses

We have also notified the sponsor and cosponsors 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.

SENATE PAPERS

Bill "An Act To Authorize a General Fund Bond Issue To Improve Rail Lines in Western Maine"

S.P. 121 L.D. 417

Presented by Senator CRAVEN of Androscoggin.
Cosponsored by Representative ROTUNDO of Lewiston and Senator: PATRICK of Oxford, Representatives: BOLDUC of Auburn, GILBERT of Jay, LAJOIE of Lewiston, THERIAULT of Madawaska.

Bill "An Act To Authorize a General Fund Bond Issue To Fund Building a Container Port on Sears Island"

S.P. 124 L.D. 420

Presented by Senator THOMAS of Somerset.
Cosponsored by Representative PEOPLES of Westbrook and Senators: COLLINS of York, DIAMOND of Cumberland, Representatives: CEBRA of Naples, CRAFTS of Lisbon, GIFFORD of Lincoln, MAZUREK of Rockland, PARRY of Arundel, THERIAULT of Madawaska.

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 Authorize a GARVEE Bond for the Interstate 95 Bridge at the Maine-New Hampshire State Line"
S.P. 136 L.D. 432

Presented by Senator HILL of York.
Cosponsored by Representative BELIVEAU of Kittery and
Senators: ALFOND of Cumberland, HOBBS of York,
Representative: BEAVERS of South Berwick.

Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**
suggested and ordered printed.

On motion by Senator **ROSEN** of Hancock, **REFERRED** to the
Committee on **TRANSPORTATION**.

Sent down for concurrence.

Bill "An Act To Amend the Laws Governing the Tax Assessment for Correctional Services in Lincoln County and Sagadahoc County"

S.P. 126 L.D. 422

Presented by Senator TRAHAN of Lincoln.
Cosponsored by Representatives: FOSSEL of Alna,
MacDONALD of Boothbay, McKANE of Newcastle, SANDERSON
of Chelsea.

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

Sent down for concurrence.

Resolve, To Name the Maine Fire Training and Education Program at Southern Maine Community College the Maine Fire Service Institute

S.P. 134 L.D. 430

Presented by Senator GERZOFKY of Cumberland.
Cosponsored by Representative PRIEST of Brunswick and
Senators: BLISS of Cumberland, GOODALL of Sagadahoc,
PLOWMAN of Penobscot, RECTOR of Knox, Representatives:
CLARKE of Bath, CORNELL du HOUX of Brunswick,
PRESCOTT of Topsham, WEBSTER of Freeport.

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

Sent down for concurrence.

Bill "An Act To Stimulate Demand for Renewable Resources"
S.P. 129 L.D. 425

Presented by Senator ROSEN of Hancock.
Cosponsored by Representative ROSEN of Bucksport.

Bill "An Act To Clarify the Role of the Public Advocate"
S.P. 133 L.D. 429

Presented by Senator THIBODEAU of Waldo.
Cosponsored by Representative DAVIS of Sangerville and
Senators: ROSEN of Hancock, SAVIELLO of Franklin,
SHERMAN of Aroostook, THOMAS of Somerset,
Representatives: CRAY of Palmyra, CUSHING of Hampden,
HAMPER of Oxford, McKANE of Newcastle.

Bill "An Act To Require the Efficiency Maine Trust To More Effectively Administer Funds"

S.P. 135 L.D. 431

Presented by Senator THIBODEAU of Waldo.
Cosponsored by Representative CURTIS of Madison and
Senators: ROSEN of Hancock, SAVIELLO of Franklin,
SHERMAN of Aroostook, THOMAS of Somerset,
Representatives: CRAY of Palmyra, CUSHING of Hampden,
DAVIS of Sangerville, McKANE of Newcastle.

On motion by Senator THIBODEAU of Waldo, **REFERRED** to the
Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and
ordered printed.

Sent down for concurrence.

Bill "An Act To Exempt Wetlands Created by Obstructions or Barriers from the Shoreland Zoning Laws"
S.P. 138 L.D. 434

Presented by Senator COLLINS of York.
Cosponsored by Representative CHASE of Wells and Senators:
HASTINGS of Oxford, SNOWE-MELLO of Androscoggin,
THOMAS of Somerset, Representatives: BENNETT of
Kennebunk, CEBRA of Naples.

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

Sent down for concurrence.

Bill "An Act To Revise the Laws Governing the Licensure of Public Water System Operators"

S.P. 128 L.D. 424

Presented by Senator GOODALL of Sagadahoc.
Cosponsored by Representative FITTS of Pittsfield and Senator:
CRAVEN of Androscoggin, Representatives: CLARKE of Bath,
HINCK of Portland, KENT of Woolwich.

Bill "An Act To Fund Special Education Advocacy"
S.P. 132 L.D. 428

Presented by Senator BRANNIGAN of Cumberland.
Cosponsored by Representative STRANG BURGESS of
Cumberland and Senators: ALFOND of Cumberland, CRAVEN of
Androscoggin, HILL of York, KATZ of Kennebec,
Representatives: NELSON of Falmouth, ROTUNDO of Lewiston.

Bill "An Act To Improve the Rate of Organ and Tissue Donation
by Establishing the Organ Donation Advisory Council"
S.P. 139 L.D. 435

Presented by Senator LANGLEY of Hancock.
Cosponsored by Representative ROCHELO of Biddeford and
Senators: KATZ of Kennebec, MARTIN of Kennebec, MASON of
Androscoggin, SNOWE-MELLO of Androscoggin,
Representatives: BRIGGS of Mexico, FOSSEL of Alna,
PRESCOTT of Topsham, STRANG BURGESS of Cumberland.

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

Sent down for concurrence.

Bill "An Act To Clarify Standards by Which Recreational Vehicles
May Be Stopped"

S.P. 117 L.D. 413

Presented by Senator JACKSON of Aroostook.
Cosponsored by Representative MARTIN of Eagle Lake and
Senators: ALFOND of Cumberland, BARTLETT of Cumberland,
THIBODEAU of Waldo, Representatives: CAREY of Lewiston,
CRAY of Palmyra, DAVIS of Sangerville, FITTS of Pittsfield,
McCABE of Skowhegan.

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

Sent down for concurrence.

Bill "An Act To Ensure the Payment of Survivor Benefits to
Certain Children"

S.P. 123 L.D. 419

Presented by Senator ROSEN of Hancock.
Cosponsored by Representative: CORNELL du HOUX of
Brunswick.

Bill "An Act To Extend the Same Privileges to the Wesget Sipu -
Fish River Tribe as Are Extended to Other Maine Indian Tribes"
S.P. 131 L.D. 427

Presented by Senator JACKSON of Aroostook.
Cosponsored by Representative MARTIN of Eagle Lake.

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

Sent down for concurrence.

Bill "An Act To Create a Saltwater Fishing License for Owners of
Docks, Piers and Wharves" (EMERGENCY)
S.P. 122 L.D. 418

Presented by Senator TRAHAN of Lincoln.
Cosponsored by Senator: RECTOR of Knox.

On motion by Senator **SNOWE-MELLO** of Androscoggin,
REFERRED to the Committee on **MARINE RESOURCES** and
ordered printed.

Sent down for concurrence.

Bill "An Act To Exempt from Income Tax the Income of
Nonresidents Working in Maine Pursuant to an Interlocal
Agreement"

S.P. 137 L.D. 433

Presented by Senator HILL of York.
Cosponsored by Representative EVES of North Berwick and
Representatives: BEAVERS of South Berwick, BELIVEAU of
Kittery, CHASE of Wells, WEAVER of York.

Committee on **STATE AND LOCAL GOVERNMENT** suggested
and ordered printed.

On motion by Senator **THOMAS** of Somerset, **REFERRED** to the
Committee on **TAXATION**.

Sent down for concurrence.

Bill "An Act To Provide a Sales Tax Trade-in Credit for Core
Parts"

S.P. 119 L.D. 415

Presented by Senator THOMAS of Somerset.
Cosponsored by Representative GIFFORD of Lincoln and
Representatives: CEBRA of Naples, CRAFTS of Lisbon,
HARVELL of Farmington, PARRY of Arundel.

Bill "An Act To Create the Maine Fishery Infrastructure Tax Credit
Program"

S.P. 125 L.D. 421

Presented by Senator TRAHAN of Lincoln.

Bill "An Act To Eliminate Maine's Estate Tax"
S.P. 127 L.D. 423

Presented by Senator WOODBURY of Cumberland.
Cosponsored by Representative PILON of Saco, Representative CHASE of Wells and Senator: LANGLEY of Hancock, Representatives: AYOTTE of Caswell, BURNS of Alfred, FOSSEL of Alna, KNIGHT of Livermore Falls, STRANG BURGESS of Cumberland, VALENTINO of Saco.

Bill "An Act To Base the Motor Vehicle Excise Tax on the Purchase Price of a Motor Vehicle"
S.P. 140 L.D. 436

Presented by Senator THOMAS of Somerset.
Cosponsored by Representative GIFFORD of Lincoln and Senator: SNOWE-MELLO of Androscoggin, Representatives: CEBRA of Naples, CRAFTS of Lisbon, HARVELL of Farmington, MCKANE of Newcastle.

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

Sent down for concurrence.

Bill "An Act To Allow Landowners Road Access"
S.P. 118 L.D. 414

Presented by Senator GOODALL of Sagadahoc.
Cosponsored by Representative MacDONALD of Boothbay and Representatives: CLARKE of Bath, OLSEN of Phippsburg.

Bill "An Act To Amend the Laws Governing the TransCap Trust Fund"
S.P. 130 L.D. 426

Presented by Senator THOMAS of Somerset.
Cosponsored by Representative CEBRA of Naples and Senators: COLLINS of York, SNOWE-MELLO of Androscoggin, Representatives: CRAFTS of Lisbon, MCKANE of Newcastle.

Bill "An Act To Reduce Motor Vehicle Inspection Costs"
S.P. 141 L.D. 437

Presented by Senator THOMAS of Somerset.
Cosponsored by Representative WILLETTE of Mapleton and Senators: COLLINS of York, KATZ of Kennebec, MASON of Androscoggin, PATRICK of Oxford, SHERMAN of Aroostook, WOODBURY of Cumberland.

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

Sent down for concurrence.

Bill "An Act To Amend the Taste Testing of Wine Law"
S.P. 120 L.D. 416

Presented by Senator PATRICK of Oxford.
Cosponsored by Senator PLOWMAN of Penobscot and Senator: FARNHAM of Penobscot, Representatives: BEAULIEU of Auburn, BRIGGS of Mexico, DOW of Waldoboro, FITTS of Pittsfield, GILBERT of Jay, HARVELL of Farmington, VALENTINO of Saco.

On motion by Senator FARNHAM of Penobscot, REFERRED to the Committee on VETERANS AND LEGAL AFFAIRS and ordered printed.

Sent down for concurrence.

Senate at Ease.

Senate called to order by the President.

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

ORDERS

Joint Orders

On motion by Senator TRAHAN of Lincoln, the following Joint Order:

S.P. 115

ORDERED, the House concurring, that the Joint Standing Committee on Inland Fisheries and Wildlife, referred to in this order as "the committee," shall meet to study issues related to real property owned by the Department of Inland Fisheries and Wildlife as follows.

1. Convening of committee; meetings. The chairs of the committee shall call and convene the first meeting of the committee, which may be no later than September 15, 2011. The committee may meet up to 3 times.
2. Duties. The committee shall examine the real property owned by the Department of Inland Fisheries and Wildlife to determine how that property is used and whether it is being put to the best possible use.
3. Staff assistance. The Legislative Council shall provide necessary staffing services to the committee.
4. Compensation. Pursuant to Joint Rule 353, members of the committee are entitled to receive the legislative per diem and reimbursement for necessary expenses related to their attendance at authorized meetings of the committee.

5. Report. No later than December 7, 2011, the committee shall issue a report that includes its findings and recommendations, including any suggested legislation, for the consideration of the Second Regular Session of the 125th Legislature. The Joint Standing Committee on Inland Fisheries and Wildlife may, pursuant to Joint Rule 353, introduce a bill during the Second Regular Session of the 125th Legislature to implement the recommendations on matters relating to the study.

READ.

On motion by Senator **TRAHAN** of Lincoln, **TABLED** until Later in Today's Session, pending motion by same Senator to **PASS**.

SECOND READERS

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

House

Resolve, To Name Part of Route 2 in the Town of Lincoln and the Town of Winn the Master Sergeant Gary Gordon Highway
H.P. 16 L.D. 24

Resolve, To Name a Bridge over the Kennebec River between the Town of Benton and the Town of Fairfield the Brian L. Buker/Frank W. Haskell Medal of Honor Bridge
H.P. 18 L.D. 26

Resolve, To Deauthorize the Naming of the Bridge over Pattagumpus Stream (EMERGENCY)
H.P. 29 L.D. 36

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

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

COMMUNICATIONS

The Following Communication: S.C. 74

**STATE OF MAINE
125TH LEGISLATURE
OFFICE OF THE GOVERNOR**

February 9, 2011

The Honorable Kevin Raye
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Raye,

This is to inform you that I am today nominating Cheryl H. Russell of Chester for appointment as the Commissioner of Labor.

Pursuant to Title 26, MRSA §1401-A, this nomination will require review by the Joint Standing Committee on Labor.

Sincerely,

S/Paul R. LePage
Governor

READ and **ORDERED PLACED ON FILE.**

The Following Communication: S.C. 75

**STATE OF MAINE
125TH LEGISLATURE
OFFICE OF THE GOVERNOR**

February 9, 2011

The Honorable Kevin Raye
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Raye,

This is to inform you that I am today nominating Chandler E. Woodcock of Farmington for appointment as the Commissioner of Inland Fisheries and Wildlife.

Pursuant to Title 12, MRSA §10101, this nomination will require review by the Joint Standing Committee on Inland Fisheries and Wildlife.

Sincerely,

S/Paul R. LePage
Governor

READ and **ORDERED PLACED ON FILE.**

The Following Communication: S.C. 77

**STATE OF MAINE
ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE
COMMITTEE ON AGRICULTURE, CONSERVATION AND
FORESTRY**

February 8, 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 Agriculture, Conservation and Forestry has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 55 An Act To Restore Hunting Rights in the Katahdin Lake Region (EMERGENCY)

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

Sincerely,

S/Sen. Roger L. Sherman
Senate Chair

S/Rep. Peter E. Edgecomb
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 76

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

February 4, 2011

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

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. MacDonald of Boothbay, to report the following bill Leave to Withdraw:

L.D. 172 An Act To Exempt Nonprofit Organizations from the Laws Governing Serving Alcohol near a Church.

Sincerely,

S/Sen. Nichi S. Farnham
Senate Chair

S/Rep. Michael G. Beaulieu
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

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 (2/1/11) Assigned matter:

Bill "An Act To Provide for the Appointment of Division Directors in the Department of Environmental Protection"
S.P. 73 L.D. 222

Tabled - February 1, 2011, by Senator **THOMAS** of Somerset

Pending - **REFERENCE**

(Committee on **STATE AND LOCAL GOVERNMENT** suggested and ordered printed.)

On motion by Senator **SAVIELLO** of Franklin, Bill and accompanying papers **INDEFINITELY POSTPONED**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (2/8/11) Assigned matter:

Bill "An Act Regarding Timber Harvesting on State Land"
S.P. 102 L.D. 340

Tabled - February 8, 2011, by Senator **SHERMAN** of Aroostook

Pending - **REFERENCE**

(Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** suggested and ordered printed.)

On motion by Senator **SHERMAN** of Aroostook, **REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (2/8/11) Assigned matter:

Bill "An Act To Amend the Laws Governing County Jail Budgeting for York County"
S.P. 104 L.D. 342

Tabled - February 8, 2011, by Senator **THOMAS** of Somerset

Pending - **REFERENCE**

(Committee on **STATE AND LOCAL GOVERNMENT** suggested and ordered printed.)

On motion by Senator **THOMAS** of Somerset, REFERRED to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY**.

Sent down for concurrence.

Off Record Remarks

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

The Chair laid before the Senate the following Tabled and Later (1/25/11) Assigned matter:

JOINT ORDER - Expression of Legislative Sentiment
Recognizing Joe Gray, of Portland, on his retirement after 10 years as city manager.

SLS 67

Tabled - January 25, 2011, by Senator **ALFOND** of Cumberland

Pending - **PASSAGE**

(In Senate, January 25, 2011, **READ**.)

READ.

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

Senator **ALFOND:** Thank you Mr. President. Ladies and gentlemen of the Senate, as you all can appreciate, we all have incredible people leading all of our local communities. In Portland one of them is our City Manager, Joe Gray, who will be retiring tomorrow after ten years being our City Manager and over 20 other years being part of the city of Portland. Today I am glad to honor him and I'm glad that the state of Maine can honor him for his service. Thank you Mr. President.

PASSED.

Sent down for concurrence.

Senator **KATZ** of Kennebec 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.

Off Record Remarks

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

RECESSED until 10:55 in the morning.

After Recess

Senate called to order by the President.

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

After Convention

In Senate Chamber

Senate called to order by the President

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Simplify Dog Licensure By Establishing a 3-year License"

H.P. 360 L.D. 467

Presented by Representative FLOOD of Winthrop.
Cosponsored by Senator THIBODEAU of Waldo and Senators: SAVIELLO of Franklin, SHERMAN of Aroostook,
Representatives: CRAY of Palmyra, GIFFORD of Lincoln, TIMBERLAKE of Turner, WINSOR of Norway.

Bill "An Act To Require All Kennels Engaged in Breeding To Be Licensed and Inspected by the State"

H.P. 384 L.D. 491

Presented by Representative TIMBERLAKE of Turner. (BY REQUEST)

Come 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 Paper

Bill "An Act To Authorize a General Fund Bond Issue To Complete Renovation of a Bulkhead at the Gulf of Maine Research Institute"

H.P. 363 L.D. 470

Presented by Representative CLARK of Millinocket. Cosponsored by Senator ALFOND of Cumberland and Senator: BRANNIGAN of Cumberland, Representatives: CAREY of Lewiston, CHIPMAN of Portland, DION of Portland, HOGAN of Old Orchard Beach, MORRISON of South Portland, PEOPLES of Westbrook, TUTTLE of Sanford.

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

REFERRED to the Committee on **APPROPRIATIONS AND FINANCIAL 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 Allow Law Enforcement Officers from Out of State To Carry Concealed Weapons"

H.P. 339 L.D. 446

Presented by Representative CEBRA of Naples. Cosponsored by Senator SNOWE-MELLO of Androscoggin and Senators: DIAMOND of Cumberland, THOMAS of Somerset, Representatives: BURNS of Whiting, CRAFTS of Lisbon, CUSHING of Hampden, DAVIS of Sangerville, PLUMMER of Windham, SARTY of Denmark.

Bill "An Act To Impose a Penalty for Making False Claims Regarding Military Service"

H.P. 354 L.D. 461

Presented by Representative JOHNSON of Eddington. Cosponsored by Representatives: BEAULIEU of Auburn, DAMON of Bangor, DUNPHY of Embden, ESPLING of New Gloucester, HARVELL of Farmington, KESCHL of Belgrade, KNAPP of Gorham, WOOD of Sabattus.

Bill "An Act To Authorize Certain Officials To Carry Automatic Knives While in the Performance of Their Duties"

H.P. 357 L.D. 464

Presented by Representative AYOTTE of Caswell. (BY REQUEST)

Cosponsored by Senator SHERMAN of Aroostook and Representatives: BURNS of Whiting, DAVIS of Sangerville.

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 Papers

Bill "An Act To Require Annual Evaluation of Public School Teachers"

H.P. 337 L.D. 444

Presented by Representative BELIVEAU of Kittery. Cosponsored by Senator ALFOND of Cumberland and Representatives: LOVEJOY of Portland, MAKER of Calais, NELSON of Falmouth, RANKIN of Hiram, WAGNER of Lewiston.

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

Presented by Representative CLARK of Millinocket. Cosponsored by Representative CHAPMAN of Brooksville and Senator: THOMAS of Somerset, Representatives: DION of Portland, TUTTLE of Sanford.

Come 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 Concerning Policy Objectives of the Public Utilities Commission"

H.P. 356 L.D. 463

Presented by Representative HINCK of Portland.
Cosponsored by Senator THIBODEAU of Waldo and Senators: BARTLETT of Cumberland, SHERMAN of Aroostook, Representatives: BERRY of Bowdoinham, CORNELL du HOUX of Brunswick, FITTS of Pittsfield.

Bill "An Act To Ensure the Greatest Possible Public Benefit from Energy Efficiency Spending"

H.P. 378 L.D. 485

Presented by Representative CRAY of Palmyra.
Cosponsored by Senator THIBODEAU of Waldo and Representatives: BLACK of Wilton, CURTIS of Madison, GIFFORD of Lincoln, TIMBERLAKE of Turner.

Bill "An Act To Provide Municipalities with Reciprocal Rights To Rent Space for Street Lights on Utility Poles in Municipal Rights-of-way"

H.P. 386 L.D. 493

Presented by Representative HARVELL of Farmington. (BY REQUEST)

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 Papers

Resolve, To Waive the Fine That the Department of Environmental Protection Imposed on Arthur Drolet in Connection with the Removal of Underground Petroleum Storage Tanks
H.P. 332 L.D. 439

Presented by Representative AYOTTE of Caswell.
Cosponsored by Senator JACKSON of Aroostook and Senator: SHERMAN of Aroostook, Representative: EDGECOMB of Caribou.

Bill "An Act To Allow Year-round Placement of Cobble-trapping Fences behind Established Seawalls"
H.P. 335 L.D. 442

Presented by Representative CHASE of Wells.
Cosponsored by Senator COLLINS of York and Senators: HOBBS of York, SHERMAN of Aroostook, Representatives: AYOTTE of Caswell, BENNETT of Kennebunk, CEBRA of Naples, GILLWAY of Searsport, MCKANE of Newcastle, VALENTINO of Saco.

Bill "An Act To Prohibit the Burning of Construction and Demolition Debris at Municipal Landfills and Transfer Stations"
H.P. 372 L.D. 479

Presented by Representative AYOTTE of Caswell.
Cosponsored by Senator JACKSON of Aroostook and Senator: GOODALL of Sagadahoc, Representatives: DUCHESNE of Hudson, MARTIN of Eagle Lake, WELSH of Rockport.

Resolve, To Allow Service Stations in Maine To Use Their Inventory of Lead Wheel Weights
H.P. 373 L.D. 480

Presented by Representative AYOTTE of Caswell.
Cosponsored by Senator SHERMAN of Aroostook and Representatives: EDGECOMB of Caribou, LONG of Sherman.

Bill "An Act To Allow the Burning of Certain Agricultural Products in Outdoor Wood Boilers"
H.P. 377 L.D. 484

Presented by Representative TIMBERLAKE of Turner.
Cosponsored by Senator THIBODEAU of Waldo and Representatives: AYOTTE of Caswell, BLACK of Wilton, CRAFTS of Lisbon, CRAY of Palmyra, CURTIS of Madison, DAVIS of Sangerville, GIFFORD of Lincoln, LONG of Sherman.

Come 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 Require Prompt MaineCare Decisions on Care for Children with Life-threatening Conditions"
H.P. 336 L.D. 443

Presented by Representative DILL of Cape Elizabeth.
Cosponsored by Senator BRANNIGAN of Cumberland and Representative: BLODGETT of Augusta.

Bill "An Act To Provide MaineCare Reimbursement for Pastoral Counselors"

H.P. 345 L.D. 452

Presented by Representative CHAPMAN of Brooksville.
Cosponsored by Representatives: EVES of North Berwick,
MALABY of Hancock.

Bill "An Act To Require Hospitals To Adopt Employee Illness and Injury Prevention Programs and To Provide Lift Teams and To Require Reduced Workers' Compensation Insurance Rates for those Hospitals"

H.P. 359 L.D. 466

Presented by Representative CELLI of Brewer.

Bill "An Act To Enhance the Security of Hospital Patients, Visitors and Employees"

H.P. 365 L.D. 472

Presented by Representative CELLI of Brewer.
Cosponsored by Representative: RIOUX of Winterport.

Bill "An Act Regarding Private Health Insurance Purchased by the State for Recipients of MaineCare"

H.P. 368 L.D. 475

Presented by Representative McKANE of Newcastle.
Cosponsored by Senator THIBODEAU of Waldo and Senators: HASTINGS of Oxford, SNOWE-MELLO of Androscoggin, TRAHAN of Lincoln, Representatives: CUSHING of Hampden, FOSSEL of Alna, MORISSETTE of Winslow, PRESCOTT of Topsham, STRANG BURGESS of Cumberland.

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.

Bill "An Act To Ensure That Children's Products Are Free of Cadmium"

H.P. 385 L.D. 492

Presented by Representative HINCK of Portland.
Cosponsored by Senator BLISS of Cumberland and Senators: ALFOND of Cumberland, BARTLETT of Cumberland, Representatives: BERRY of Bowdoinham, DOW of Waldoboro, EBERLE of South Portland, GOODE of Bangor, WALSH INNES of Yarmouth, MALONEY of Augusta.

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

On motion by Senator ALFOND 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

Resolve, Directing the Department of Inland Fisheries and Wildlife To Study Scents Used in Hunting Deer and Renderings Used in Deer Feed

H.P. 338 L.D. 445

Presented by Representative SANDERSON of Chelsea.
Cosponsored by Senator TRAHAN of Lincoln and Representatives: CEBRA of Naples, COTTA of China, DAVIS of Sangerville, HARVELL of Farmington, McKANE of Newcastle, MORISSETTE of Winslow, PARRY of Arundel, SARTY of Denmark.

Bill "An Act To Auction Off Moose Permits to Maine Guides"
H.P. 343 L.D. 450

Presented by Representative WOOD of Sabattus.
Cosponsored by Senator: THIBODEAU of Waldo, Representatives: CROCKETT of Bethel, HARVELL of Farmington, MacDONALD of Boothbay, WATERHOUSE of Bridgton.

Bill "An Act To Allow Certain Residents over 70 Years of Age To Obtain a Complimentary Antlerless Deer Permit"
H.P. 351 L.D. 458

Presented by Representative HARMON of Palermo.
Cosponsored by Senator JACKSON of Aroostook and Representatives: DAVIS of Sangerville, DUNPHY of Embden, GUERIN of Glenburn, HARVELL of Farmington, JOHNSON of Greenville, MALABY of Hancock, McCLELLAN of Raymond, RICHARDSON of Carmel.

Bill "An Act To Facilitate the Restoration of Hunting and Fishing Licenses That Have Been Suspended"
H.P. 380 L.D. 487

Presented by Representative MARTIN of Eagle Lake.
Cosponsored by Senator JACKSON of Aroostook and Senators: PATRICK of Oxford, SAVIELLO of Franklin, Representatives: CLARK of Millinocket, DAVIS of Sangerville, SARTY of Denmark.

Bill "An Act To Allow Nonresidents To Hunt on the First Day of the Firearm Season on Deer"
H.P. 381 L.D. 488

Presented by Representative SHAW of Standish.
Cosponsored by Representative: FITTS of Pittsfield.

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

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 Allow Employees of the Maine School of Science and Mathematics to Join the State's Group Health Plan"
H.P. 333 L.D. 440

Presented by Representative AYOTTE of Caswell.
Cosponsored by Senator SHERMAN of Aroostook and Representative: EDGECOMB of Caribou.

Resolve, Directing the Superintendent of Insurance To Form a Compact with Other State Commissioners of Insurance on the Purchase of Insurance out of State
H.P. 348 L.D. 455

Presented by Representative HOGAN of Old Orchard Beach.
Cosponsored by Senator THOMAS of Somerset and Representatives: BEAUDOIN of Biddeford, BURNS of Whiting, MAZUREK of Rockland.

Bill "An Act To Enable Maine Residents To Purchase Health Insurance over State Lines"
H.P. 366 L.D. 473

Presented by Representative HARMON of Palermo.
Cosponsored by Representatives: ESPLING of New Gloucester, MALABY of Hancock, Senator McCORMICK of Kennebec and Representatives: CHASE of Wells, FOSTER of Augusta, GILLWAY of Searsport, GUERIN of Glenburn, JOHNSON of Greenville, KNIGHT of Livermore Falls, OLSEN of Phippsburg, WINTLE of Garland.

Bill "An Act To Amend the Laws Governing Financial Incentives and Geographic Accessibility of Services Covered by Health Insurance Providers"
H.P. 389 L.D. 496

Presented by Representative McKANE of Newcastle.
Cosponsored by Senator THOMAS of Somerset and Senators: HASTINGS of Oxford, McCORMICK of Kennebec, SNOWE-MELLO of Androscoggin, Representatives: MALABY of Hancock, PICCHIOTTI of Fairfield, RICHARDSON of Warren, WEAVER of York.

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

REFERRED to the Committee on **INSURANCE AND FINANCIAL 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 a Valid Claim against a Dissolved Corporation"
H.P. 341 L.D. 448

Presented by Representative DILL of Cape Elizabeth.
Cosponsored by Senator BLISS of Cumberland and Representatives: CROCKETT of Bethel, PRIEST of Brunswick, ROCHELO of Biddeford.

Bill "An Act To Amend the Laws Dealing with Limitation of Actions"
H.P. 375 L.D. 482

Presented by Representative CROCKETT of Bethel.
Cosponsored by Senator HILL of York and Senators: BLISS of Cumberland, HASTINGS of Oxford, MASON of Androscoggin, Representatives: BEAULIEU of Auburn, CRAY of Palmyra, DILL of Cape Elizabeth, GIFFORD of Lincoln, PRIEST of Brunswick.

Bill "An Act To Clarify the Uniform Arbitration Act"
H.P. 379 L.D. 486

Presented by Representative CROCKETT of Bethel.
Cosponsored by Senator BLISS of Cumberland and Senators: HASTINGS of Oxford, MASON of Androscoggin, Representatives: BEAULIEU of Auburn, CRAY of Palmyra, GIFFORD of Lincoln, MOULTON of York, NASS of Acton, PRIEST of Brunswick.

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

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 Provide Seed Money for the Construction of Senior Housing in the Town of Newport"
H.P. 331 L.D. 438

Presented by Representative FREDETTE of Newport.
Cosponsored by Representative: WINTLE of Garland.

Bill "An Act To Raise the Minimum Wage"
H.P. 340 L.D. 447

Presented by Representative TUTTLE of Sanford.
Cosponsored by Senator JACKSON of Aroostook and
Representatives: CAIN of Orono, CLARK of Millinocket, DION of
Portland, DRISCOLL of Westbrook, GILBERT of Jay, HERBIG of
Belfast, HOGAN of Old Orchard Beach, HUNT of Buxton,
MARTIN of Eagle Lake.

Bill "An Act To Facilitate the Establishment of a Business in
Maine by Providing Assistance with Document Completion"
H.P. 346 L.D. 453

Presented by Representative AYOTTE of Caswell.
Cosponsored by Senator SHERMAN of Aroostook and Senators:
President RAYE of Washington, THIBODEAU of Waldo,
Representative: GIFFORD of Lincoln.

Bill "An Act To Provide a Livable Wage for Maine Families"
H.P. 350 L.D. 457

Presented by Representative CAREY of Lewiston.
Cosponsored by Representative BERRY of Bowdoinham,
Senator ALFOND of Cumberland and Senators: GERZOFSKY of
Cumberland, HOBBS of York, JACKSON of Aroostook,
Representatives: CAIN of Orono, DRISCOLL of Westbrook,
HERBIG of Belfast, MARTIN of Eagle Lake, TUTTLE of Sanford.

Bill "An Act To Provide Efficient Delivery of Economic
Development Services"
H.P. 358 L.D. 465

Presented by Representative BENNETT of Kennebunk.
Cosponsored by Senator COURTNEY of York, Senator COLLINS
of York and Representatives: BEAVERS of South Berwick,
MOULTON of York, O'CONNOR of Berwick, PARRY of Arundel,
TUTTLE of Sanford.

Come 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 Require Executive Orders To Be Published
Online"

H.P. 353 L.D. 460

Presented by Representative CAREY of Lewiston.
Cosponsored by Representatives: CAIN of Orono, HAYES of
Buckfield.

Bill "An Act To Strengthen Maine Small Business by Establishing
a Preference Percentage for State Contract Bids"
H.P. 371 L.D. 478

Presented by Representative AYOTTE of Caswell.
Cosponsored by Senator JACKSON of Aroostook and
Representatives: CLARK of Easton, EDGECOMB of Caribou,
LONG of Sherman, MARTIN of Eagle Lake, McFADDEN of
Dennysville, THERIAULT of Madawaska, WILLETTE of Mapleton.

RESOLUTION, Proposing an Amendment to the Constitution of
Maine To Change the Schedule for Redistricting
H.P. 387 L.D. 494

Presented by Representative KESCHL of Belgrade.
Cosponsored by Representative COTTA of China and
Representatives: CHASE of Wells, FOSTER of Augusta,
GRAHAM of North Yarmouth, HARMON of Palermo, HARVELL of
Farmington, JOHNSON of Eddington, KNIGHT of Livermore
Falls, MALONEY of Augusta.

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

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 Make Telecommunications Personal Property Tax
Law Equitable"

H.P. 334 L.D. 441

Presented by Representative CHASE of Wells.
Cosponsored by Senator WOODBURY of Cumberland and
Representatives: BENNETT of Kennebunk, BERRY of
Bowdoinham, BURNS of Alfred, FLEMINGS of Bar Harbor,
HARMON of Palermo, KNIGHT of Livermore Falls.

Resolve, To Study Adoption of the Streamlined Sales and Use Tax Agreement

H.P. 344 L.D. 451

Presented by Representative DILL of Cape Elizabeth. Cosponsored by Representative FLEMINGS of Bar Harbor, Senator WOODBURY of Cumberland and Senator: BLISS of Cumberland, Representatives: BERRY of Bowdoinham, CROCKETT of Bethel, PILON of Saco.

Bill "An Act To Improve Municipal Reimbursement under the Maine Tree Growth Tax Law"

H.P. 352 L.D. 459

Presented by Representative GIFFORD of Lincoln. Cosponsored by Senator THOMAS of Somerset and Senator: SHERMAN of Aroostook, Representatives: CRAY of Palmyra, DAVIS of Sangerville, EDGECOMB of Caribou, LIBBY of Waterboro, LONG of Sherman, McFADDEN of Dennysville, PARRY of Arundel.

Bill "An Act To Amend the Laws Governing Excise Tax Credits"

H.P. 355 L.D. 462

Presented by Representative HASKELL of Portland. Cosponsored by Senator SAVIELLO of Franklin and Senator: DIAMOND of Cumberland, Representatives: CAREY of Lewiston, CURTIS of Madison, DUCHESNE of Hudson, TUTTLE of Sanford.

Bill "An Act To Increase the Collection of Sales and Use Tax"

H.P. 362 L.D. 469

Presented by Representative DILL of Cape Elizabeth. Cosponsored by Senator: BLISS of Cumberland, Representatives: BERRY of Bowdoinham, BRYANT of Windham, FLEMINGS of Bar Harbor, PILON of Saco.

Bill "An Act To Reduce the Property Tax Burden and Improve the Circuitbreaker Program" (EMERGENCY)

H.P. 367 L.D. 474

Presented by Representative FLEMINGS of Bar Harbor. Cosponsored by Senator ALFOND of Cumberland and Representatives: BERRY of Bowdoinham, CAIN of Orono, DILL of Cape Elizabeth, HAYES of Buckfield, KNIGHT of Livermore Falls, MacDONALD of Boothbay, ROTUNDO of Lewiston, STUCKEY of Portland.

Bill "An Act To Create a Sales Tax Holiday for Energy-efficient Appliances and Fixtures"

H.P. 369 L.D. 476

Presented by Representative EDGECOMB of Caribou. Cosponsored by Senator SHERMAN of Aroostook and Representatives: AYOTTE of Caswell, CLARK of Millinocket, CLARK of Easton, FITTS of Pittsfield, KNIGHT of Livermore Falls, NASS of Acton, RICHARDSON of Warren, WEAVER of York.

Bill "An Act To Exempt Active Duty Armed Services Income from the Income Tax"

H.P. 382 L.D. 489

Presented by Representative HARVELL of Farmington. Cosponsored by Representatives: CLARK of Easton, COTTA of China, ESPLING of New Gloucester, KNIGHT of Livermore Falls, MORISSETTE of Winslow, PARRY of Arundel, PLUMMER of Windham, SANDERSON of Chelsea.

Bill "An Act To Exempt the Value of Family Farms from the Estate Tax"

H.P. 383 L.D. 490

Presented by Representative TIMBERLAKE of Turner. Cosponsored by Senator THIBODEAU of Waldo and Representatives: BLACK of Wilton, CRAFTS of Lisbon, CRAY of Palmyra, DAVIS of Sangerville, FREDETTE of Newport, GIFFORD of Lincoln, LIBBY of Waterboro, O'BRIEN of Lincolnville.

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Permit Variation in Motor Vehicle Registration Expiration Dates"

H.P. 347 L.D. 454

Presented by Representative MOULTON of York. (BY REQUEST)

Bill "An Act To Create a Temporary Disability Parking Permit"

H.P. 349 L.D. 456

Presented by Representative LONGSTAFF of Waterville. Cosponsored by Senator COLLINS of York and Representatives: CAREY of Lewiston, CEBRA of Naples, CRAFTS of Lisbon, DILL of Old Town, DION of Portland, EBERLE of South Portland, MAZUREK of Rockland, TUTTLE of Sanford.

Bill "An Act To Reduce Certain Highway Fund Obligations"

H.P. 364 L.D. 471

Presented by Representative CEBRA of Naples. Cosponsored by Senator THOMAS of Somerset and Representatives: CURTIS of Madison, CUSHING of Hampden, GILLWAY of Searsport, PARRY of Arundel, RIOUX of Winterport, ROSEN of Bucksport, SARTY of Denmark, WILLETTE of Mapleton.

Bill "An Act To Reduce Noise Pollution by Requiring Mufflers on Motorcycles"

H.P. 370 L.D. 477

Presented by Representative RUSSELL of Portland.

Resolve, Directing the Department of Transportation To Place Signs Directing Motorists to Hebron Academy at the Closest Interstate Exits

H.P. 376 L.D. 483

Presented by Representative TIMBERLAKE of Turner.
Cosponsored by Senator MASON of Androscoggin and Representatives: BLACK of Wilton, CRAFTS of Lisbon, CRAY of Palmyra, GIFFORD of Lincoln, STRANG BURGESS of Cumberland, WILLETTE of Mapleton.

Come 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 Paper

Bill "An Act To Make the Cashier or Clerk Who Sells Alcoholic Beverages or Tobacco to an Underage Person Responsible for Paying the Fine"

H.P. 374 L.D. 481

Presented by Representative AYOTTE of Caswell.
Cosponsored by Senator SHERMAN of Aroostook and Representatives: CLARK of Easton, CURTIS of Madison, DAVIS of Sangerville, EDGECOMB of Caribou, LONG of Sherman.

Comes 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.

Off Record Remarks

On motion by Senator COURTNEY of York, **ADJOURNED**, pursuant to the Joint Order, to Tuesday, February 15, 2011, at 10:00 in the morning.