

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

Senate Legislative Record
One Hundred and Twenty-Fifth Legislature

State of Maine

Daily Edition

First Regular Session
December 1, 2010 to June 29, 2011

Pages 1 - 1494

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

In Senate Chamber
Tuesday
March 15, 2011

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

Prayer by Reverend Donna Muise, Pastor of the First Parish Federated Church in South Berwick.

REVEREND MUISE: Good morning friends. Let us pray. God in heaven, Sovereign Lord, and Great Spirit, Creator of all things and of every nation, tribe, people, and tongue upon the earth, hear our prayers this day. On behalf of these men and women of the Senate, Your servants and ours, I humbly pray that Your divine wisdom be upon each man and woman as they seek to lead the people of the state of Maine. May these servants and Senators truly lead this proud state towards prosperity and away from poverty, from sickness into health, from injustice to equality, from illiteracy and ignorance to excellence in education, from homelessness to housing, from joblessness to meaningful employment, and from the patched together life we know today to a life of seamless strength and peace someday. In the midst of our own hard times we are so aware of our brothers and sisters in Japan who are suffering in unimaginable ways. May our legislators and all of us keep Japan in our hearts and minds as we go about our work today. Cause us to rise to the occasion to assist them in any way possible. Friends, with these things in mind, I leave you with these words from the book of Romans. "Let love be genuine and hate what is evil. Hold fast to what is good. Love one another with mutual affection. Outdo one another in showing honor. Bless those who persecute you. Bless and do not curse them. Rejoice with those who rejoice and weep with those who weep. Live in harmony with one another. Do not be haughty but associate with the lowly. Do not claim to be wiser than you are and most of all let none of us ever forget to be thankful for what God has done for us." Amen.

Pledge of Allegiance led by Senator Richard W. Rosen of Hancock County.

Reading of the Journal of Thursday, March 10, 2011.

Doctor of the day, Robert Struba, MD, MPH, PhD of Belfast.

Off Record Remarks

PAPERS FROM THE HOUSE

Non-Concurrent Matter

Bill "An Act To Clarify Provisions of the Law Concerning Municipal Inspections of Buildings"

H.P. 612 L.D. 816

In House, March 3, 2011, REFERRED to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed.

In Senate, March 8, 2011, on motion by Senator **RECTOR** of Knox, REFERRED to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY**, in **NON-CONCURRENCE**.

Comes from the House, that Body **INSISTED**.

On motion by Senator **RECTOR** of Knox, the Senate **RECEDED** and **CONCURRED**.

House Papers

Bill "An Act To Amend the Law Governing Administrative Suspensions of Driver's Licenses"

H.P. 671 L.D. 912

Presented by Representative **HASKELL** of Portland. Cosponsored by Senator **THOMAS** of Somerset and Senators: **BRANNIGAN** of Cumberland, **GERZOFSKY** of Cumberland, **MASON** of Androscoggin, Representatives: **DILL** of Cape Elizabeth, **DION** of Portland, **HARLOW** of Portland, **LOVEJOY** of Portland, **McCABE** of Skowhegan.

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

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

REFERRED to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed, in concurrence.

Bill "An Act To Provide Funding for Landfills by Imposing a Gift Package Surcharge"

H.P. 559 L.D. 752

Presented by Representative **KNAPP** of Gorham. Cosponsored by Representatives: **BERRY** of Bowdoinham, **BOLDUC** of Auburn.

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

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

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

Joint Resolution

The following Joint Resolution:

H.P. 777

**JOINT RESOLUTION RECOGNIZING
INTERNATIONAL WOMEN'S DAY**

WHEREAS, March 8, 2011 is the 100th anniversary of International Women's Day, a global celebration of the economic, social and political achievements of women; and

WHEREAS, women are achieving at the highest levels of economic, cultural and political life. The percentage of women working in management, business and finance jobs has increased from 9% to 14% since 1983; and

WHEREAS, women in the United States are enrolled in greater numbers than men in both undergraduate and graduate institutions and they now comprise about 1/2 of the workforce. Women are the breadwinners or cobreadwinners in 2/3 of American households. As women's earnings have risen, so has the well-being of families; and

WHEREAS, as our workforce has been transformed, so too have the highest echelons of leadership. The vast majority of Americans, 89%, describe themselves as comfortable with women as leaders in all sectors of society; and

WHEREAS, despite this progress, significant challenges remain. There continues to be an earnings gap between women and men. At all levels of education, women earned about 75% of what their male counterparts earned in 2009, are over-represented in low-paying jobs, are more likely than men to live in poverty and carry disproportionate responsibility for care of children and adult family members; and

WHEREAS, women are more likely than men to suffer from sexual victimization and intimate partner violence; and

WHEREAS, women are significantly underrepresented in science, technology, engineering and math, which are areas of significant importance to Maine's economic development; and

WHEREAS, we must seize the opportunity to build on our collective progress and create a future in which women and girls have every opportunity to succeed and to thrive; 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 declare March 8 as International Women's Day in Maine. We encourage the people of Maine to celebrate this day with programs and activities that honor the history and

accomplishments of Maine women and will create a more equitable future.

Comes from the House, READ and ADOPTED.

READ and ADOPTED, in concurrence.

COMMUNICATIONS

The Following Communication: S.C. 144

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

March 8, 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 Richard A. Crabtree of Hope for appointment to the Gambling Control Board.

Pursuant to Title 8, MRSA §1002, this nomination will require review by the Joint Standing Committee on Veterans and Legal Affairs.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 146

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

March 10, 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 3, MRSA, §168-B, I am pleased to appoint the following Senators to the Legislative Youth Advisory Council.

Senator Garrett P. Mason of Androscoggin, Chair

Senator Nancy B. Sullivan of York

Please contact my office if you have any questions regarding these appointments.

Sincerely,

S/Kevin L. Raye
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 157

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

March 14, 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 Thomas L. Welch of Hancock for appointment as a Commissioner to the Public Utilities Commission.

Pursuant to Title 35-A, MRSA §105, this nomination will require review by the Joint Standing Committee on Energy, Utilities and Technology.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 147

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

March 9, 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. 155 Resolve, To Require the Department of Agriculture, Food and Rural Resources To Develop Rules for the Moisture Content of Commercial Firewood

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. 148

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

March 9, 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. 635 An Act To Provide for the Equitable Reimbursement of Schools Operated by the State in the Unorganized Territory (EMERGENCY)

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. 149

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

March 9, 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 Energy, Utilities and Technology has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 192 An Act To Bring a Green Data Center to Maine

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

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. 150

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

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 Energy, Utilities and Technology has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 485 An Act To Ensure the Greatest Possible Public Benefit from Energy Efficiency Spending

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

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. 151

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

March 9, 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 Environment and Natural Resources has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 680 Resolve, Directing the Commissioner of Environmental Protection To Convene a Task Force To Study the Effect of Additives in Gasoline

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

Sincerely,

S/Sen. Thomas B. Saviello
Senate Chair

S/Rep. James M. Hamper
House Chair

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

The Following Communication: S.C. 152

**STATE OF MAINE
ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE
COMMITTEE ON HEALTH AND HUMAN SERVICES**

March 9, 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 Health and Human Services has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 75 Resolve, Directing the Department of Health and Human Services To Amend Its Rules Governing Electronic Benefits Transfer Cards

L.D. 388 An Act To Allow a Personal Representative To Obtain a Copy of a Death Certificate and To Direct the Department of Health and Human Services To Amend Its Rules Governing Vital Records Fees

L.D. 428 An Act To Fund Special Education Advocacy

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

Sincerely,

S/Sen. Earle L. McCormick
Senate Chair

S/Rep. Meredith N. Strang Burgess
House Chair

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

The Following Communication: S.C. 145

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

March 9, 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. Flood of Winthrop, to report the following bill Leave to Withdraw:

L.D. 957 Resolve, Directing the Plumbers' Examining Board To Amend Its Rules Governing Installation Standards (EMERGENCY)

Sincerely,

S/Sen. Christopher W. Rector
Senate Chair

S/Rep. Kerri L. Prescott
House Chair

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

The Following Communication: S.C. 153

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

March 9, 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 Labor, Commerce, Research and Economic Development has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 118 An Act To Protect Private Enterprise from Tax-subsidized Competition by Imposing Requirements on Certain Postsecondary Institutions

L.D. 186 An Act To Repeal Laws Prohibiting Certain Businesses from Operating on Sunday (EMERGENCY)

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

Sincerely,

S/Sen. Christopher W. Rector
Senate Chair

S/Rep. Kerri L. Prescott
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 154

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

March 9, 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 State and Local Government has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 329 RESOLUTION, Proposing an Amendment to the Constitution of Maine To Elect State Senators by County

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

Sincerely,

S/Sen. Douglas A. Thomas
Senate Chair

S/Rep. H. David Cotta
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 155

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

March 9, 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 Taxation has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 255 An Act To Provide an Income Tax Deduction for Amounts Received as Loan Forgiveness under the Maine Dental Education Loan Program

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

Sincerely,

S/Sen. A. David Trahan
Senate Chair

S/Rep. L. Gary Knight
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 156

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

March 9, 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. 218 An Act To Improve the Safety of Minors by Collecting Data on Vehicle Collision Rates

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.

Senator **CRAVEN** of Androscoggin was granted unanimous consent to address the Senate on the Record.

Senator **CRAVEN**: Thank you Mr. President. I'm sorry I missed the Joint Resolution. May I speak to the Women's Day Resolution that just went by?

THE PRESIDENT: The Senator may proceed.

Senator **CRAVEN**: Thank you Mr. President. Men and women of the Senate, thank you for allowing me to honor women for Women's Week last week. This year's celebration of International Women's Week is focused on women and work. It's imperative in this global economy that we need to make sure women receive the tools and training in the technology needed to be successful. The wage gap still exists and, while it is the lowest in our history, anything less than 100% parity is not enough. There are still certain double standards for women in pay and even in what jobs we're eligible for. We're still having to prove our worth and overcome gender stereotypes. The glass ceiling still exists and some doors still won't open. Many of us find our identity based on how and where and what we do for work. It feeds our soul. Women are strong and women are sensitive. Women are smart and women are intuitive. Women are capable and innovative. Today we celebrate women across the world and all over for our strengths. Thank you, Mr. President and men and women of the Senate.

SENATE PAPERS

Bill "An Act Regarding the Writing of Bad Checks"
S.P. 321 L.D. 1088

Presented by Senator **MARTIN** of Kennebec.

Bill "An Act To Facilitate the Construction and Operation of Private Prisons by Authorizing the Transport of Prisoners out of State"

S.P. 328 L.D. 1095

Presented by Senator **THOMAS** of Somerset.
Cosponsored by Representative **DAVIS** of Sangerville and Senators: **THIBODEAU** of Waldo, **WHITTEMORE** of Somerset, Representatives: **CURTIS** of Madison, **CUSHING** of Hampden.

Bill "An Act To Increase Accountability for the Most Serious Offenders of Laws Prohibiting Operating under the Influence of Drugs and Alcohol"

S.P. 331 L.D. 1098

Presented by Senator **DIAMOND** of Cumberland.
Cosponsored by Senators: **MARTIN** of Kennebec, **MASON** of Androscoggin.

Bill "An Act To Ensure That Victims Are Kept Informed in Criminal Cases"

S.P. 335 L.D. 1102

Presented by Senator **GERZOFISKY** of Cumberland.
Cosponsored by Senators: **BLISS** of Cumberland, **CRAVEN** of Androscoggin, Representatives: **BURNS** of Whiting, **FOSSEL** of Alna, **KRUGER** of Thomaston, **PLUMMER** of Windham, **PRIEST** of Brunswick, **TUTTLE** of Sanford.

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

Sent down for concurrence.

Bill "An Act To Allow the Town of Arundel To Withdraw from Its Regional School Unit without Penalty" (EMERGENCY)
S.P. 316 L.D. 1083

Presented by Senator **SULLIVAN** of York.
Cosponsored by Representative **PARRY** of Arundel.

Bill "An Act To Improve the Delivery of School Psychological Services to Children"

S.P. 327 L.D. 1094

Presented by Senator **ALFOND** of Cumberland.

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 Expand the Availability of Natural Gas to the Citizens of Maine"

S.P. 324 L.D. 1091

Presented by Senator KATZ of Kennebec.
Cosponsored by Senator: HILL of York, Representatives: FREDETTE of Newport, KESCHL of Belgrade, STRANG BURGESS of Cumberland.

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

Sent down for concurrence.

Resolve, To Study Oral Health Care in Maine and Make Recommendations Regarding How To Address Maine's Oral Health Care Needs

S.P. 338 L.D. 1105

Presented by Senator RECTOR of Knox.
Cosponsored by Representative STRANG BURGESS of Cumberland and Senators: MARTIN of Kennebec, SHERMAN of Arrostook, SNOWE-MELLO of Androscoggin, Representatives: DOW of Waldoboro, GILBERT of Jay, HERBIG of Belfast, PRESCOTT of Topsham, STUCKEY of Portland.

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 Amend Certain Provisions of Maine Fish and Wildlife Laws"

S.P. 317 L.D. 1084

Presented by Senator MARTIN of Kennebec.
Cosponsored by Representatives: BRIGGS of Mexico, CRAFTS of Lisbon, DAVIS of Sangerville, ESPLING of New Gloucester, GUERIN of Glenburn.
Submitted by the Department of Inland Fisheries and Wildlife pursuant to Joint Rule 204.

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 Require That Homeowner's Insurance Covers Rental Equipment"

S.P. 322 L.D. 1089

Presented by Senator MARTIN of Kennebec.

On motion by Senator WHITTEMORE of Somerset, REFERRED to the Committee on INSURANCE AND FINANCIAL SERVICES and ordered printed.

Sent down for concurrence.

Bill "An Act To Modernize the Procedure for Appeals in Criminal Cases"

S.P. 320 L.D. 1087

Presented by Senator TRAHAN of Lincoln.
Cosponsored by Representative SANDERSON of Chelsea and Senators: BARTLETT of Cumberland, HASTINGS of Oxford, HILL of York, KATZ of Kennebec, MASON of Androscoggin, RECTOR of Knox, Representatives: MacDONALD of Boothbay, PLUMMER of Windham.

Bill "An Act To Require the State To Pay Costs and Fees in Actions against Certain State Agencies"

S.P. 326 L.D. 1093

Presented by Senator MARTIN of Kennebec.
Cosponsored by Senator: TRAHAN of Lincoln.

Bill "An Act To Require Specificity in Deed Restrictions"

S.P. 334 L.D. 1101

Presented by Senator THOMAS of Somerset.
Cosponsored by Representative BURNS of Whiting and Senators: PLOWMAN of Penobscot, THIBODEAU of Waldo, Representative: EDGECOMB of Caribou.

Bill "An Act To Speed Recovery of Amounts Due the State"

S.P. 336 L.D. 1103

Presented by Senator HASTINGS of Oxford.
Cosponsored by Representatives: MALONEY of Augusta, NASS of Acton.
Submitted by the Department of the Attorney General pursuant to Joint Rule 204.

Bill "An Act To Direct the Judicial Branch To Take Requisite Measures To Collect Fines and Penalties"

S.P. 337 L.D. 1104

Presented by Senator HILL of York.
Cosponsored by Representative DILL of Cape Elizabeth and Senators: BLISS of Cumberland, GERZOFKY of Cumberland, HASTINGS of Oxford, KATZ of Kennebec, Representatives: FLOOD of Winthrop, FREDETTE of Newport, ROTUNDO of Lewiston.

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

Sent down for concurrence.

Bill "An Act Concerning Independent Contractors in the Trucking and Messenger Courier Industries"

S.P. 332 L.D. 1099

Presented by Senator THOMAS of Somerset.
Cosponsored by Representative ROSEN of Bucksport and Senators: COLLINS of York, PLOWMAN of Penobscot, SNOWE-MELLO of Androscoggin, THIBODEAU of Waldo, Representatives: CEBRA of Naples, CURTIS of Madison, CUSHING of Hampden, PARRY of Arundel.

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

Sent down for concurrence.

Bill "An Act Regarding Prequalification Standards for Contractors"
S.P. 318 L.D. 1085

Presented by Senator MARTIN of Kennebec.
Cosponsored by Representative HARVELL of Farmington and Senator: TRAHAN of Lincoln.

On motion by Senator THOMAS of Somerset, REFERRED to the Committee on STATE AND LOCAL GOVERNMENT and ordered printed.

Sent down for concurrence.

Bill "An Act To Promote Plug-in Electric Vehicle Sales"
S.P. 319 L.D. 1086

Presented by Senator GOODALL of Sagadahoc.
Cosponsored by Representative FITTS of Pittsfield and Senators: ALFOND of Cumberland, HOBBS of York.

Bill "An Act To Allow a Tax Credit for Tuition Paid to Private Schools"

S.P. 325 L.D. 1092

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

Bill "An Act To Enhance Economic Development by Encouraging Job and Business Growth in Maine's Aviation Industry"
S.P. 329 L.D. 1096

Presented by Senator GERZOFKY of Cumberland.
Cosponsored by Representative PRIEST of Brunswick and Senators: COLLINS of York, COURTNEY of York, DIAMOND of Cumberland, GOODALL of Sagadahoc, HASTINGS of Oxford, HOBBS of York, PLOWMAN of Penobscot, President RAYE of Washington, Representatives: BICKFORD of Auburn, BRYANT of Windham, BURNS of Whiting, CAIN of Orono, CAREY of Lewiston, CLARKE of Bath, HASKELL of Portland, KNIGHT of Livermore Falls, MAZUREK of Rockland.

Bill "An Act To Amend the Laws Governing the Real Estate Transfer Tax"

S.P. 330 L.D. 1097

Presented by Senator SNOWE-MELLO of Androscoggin.
Cosponsored by Senators: COLLINS of York, HASTINGS of Oxford, TRAHAN of Lincoln, WHITTEMORE of Somerset, Representatives: ESPLING of New Gloucester, RICHARDSON of Warren.

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 a Stay of an Administrative License Suspension for Refusal To Submit to a Test"
S.P. 323 L.D. 1090

Presented by Senator GERZOFKY of Cumberland.

Committee on TRANSPORTATION suggested and ordered printed.

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

Bill "An Act To Increase Transparency in Funding of Campaign Advertisements"

S.P. 333 L.D. 1100

Presented by Senator LANGLEY of Hancock.
Cosponsored by Representative CROCKETT of Bethel and Senators: COURTNEY of York, FARNHAM of Penobscot, KATZ of Kennebec, PLOWMAN of Penobscot, THIBODEAU of Waldo, WOODBURY of Cumberland, Representative: 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.

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

Off Record Remarks

ORDERS

Joint Resolution

Joint Resolution in Memoriam:

WHEREAS, the Legislature has learned with deep regret of the death of:

Paula M. Newcomb, of Hampden, a former longtime public servant of the Town of Hampden. Mrs. Newcomb was born in Limestone and was a graduate of Limestone High School and Husson College. She lived in Hampden for many years and was a vital and active member of the community and a devoted communicant of St. Paul the Apostle Parish, St. Matthew Catholic Church. She worked for the Town of Hampden as tax collector and town clerk for 20 years before retiring. Mrs. Newcomb will be remembered as a loving and devoted mother, grandmother, sister and friend, who contributed greatly to many people's lives and to her community and State;

SLS 157

Sponsored by Senator PLOWMAN of Penobscot.
Cosponsored by Representative: CUSHING of Hampden.

READ.

THE PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Plowman.

Senator **PLOWMAN:** Thank you Mr. President. Men and women of the Senate, last week a friend, Paula Newcomb, passed away and it was quite a shock to the community. Paula was very healthy, very active. In fact, just the weekend before she passed away she had her grandchildren over to spend the night. As a grandmother of one I can tell you that it is pretty strenuous. As a grandmother of three, she managed to do it quite easily, it seemed. Paula was known to everyone in the community. From the time we had a little teeny office on the corner of Kennebec and Route 1A to moving to the new building, Paula was an incredible town employee. She was the clerk and also the warden. Her civic duties, or her public service, was second to family and to the community itself. Paula was so well known for her dedication to the Hampden food cupboard that when her car wasn't there Wednesday morning we knew that there was something really wrong. Sure enough, Paula had had a stroke. When people can document your whereabouts by how dedicated you are to the causes you take on that's a pretty solid member of the community. We're going to miss Paula very much and we extend our sincere condolences to her family and her friends and her co-workers in Hampden are feeling her loss. Thank you, Mr. President.

ADOPTED.

Sent down for concurrence.

REPORTS OF COMMITTEES

House

Ought to Pass

The Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Resolve, Regarding Legislative Review of Chapter 2-C: Voluntary Municipal Farm Support Program, a Major Substantive Rule of the Department of Agriculture, Food and Rural Resources (EMERGENCY)

H.P. 167 L.D. 190

Reported that the same **Ought to Pass.**

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED.**

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **TRANSPORTATION** on Bill "An Act To Include Antique Motorcycles on the List of Vehicles That Are Exempt from Inspection" (EMERGENCY)

H.P. 188 L.D. 235

Reported that the same **Ought to Pass.**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED.**

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Ought to Pass As Amended

The Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Resolve, Regarding Legislative Review of Portions of Chapter 316: Long-Term Contracting and Resource Adequacy, a Major Substantive Rule of the Public Utilities Commission (EMERGENCY)

H.P. 5 L.D. 13

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-6).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-6).**

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

READ ONCE.

Committee Amendment "A" (H-6) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **TRANSPORTATION** on Bill "An Act To Revise the Law Regarding Vehicle Turning and Signals"

H.P. 47 L.D. 54

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

Signed:

Senators:

COLLINS of York
THOMAS of Somerset

Representatives:

CEBRA of Naples
GILLWAY of Searsport
PARRY of Arundel
RIOUX of Winterport
ROSEN of Bucksport
WILLETTE of Mapleton

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

Signed:

Senator:

DIAMOND of Cumberland

Representatives:

HOGAN of Old Orchard Beach
MAZUREK of Rockland
PEOPLES of Westbrook
THERIAULT of Madawaska

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

Reports **READ**.

Senator **COLLINS** of York moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence.

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

Senator **COLLINS:** Thank you Mr. President. What this bill, L.D. 54, attempted to do was to require people to put on their turning signals when entering an interstate highway. Currently that is already a law. They are supposed to be doing that anyway. That was the reason for the Majority Ought Not to Pass Report. Thank you.

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

Senate

Ought to Pass

Senator **SHERMAN** for the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Resolve, Directing the Conveyance of Conservation Land in Rockport
S.P. 107 L.D. 394

Reported that the same **Ought to Pass**.

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **TRANSPORTATION** on Bill "An Act To Make a Violation of the Laws Governing Seat Belts a Secondary Offense"

S.P. 37 L.D. 64

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

Signed:

Senator:

DIAMOND of Cumberland

Representatives:

GILLWAY of Searsport
HOGAN of Old Orchard Beach
MAZUREK of Rockland
PEOPLES of Westbrook
RIOUX of Winterport
ROSEN of Bucksport
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-4)**.

Signed:

Senators:

COLLINS of York
THOMAS of Somerset

Representatives:

CEBRA of Naples
PARRY of Arundel
WILLETTE of Mapleton

Reports **READ**.

Senator **COLLINS** of York moved the Senate **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-4)** Report.

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

Senator **COLLINS:** Thank you Mr. President. Men and women of the Senate, the Minority Report changes the current law on seatbelt usage from a primary offense to a secondary offense. That is what it was prior to maybe four years ago. During the recent campaign cycle last Summer and Fall I met with a lot of folks and quite a large number of folks said to me, "Why can't we revert that back to a secondary offense, the way it used to be?" That doesn't give you carte blanche to not wear your seatbelt. If this passes and changes the law, if you are not wearing a seatbelt, and by the way you have a choice if this passes not to wear your seatbelt, if you get pulled over by a police officer for another driving infraction and he notices you don't have a seatbelt on you are going to get a citation for not wearing a seatbelt. If this passes you have a choice to either buckle up or not. I too confess to you all that down deep in my core I am libertarian at heart. I like having the choice whether I want to buckle up or not. I have to say emphatically that I'm a strong supporter of wearing seatbelts. On a personal note, I wear mine all the time. It's just common sense that you would wear it, but for those instances when you forget, and I've done that, I've been guilty of that because my mind was someplace else and I forgot, the fines are pretty hefty. As a matter of fact, there is a fiscal note attached to this bill. What that fiscal note is are the fines levied against Maine citizens for not wearing a seatbelt. It's pretty high. \$488,000. You can go back home and say, "Folks, I just saved the State of Maine \$488,000 that they won't be fining you." I just want to reemphasize the fact that wearing a seatbelt is very important. I recommend it to anybody who drives an automobile, truck, or whatever. Back in my younger years, when my children were young, they teach this in school. I'm sure the young people here in the Chamber today will testify to that. They teach you to wear your seatbelts all the time. My children are always after me. Finally I said, "You know, you are right." I started wearing my seatbelt religiously and have for many years. Getting back to my libertarian position, I think it should be a choice by an individual to either wear their seatbelt or not. I thank you for your time.

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

Senator **DIAMOND:** Thank you Mr. President. Ladies and gentlemen of the Senate, I, of course, hope you will not support

the Minority Report and reject that so we can pass the Majority Report. We have a law that has been working very well, and I must add here that it is thanks to the good work of the former Senator from Knox County, Senator Savage, who spent 14 years here and this being one of her primary goals, to get this law passed as it is right now. The law is working well. It has a wonderful public relations and student awareness program that goes with the program right now. A lot of proponents have been working on this, proponents that you would recognize. The Bureau of Highway Safety, Bangor Physicians and Retired Surgeons, The Maine Driver and Traffic Safety Education, AAA, Maine Osteopathic Association, and it goes on and on. The reason they all support this is because it saves lives. Primary offense saves lives. When we passed this the federal government gave us nearly \$4 million as an incentive. Now we're maybe going to say, "We took your incentive but now we've changed our minds." As far as the libertarian view goes, and I certainly carry a great deal of respect for the Senate Chair from York, Senator Collins, when it comes to driving our vehicles we violate that libertarian trust all the time. The Secretary of State in the State of Maine can suspend anyone's license without even going to court. I want that license because I don't think you are a safe driver. The Secretary of State can say, "You can only drive 25 miles from your house and, by the way, I want you to wear glasses and I'll tell you what prescription to wear as well." If you want a vanity plate, "I'll tell you what can go on that plate and especially what can't." We have lists upon lists when it comes to driving that pertain to public safety because we have to. Because we have to. Because there are so many of us driving now we can't simply say, "Well, you have your own rights. Go ahead and do what you want to do." Driving is a privilege and we have a message to send. We've sent it well. What are we going to be saying to everybody, especially our students, when they see the legislature is now lessened this as a priority? You heard from the good Senator that the fiscal note is substantially high and it all comes from the General Fund, I might add. In fiscal year 2011-2012 it's \$578,000 plus. In fiscal year 2012-2013 it's over \$770,000. That is lost General Fund revenue. I would ask you to not unravel a good system. Let's not send a message that this isn't quite as important as it used to be. This is a matter of good government and common sense. If you do pass the Majority Report you can go back home and say that you continued to save lives. I think that is the most important thing you can say. Thank you, Mr. President and ladies and gentlemen of the Senate.

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

Senator **THOMAS:** Thank you Mr. President. Mr. President, there are times and there are cases when you wear a seatbelt and it comes right across your Adam's Apple. If you were to modify the anchor that holds that seatbelt in place, that shoulder harness in place, you can't get your vehicle inspected any more. It happens more than you realize. The law does not require you to wear the shoulder harness. You can fold that down and you can put some kind of attachment to leave it long because there are people and there are cases where it is dangerous to wear that shoulder harness because it comes right across your Adam's Apple. You wouldn't have to get in a very severe accident to do great damage to your throat. Considering that, how does a police officer know if you are wearing your belt or not? How does a police officer know if you are wearing your belt if your car isn't

equipped with a shoulder belt? He doesn't. Do we really want our police officers paying all that attention to those kinds of things? This law does not lessen the requirement to wear a seatbelt, it just means that officers can pay attention to more important things. Are you staying on your side of the road? Are you speeding? Are you stopping at stop signs? Yes, let's make this a secondary offense and let's let people who in fact can't wear their shoulder harness drive in peace and not worry about being stopped.

On motion by same Senator, 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 Penobscot, Senator Schneider.

Senator **SCHNEIDER:** Thank you Mr. President. To me this particular law has never been about wearing seatbelts nor has it been, and never should have been, a budgetary issue. To me this has always been and will always be about our rights. It's about government intruding on rights, chipping away at every single juncture about taking away our choices. For me this is an important vote because this is absolutely about our own personal choices. Most people would agree that one should wear ones seatbelt and I would hope that everybody would wear ones seatbelt, but it's about taking away that choice and slowly chipping away at those choices. I don't think government should be allowed to make those choices for us. I think that if insurance companies want to charge us more for not making a commitment to wear a seatbelt so be it, but that is a different issue. This is about our choices being taken away and I would hope that you would vote with the Minority Report. Thank you very much.

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

Senator **DIAMOND:** Thank you Mr. President. Members of the Senate, I would just like to respond briefly to the good Senator from Penobscot, Senator Schneider. Driving is not about rights. Clearly it is not. We said that in this legislature, previous legislatures. We have laws that go way back to reinforce that it is not about rights. Driving is a privilege. Driving is a privilege and we, in this legislature, send a message about that all the time. This is a message that we really should send, that we are not changing. This is too important. It's one of those things that comes maybe in the core of what we do as far as people's lives in this state. We do not want to be seen as unraveling something that is working so well. Thank you, Mr. President.

Off Record Remarks

Senate at Ease.

Senate called to order by the President.

Off Record Remarks

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

Senator **BARTLETT:** Thank you Mr. President. There has been a lot of talk this morning about freedom and the right to wear your seatbelt or not. I just want to be very clear and make sure that everybody understands that this report doesn't repeal the seatbelt law. There will still be a law on the books requiring that you wear your seatbelt. This purely deals with primary and secondary enforcement. If it comes down to an issue of whether you have the freedom or not that goes beyond this bill. You should be voting to repeal the law altogether. Once the law is on the books then the question is do we want primary enforcement or not. Do want to be able to allow people to be stopped for not wearing their seatbelts? That is what this is about. The reason that Senator Savage fought so hard for that is that she understood about the educational tool that it can be to let people know that this is required, it's important, and it's not just an after thought. It's not an after thought if you get pulled over for speeding, just to ratchet up the fine on you a little bit. It's about demonstrating to the people of Maine that wearing your seatbelt is of paramount importance because of its role in saving lives. It is for that reason I would urge you to reject this report.

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

Senator **SULLIVAN:** Thank you Mr. President. Men and women of the Senate, I had the privilege less than a month ago to ride along with one of the State Troopers on a section of the Maine Turnpike. In our conversation, it was actually Leonard Bolton from Wells, he talked about two things being of utmost importance on the turnpike. He feels the best thing that has ever happened is making the seatbelt law a primary law. He said high speeds and seatbelts. He's seen too many times when he's had to investigate fatal accidents that could have been saved with that seatbelt. His other one happened to be texting. He was less concerned even with talking, but he said young people get into the car and they start texting. He said they are going much too fast on the turnpike. It's a high speed anyways and you all know that. I cannot believe that there is a person that uses that turnpike that has not boosted the speed just a little bit. Even though it's posted 65, which is still a good speed, I'm guilty of it. I have a feeling most of us are. This is from somebody who picks up the remains of someone making that choice. Every single time maybe they choose not to wear their seatbelt, but daughters and sons, mothers and fathers, husbands and wives, they have to deal with that choice that somebody made. Maybe they caused an accident with another person that was wearing a seatbelt but they went out of control and ejected and somebody else is involved in the accident. I happen to support the law. I supported it earlier. I watched Senator Savage really debate that. I see nothing wrong with saying you need to wear your seatbelt. That's personal responsibility. You have a responsibility, if not then we end up, we as a state and your family, paying the price. Forget the fiscal note. It's the price of the personal damage it has done to families. I ask you to please vote Ought Not to Pass. Thank you.

THE PRESIDENT: The pending question before the Senate is the motion by the Senator from York, Senator Collins to Accept the Minority Ought to Pass as Amended Report. 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 (#17)

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

NAYS: Senators: ALFOND, BARTLETT, BLISS, BRANNIGAN, CRAVEN, DIAMOND, FARNHAM, GERZOFISKY, GOODALL, HILL, HOBBS, JACKSON, KATZ, PATRICK, ROSEN, SULLIVAN, WOODBURY

18 Senators having voted in the affirmative and 17 Senators having voted in the negative, the motion by Senator COLLINS of York to **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-4)** Report, **PREVAILED.**

READ ONCE.

Committee Amendment "A" (S-4) **READ** and **ADOPTED.**

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

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

SECOND READERS

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

House As Amended

Bill "An Act To Amend the Laws Governing the Maine Potato Board" (EMERGENCY)

H.P. 34 L.D. 41
(C "A" H-5)

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

Senate

Bill "An Act To Extend a Deadline under the Regional Economic Development Revolving Loan Program" (EMERGENCY)
S.P. 167 L.D. 575

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

Sent down for concurrence.

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

ENACTORS

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

Acts

An Act Related to Family Law Magistrates
H.P. 32 L.D. 39

An Act To Allow Marriage and Family Therapists To Serve as Mental Health Professionals in the Civil Service System
H.P. 39 L.D. 46

An Act To Repeal the Sunset on the Law Relating to the Landing of Dragg Crabs
S.P. 40 L.D. 85

PASSED TO BE ENACTED and having been signed by the President were presented by the Secretary to the Governor for his approval.

Senate at Ease.

Senate called to order by the President.

ORDERS OF THE DAY

Unfinished Business

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

The Chair laid before the Senate the following Tabled and Later (3/1/11) Assigned matter:

Bill "An Act To Assist Nonprofit Corporations Harmed by a Casino"
S.P. 249 L.D. 846

Tabled - March 1, 2011, by Senator **FARNHAM** of Penobscot

Pending - REFERENCE

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

Senator **COURTNEY** of York posed a parliamentary inquiry as to whether this Bill was **PROPERLY BEFORE THE BODY**.

THE CHAIR MADE THE FOLLOWING RULING

A question has been posed to the Chair as to whether L.D. 846 is properly before this Body, in light of Article 4, Part 3, Section 9 of the Maine Constitution. The Chair will answer in the negative. L.D. 846 is not properly before this Body. The principal sponsor of L.D. 846 is the Senator from Oxford, Senator Patrick. L.D. 846 requires that 2% of the revenue from gaming activities go into a casino remedial fund, whose purpose is to disburse monies to non-profit corporations harmed by the operation of a casino licensed under this chapter. Funds in excess of \$2 million from this fund lapse into the General Fund, according to the bill. Therefore the bill would potentially increase the amount of unencumbered revenue coming into the State. Article 4, Part 3, Section 9 of the Maine Constitution provides that all bills raising revenues shall originate in the House of Representatives. A lapse of monies over \$2 million to the State, as provided in the bill, would clearly increase revenues to the State and therefore disqualify this bill from prime sponsorship by a Senator. For this reason the Chair rules that this bill and accompanying papers are not properly before the Body.

THE CHAIR RULED THE BILL AND ACCOMPANYING PAPERS NOT PROPERLY BEFORE THE BODY.

Ordered sent down forthwith for concurrence.

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

Emergency

Resolve, Regarding Legislative Review of the Final Repeal of Chapter 270: Adjustment of Volume Fees, a Major Substantive Rule of the Department of Professional and Financial Regulation
H.P. 6 L.D. 14

Tabled - March 3, 2011, by Senator **COURTNEY** of York

Pending - **FINAL PASSAGE**, in concurrence

(In Senate, March 1, 2011, **PASSED TO BE ENGROSSED**, in concurrence.)

(In House, March 3, 2011, **FINALLY PASSED**.)

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

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

Emergency

Resolve, Regarding Legislative Review of Chapter 285: Adjustment of Non-bank Mortgage Lending Fees, a Major Substantive Rule of the Department of Professional and Financial Regulation

H.P. 7 L.D. 15

Tabled - March 3, 2011, by Senator **COURTNEY** of York

Pending - **FINAL PASSAGE**, in concurrence

(In Senate, March 1, 2011, **PASSED TO BE ENGROSSED**, in concurrence.)

(In House, March 3, 2011, **FINALLY PASSED**.)

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

The Chair laid before the Senate the following Tabled and Later (3/8/11) Assigned matter:

Bill "An Act To Establish the Maine Science Advisory Board"
S.P. 299 L.D. 953

Tabled - March 8, 2011, by Senator **COLLINS** of York

Pending - **REFERENCE**

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

On motion by Senator **COLLINS** of York, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (3/8/11) Assigned matter:

Resolve, To Adjust Composting Limits for Farms
H.P. 713 L.D. 969

Tabled - March 8, 2011, by Senator **SAVIELLO** of Franklin

Pending - **REFERENCE**

(In House, March 8, 2011, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed.)

On motion by Senator **SAVIELLO** of Franklin, **REFERRED** to the Committees on **ENVIRONMENT AND NATURAL RESOURCES AND AGRICULTURE, CONSERVATION AND FORESTRY**, in **NON-CONCURRENCE**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (3/10/11) Assigned matter:

Bill "An Act Concerning Immunity for School Administrative Units in the Discharge of Their Responsibilities"
S.P. 308 L.D. 988

Tabled - March 10, 2011, by Senator **COURTNEY** of York

Pending - **REFERENCE**

(Committee on **EDUCATION AND CULTURAL AFFAIRS** suggested and ordered printed.)

On motion by Senator **COURTNEY** of York, **REFERRED** to the Committee on **JUDICIARY**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (3/10/11) Assigned matter:

Resolve, To Reduce Health Care Costs through Interstate Collaboration
H.P. 763 L.D. 1029

Tabled - March 10, 2011, by Senator **McCORMICK** of Kennebec

Pending - **REFERENCE**

(In House, March 10, 2011, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.)

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

Off Record Remarks

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

RECESSED until the sound of the bell.

After Recess

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

Resolve, To Target Job Creation in the Agricultural Sector To Improve the Stability and Economic Strength of Rural Maine
H.P. 821 L.D. 1109

Presented by Representative **McCABE** of Skowhegan.

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 Paper

Bill "An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2012 and June 30, 2013" (EMERGENCY)
H.P. 778 L.D. 1043

Presented by Representative **FLOOD** of Winthrop.
(GOVERNOR'S BILL)

Cosponsored by Senator **ROSEN** of Hancock and Senator: **HILL** of York, Representative: **ROTUNDO** of Lewiston.

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 Paper

Bill "An Act To Create the Position of Juvenile Community Service Director in the Department of Corrections"
H.P. 809 L.D. 1074

Presented by Representative SHAW of Standish.
Cosponsored by Senator: PATRICK of Oxford, Representatives: HANLEY of Gardiner, HASKELL of Portland, PLUMMER of Windham, SANBORN of Gorham.

Comes 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 Allow a Municipality To Withdraw from a Regional School Unit"
H.P. 784 L.D. 1049

Presented by Representative KRUGER of Thomaston.
Cosponsored by Senator: GERZOFKY of Cumberland,
Representatives: CROCKETT of Bethel, DILL of Cape Elizabeth,
FOSSEL of Alna, McKANE of Newcastle, MITCHELL of the Penobscot Nation.

Bill "An Act To Calculate Essential Programs and Services Funding on an Equal Labor Market"
H.P. 786 L.D. 1051

Presented by Representative CLARK of Millinocket.
Cosponsored by Senator THOMAS of Somerset, Senator JACKSON of Aroostook and Senator: SHERMAN of Aroostook,
Representatives: CHAPMAN of Brooksville, DUCHESNE of Hudson, EDGECOMB of Caribou, FITZPATRICK of Houlton,
JOHNSON of Greenville, LONG of Sherman, THERIAULT of Madawaska.

Resolve, To Require Regional School Unit No. 20 To Transfer Certain Property to the Town of Searsport
H.P. 795 L.D. 1060

Presented by Representative GILLWAY of Searsport.

Bill "An Act To Eliminate Penalties under the School Administrative Unit Consolidation Laws for Grand Isle School Department, Madawaska School Department, School Administrative District No. 32 and School Administrative District No. 33"
H.P. 819 L.D. 1107

Presented by Representative THERIAULT of Madawaska.
Cosponsored by Senator JACKSON of Aroostook and Representatives: AYOTTE of Caswell, CLARK of Millinocket, EDGECOMB of Caribou, HANLEY of Gardiner, McFADDEN of Dennysville, RIOUX of Winterport, WILLETTE of Presque Isle.

Bill "An Act Regarding the Attendance of Attorneys at Pupil Evaluation Team Meetings"
H.P. 822 L.D. 1110

Presented by Representative KENT of Woolwich.
Cosponsored by Senator ALFOND of Cumberland and Senator: GERZOFKY of Cumberland, Representatives: INNES of Yarmouth, NELSON of Falmouth, STRANG BURGESS of Cumberland, VOLK of Scarborough, WAGNER of Lewiston.

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 To Correct a Statutory Oversight Regarding Renewable Capacity Resources Portfolio Requirements for Consumer-owned Utilities"
H.P. 794 L.D. 1059

Presented by Representative FITTS of Pittsfield.
Submitted by the Public Utilities Commission pursuant to Joint Rule 204.

Bill "An Act To Amend the Lien Process for Unpaid Water Rates"
H.P. 796 L.D. 1061

Presented by Representative WELSH of Rockport.
Cosponsored by Representative COTTA of China and Senator: RECTOR of Knox, Representatives: FITTS of Pittsfield, HAMPER of Oxford, HINCK of Portland, KRUGER of Thomaston, LUCHINI of Ellsworth.

Bill "An Act To Increase Home Weatherization and Energy Independence"

H.P. 801 L.D. 1066

Presented by Representative BELIVEAU of Kittery.
Cosponsored by Senator BARTLETT of Cumberland,
Representatives: BEAVERS of South Berwick, CELLI of Brewer,
CORNELL du HOUX of Brunswick, HINCK of Portland.

Bill "An Act To Improve Maine's Renewable Energy Portfolio Standard"

H.P. 824 L.D. 1112

Presented by Representative CORNELL du HOUX of Brunswick.
Cosponsored by Senator MASON of Androscoggin and Senators:
GERZOFISKY of Cumberland, SAVIELLO of Franklin,
Representatives: BEAVERS of South Berwick, DUNPHY of
Emden, LUCHINI of Ellsworth, MARTIN of Eagle Lake,
PETERSON of Rumford, PRIEST of Brunswick.

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

Bill "An Act To Restore Limits on the Location of Licensed
Redemption Centers and Improve Operations"

H.P. 798 L.D. 1063

Presented by Representative PRESCOTT of Topsham.
Cosponsored by Senator RECTOR of Knox and Representatives:
BEAULIEU of Auburn, COTTA of China, CUSHING of Hampden,
DAMON of Bangor, ESPLING of New Gloucester, McKANE of
Newcastle, OLSEN of Phippsburg.

Bill "An Act To Modify the Requirement To Replace Trees Cut
Down in Violation of Local Laws"

H.P. 820 L.D. 1108

Presented by Representative MOULTON of York.
Cosponsored by Senator THOMAS of Somerset and
Representatives: CROCKETT of Bethel, HARVELL of
Farmington, O'CONNOR of Berwick, SIROCKI of Scarborough.

Bill "An Act To Provide the Department of Environmental
Protection with Regulatory Flexibility Regarding the Listing of
Priority Chemicals"

H.P. 841 L.D. 1129

Presented by Representative HAMPER of Oxford.

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 Ensure Access to Certain Health Care Services for
Children"

H.P. 797 L.D. 1062

Presented by Representative CLARK of Millinocket.
Cosponsored by Senator BRANNIGAN of Cumberland and
Senator: JACKSON of Aroostook, Representatives: BEAVERS of
South Berwick, BOLDUC of Auburn, DRISCOLL of Westbrook,
GOODE of Bangor, THERIAULT of Madawaska, TREAT of
Hallowell.

Bill "An Act To Require Defibrillators in All Health Club Gyms"

H.P. 808 L.D. 1073

Presented by Representative CASAVANT of Biddeford.
Cosponsored by Senator SULLIVAN of York and
Representatives: BOLDUC of Auburn, GRAHAM of North
Yarmouth, ROCHELO of Biddeford, SANBORN of Gorham,
TUTTLE of Sanford.

Bill "An Act To Lower the Cost of Health Care through Improved
Energy Efficiency"

H.P. 818 L.D. 1106

Presented by Representative HINCK of Portland.
Cosponsored by Senator BARTLETT of Cumberland and
Senator: THIBODEAU of Waldo, Representatives: BERRY of
Bowdoinham, EVES of North Berwick, FITTS of Pittsfield,
LUCHINI of Ellsworth, SANBORN of Gorham.

Bill "An Act To Improve Preventive Dental Health Care and
Reduce Future Avoidable Costs"

H.P. 826 L.D. 1114

Presented by Representative STRANG BURGESS of
Cumberland.
Cosponsored by Senator CRAVEN of Androscoggin and Senator:
KATZ of Kennebec, Representatives: FOSSEL of Aina, KENT of
Woolwich, KUMIEGA of Deer Isle, MALABY of Hancock,
SANBORN of Gorham, SIROCKI of Scarborough, STUCKEY of
Portland.

Bill "An Act To Clarify the Responsibilities of the Maine Developmental Services Oversight and Advisory Board"
H.P. 827 L.D. 1115

Presented by Representative STRANG BURGESS of Cumberland.
Cosponsored by Senator ALFOND of Cumberland and Senators: CRAVEN of Androscoggin, WOODBURY of Cumberland, Representatives: BERRY of Bowdoinham, EVES of North Berwick, FOSSEL of Alna, PETERSON of Rumford, SANBORN of Gorham, STUCKEY of Portland.

Bill "An Act To Amend the Laws Governing the Sale of Certain Tobacco Products"

H.P. 831 L.D. 1119

Presented by Representative STRANG BURGESS of Cumberland.
Cosponsored by Senator SAVIELLO of Franklin and Senator: CRAVEN of Androscoggin, Representatives: BERRY of Bowdoinham, EVES of North Berwick, FOSSEL of Alna, KNIGHT of Livermore Falls, MALABY of Hancock, PETERSON of Rumford, SANBORN of Gorham.

Bill "An Act To Increase Dental Benefits and Oral Health Care"
H.P. 834 L.D. 1122

Presented by Representative HINCK of Portland.
Cosponsored by Senator CRAVEN of Androscoggin and Representatives: BERRY of Bowdoinham, CORNELL du HOUX of Brunswick, EVES of North Berwick, PETERSON of Rumford, ROTUNDO of Lewiston, STRANG BURGESS of Cumberland, STUCKEY of Portland, TREAT of Hallowell.

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

Resolve, To Create a Mitigation Fund for Damage Caused by Unauthorized All-terrain Vehicle Use on Private Land
H.P. 793 L.D. 1058

Presented by Representative SHAW of Standish.
Cosponsored by Representatives: CEBRA of Naples, CURTIS of Madison, CUSHING of Hampden, McCABE of Skowhegan, McKANE of Newcastle, SARTY of Denmark.

Bill "An Act To Establish a Coyote Bounty Permit"
H.P. 807 L.D. 1072

Presented by Representative KNIGHT of Livermore Falls.
Cosponsored by Senator MASON of Androscoggin and Representatives: CASAVANT of Biddeford, CLARK of Millinocket, DAVIS of Sangerville, MITCHELL of the Penobscot Nation, NEWENDYKE of Litchfield, PICCHIOTTI of Fairfield, VOLK of Scarborough, WEAVER of York.

Bill "An Act To Ban the Use of Traps and Dogs in Bear Hunting"
H.P. 815 L.D. 1080

Presented by Representative CASAVANT of Biddeford.
Cosponsored by Senator SULLIVAN of York and Representatives: BOLDUC of Auburn, KNIGHT of Livermore Falls, ROCHELO of Biddeford, SANBORN of Gorham.

Bill "An Act To Encourage Fishing for Individuals with Disabilities"
H.P. 825 L.D. 1113

Presented by Representative STRANG BURGESS of Cumberland.
Cosponsored by Senator WOODBURY of Cumberland and Senators: ALFOND of Cumberland, CRAVEN of Androscoggin, Representatives: DAVIS of Sangerville, EVES of North Berwick, FOSSEL of Alna, PETERSON of Rumford, SANBORN of Gorham, STUCKEY of Portland.

Bill "An Act To Provide for Incentives and Reparations to Landowners in Connection with All-terrain Vehicle Access"
H.P. 833 L.D. 1121

Presented by Representative McCABE of Skowhegan.
Cosponsored by Senator WHITTEMORE of Somerset and Senator: SHERMAN of Aroostook, Representatives: BLACK of Wilton, DILL of Old Town, EBERLE of South Portland, O'BRIEN of Lincolnville, SHAW of Standish.

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 Amend the Application of the Maine Human Rights Act Regarding Public Accommodations"

H.P. 781 L.D. 1046

Presented by Representative FREDETTE of Newport.
Cosponsored by Senator: MASON of Androscoggin,
Representatives: CRAFTS of Lisbon, CURTIS of Madison,
CUSHING of Hampden, DAVIS of Sangerville, FITTS of Pittsfield,
TURNER of Burlington, WINTLE of Garland.

Bill "An Act To Impose a Mandatory Minimum Award in Small Claims Actions"

H.P. 788 L.D. 1053

Presented by Representative SHAW of Standish.
Cosponsored by Representatives: CURTIS of Madison,
CUSHING of Hampden, DION of Portland, FOSSEL of Alna,
PILON of Saco, PLUMMER of Windham, VALENTINO of Saco.

Bill "An Act To Protect Maine Laws under the United States Constitution and the Constitution of Maine"

H.P. 811 L.D. 1076

Presented by Representative WATERHOUSE of Bridgton.
Cosponsored by Senators: HASTINGS of Oxford, PLOWMAN of Penobscot, Representatives: CEBRA of Naples, O'CONNOR of Berwick, SARTY of Denmark, SIROCKI of Scarborough.

Bill "An Act To Ensure Timely Resolution of Professional Negligence Claims"

H.P. 823 L.D. 1111

Presented by Representative TREAT of Hallowell.
Cosponsored by Senator ALFOND of Cumberland and
Representatives: BECK of Waterville, CAREY of Lewiston,
HINCK of Portland.

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 Encourage the Promotion of Outdoor Recreational Activities"

H.P. 785 L.D. 1050

Presented by Representative DAVIS of Sangerville.
Cosponsored by Senator MASON of Androscoggin and
Representatives: BLACK of Wilton, BURNS of Whiting, CRAFTS of Lisbon, FREDETTE of Newport, HARMON of Palermo, SARTY of Denmark, TIMBERLAKE of Turner, WOOD of Sabattus.

Bill "An Act Regarding the Computation of Workers' Compensation Rates Based on Past Claims"

H.P. 790 L.D. 1055

Presented by Representative FITZPATRICK of Houlton.
Cosponsored by Senator WHITTEMORE of Somerset and
Representatives: DOW of Waldoboro, FITTS of Pittsfield,
HAMPER of Oxford, LOVEJOY of Portland, McKANE of Newcastle, MORRISON of South Portland, RICHARDSON of Warren, TILTON of Harrington.

Bill "An Act To Increase the Availability of Independent Medical Examiners under the Workers' Compensation Act of 1992"

H.P. 791 L.D. 1056

Presented by Representative HAMPER of Oxford.
Cosponsored by Senator GOODALL of Sagadahoc and Senator: SNOWE-MELLO of Androscoggin, Representatives: DOW of Waldoboro, FITZPATRICK of Houlton, FOSSEL of Alna, OLSEN of Phippsburg, PRESCOTT of Topsham, TUTTLE of Sanford.

Bill "An Act To Limit Increases in the Unemployment Contribution Rate"

H.P. 792 L.D. 1057

Presented by Representative CUSHING of Hampden.
Cosponsored by Senator PLOWMAN of Penobscot and Senators: COURTNEY of York, THIBODEAU of Waldo, Representatives: CRAY of Palmyra, CURTIS of Madison, HAMPER of Oxford, PARKER of Veazie, PRESCOTT of Topsham, WEAVER of York.

Bill "An Act To Amend the Laws Governing the Determination of Permanent Impairment under the Maine Workers' Compensation Act of 1992"

H.P. 800 L.D. 1065

Presented by Representative PRESCOTT of Topsham.
Cosponsored by Senator SHERMAN of Aroostook and
Representatives: BURNS of Whiting, CUSHING of Hampden,
DOW of Waldoboro, HAMPER of Oxford, HARVELL of Farmington, WINTLE of Garland.

Bill "An Act To Provide Maine Tourism and Industry Collaborative Film Grants"

H.P. 804 L.D. 1069

Presented by Representative VALENTINO of Saco.
Cosponsored by Senator: PATRICK of Oxford, Representatives: PRESCOTT of Topsham, RUSSELL of Portland.

Bill "An Act To Amend the Audit and Enforcement Functions of the Workers' Compensation Board"

H.P. 813 L.D. 1078

Presented by Representative CUSHING of Hampden.
Cosponsored by Senator COURTNEY of York and Senators: PLOWMAN of Penobscot, THIBODEAU of Waldo, Representatives: CRAY of Palmyra, CURTIS of Madison, PARKER of Veazie, PRESCOTT of Topsham, WEAVER of York.

Bill "An Act To Promote the Hiring of Seasonal Workers"
H.P. 829 L.D. 1117

Presented by Representative FREDETTE of Newport.
Cosponsored by Senators: PLOWMAN of Penobscot, SHERMAN of Aroostook, THIBODEAU of Waldo, Representatives: CRAY of Palmyra, DAVIS of Sangerville, GIFFORD of Lincoln, TIMBERLAKE of Turner, WINSOR of Norway.

Bill "An Act To Amend the Authority of the Washington County Development Authority" (EMERGENCY)
H.P. 839 L.D. 1127

Presented by Representative PARKER of Veazie.
Cosponsored by President RAYE of Washington and Senator: RECTOR of Knox, Representatives: BURNS of Whiting, DAMON of Bangor, LONG of Sherman, MAKER of Calais, McFADDEN of Dennysville, TILTON of Harrington, TURNER of Burlington.

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 Authorize Peaks Island, House Island, Pumpkin Knob and Catnip Island To Secede from the City of Portland"
H.P. 814 L.D. 1079

Presented by Representative WEAVER of York.
Cosponsored by Senator SNOWE-MELLO of Androscoggin and Representatives: BEAUDOIN of Biddeford, CURTIS of Madison, CUSHING of Hampden, HAMPER of Oxford, KNIGHT of Livermore Falls, NEWENDYKE of Litchfield, ROSEN of Bucksport, TUTTLE of Sanford.

Bill "An Act To Implement the Recommendations of the Joint Standing Committee on State and Local Government To Make Necessary Changes to the Maine Administrative Procedure Act"
H.P. 837 L.D. 1125

Presented by Representative BOLAND of Sanford.
Cosponsored by Senator THOMAS of Somerset and Senator: SULLIVAN of York, Representatives: BOLDUC of Auburn, CASAVANT of Biddeford, COTTA of China, GRAHAM of North Yarmouth, HARVELL of Farmington, KAENRATH of South Portland, MOULTON of York.

Bill "An Act To Modify the Requirements for Municipal Code Enforcement Officer Training"
H.P. 840 L.D. 1128

Presented by Representative MOULTON of York.
Cosponsored by Representative: CROCKETT of Bethel.

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 Allow a Tax Credit for Tuition Paid to Private Schools"
H.P. 779 L.D. 1044

Presented by Representative FITZPATRICK of Houlton.
Cosponsored by Senator MASON of Androscoggin and Representatives: BLACK of Wilton, BURNS of Alfred, CRAFTS of Lisbon, DAVIS of Sangerville, GIFFORD of Lincoln, LONG of Sherman, SOCTOMAH of the Passamaquoddy Tribe, WILLETTE of Mapleton.

Bill "An Act To Provide a Property Tax Exemption for Family Burying Grounds"
H.P. 816 L.D. 1081

Presented by Representative HARVELL of Farmington.

Bill "An Act To Provide a Tax Credit for High-quality Child Care Sites"
H.P. 830 L.D. 1118

Presented by Representative STRANG BURGESS of Cumberland.
Cosponsored by Senator CRAVEN of Androscoggin and Senators: ALFOND of Cumberland, COURTNEY of York, Representatives: BERRY of Bowdoinham, FOSSEL of Alna, PETERSON of Rumford, SANBORN of Gorham, STUCKEY of Portland, WEBSTER of Freeport.

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 Pertaining to Vehicle Registrations"
H.P. 782 L.D. 1047

Presented by Representative TUTTLE of Sanford.
Cosponsored by Senator THOMAS of Somerset.

Bill "An Act To Require Equal Treatment of All Roads in a Road Association"

H.P. 787 L.D. 1052

Presented by Representative SHAW of Standish.
Cosponsored by Senator: PATRICK of Oxford, Representatives: BOLAND of Sanford, BOLDUC of Auburn, HASKELL of Portland, McCLELLAN of Raymond.

Resolve, To Expand the Scope of the Study of Existing Highway Infrastructure and Future Capacity Needs West of Route 1 in York and Cumberland Counties Being Conducted by the Department of Transportation and the Maine Turnpike Authority
H.P. 799 L.D. 1064

Presented by Representative TUTTLE of Sanford.
Cosponsored by Senator COLLINS of York and Senator: THOMAS of Somerset, Representatives: HOGAN of Old Orchard Beach, MAZUREK of Rockland, NASS of Acton, PEOPLES of Westbrook, THERIAULT of Madawaska.

Bill "An Act To Protect the Privacy of Maine Residents under the Driver's License Laws"

H.P. 803 L.D. 1068

Presented by Representative CHIPMAN of Portland.
Cosponsored by Senator THOMAS of Somerset and Representatives: CAIN of Orono, CUSHING of Hampden, HAYES of Buckfield, HOGAN of Old Orchard Beach, MAZUREK of Rockland, PEOPLES of Westbrook, THERIAULT of Madawaska, WILLETTE of Mapleton.

Bill "An Act To Allow the Use of Mini-trucks on Public Ways"
H.P. 806 L.D. 1071

Presented by Representative AYOTTE of Caswell.
Cosponsored by Representative CHIPMAN of Portland, Senator JACKSON of Aroostook and Senators: SHERMAN of Aroostook, THIBODEAU of Waldo, THOMAS of Somerset, Representatives: CLARK of Easton, EDGECOMB of Caribou, HAMPER of Oxford, MARTIN of Eagle Lake, THERIAULT of Madawaska.

Bill "An Act To Authorize the Use of Traffic Surveillance Cameras To Prove and Enforce Violations of Overtaking and Passing School Buses"

H.P. 836 L.D. 1124

Presented by Representative CEBRA of Naples.
Cosponsored by Senator COLLINS of York and Representatives: CRAY of Palmyra, CURTIS of Madison, FITTS of Pittsfield, ROSEN of Bucksport, SARTY of Denmark.

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

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

Bill "An Act To Encourage Better Grades for High School Students by Linking Grades with the Granting of a Driver's License"

H.P. 780 L.D. 1045

Presented by Representative CLARK of Easton.

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Delay the Implementation of the Rental Housing Radon Testing Requirement"

H.P. 783 L.D. 1048

Presented by Representative TUTTLE of Sanford.

Bill "An Act To Revise the Maine Clean Election Act Regarding Legislative Leadership Positions"

H.P. 789 L.D. 1054

Presented by Representative VALENTINO of Saco.
Cosponsored by Representatives: LONGSTAFF of Waterville, RUSSELL of Portland.

Bill "An Act To Improve Awareness of Smoking Policies in Maine Rental Housing and Condominiums"
H.P. 802 L.D. 1067

Presented by Representative SANBORN of Gorham.
Cosponsored by Senator BLISS of Cumberland and Senator: CRAVEN of Androscoggin, Representatives: CLARKE of Bath, FOSSEL of Alna, GRAHAM of North Yarmouth, RANKIN of Hiram, ROCHELO of Biddeford, STRANG BURGESS of Cumberland, STUCKEY of Portland.

Bill "An Act To Require That the Governor Be Elected by the Ranked-choice Voting Method"
H.P. 838 L.D. 1126

Presented by Representative RUSSELL of Portland.
Cosponsored by Representatives: BERRY of Bowdoinham, CORNELL du HOUX of Brunswick, GOODE of Bangor, HINCK of Portland, KNIGHT of Livermore Falls, McCABE of Skowhegan, O'BRIEN of Lincolnville.

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.

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

REPORTS OF COMMITTEES

House

Pursuant to Statute

The Committee on JUDICIARY on Bill "An Act Concerning the Protection of Personal Information in Communications with Elected Officials"

H.P. 817 L.D. 1082

Reported that the same be REFERRED to the Committee on JUDICIARY, pursuant to the Maine Revised Statutes, Title 1, section 411, subsection 6, paragraph G.

Comes from the House with the Report READ and ACCEPTED and the Bill REFERRED to the Committee on JUDICIARY.

Report READ and ACCEPTED, in concurrence.

REFERRED to the Committee on JUDICIARY, in concurrence.

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

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

Senator WHITTEMORE of Somerset was granted unanimous consent to address the Senate off the Record.

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

The President appointed the Senator from Penobscot, Senator PLOWMAN, to serve as President Pro Tem for the session on Wednesday, March 16, 2011.

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

On motion by Senator COURTNEY of York, ADJOURNED to Wednesday, March 15, 2011, at 10:00 in the morning.