

# MAINE STATE LEGISLATURE

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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 29, 2011

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

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Prayer by Senator Lois A. Snowe-Mello of Androscoggin County.

**SENATOR SNOWE-MELLO:** Good morning everyone. God, we need You to glorify each and everything we do as we do the people's work. Psalm 71, 123 - In You, O Lord, I put my trust. Let me never be put to shame. Deliver me in Your righteousness and cause me to escape. Incline Your ear to me and save me. Be my strong refuge to which I may resort continually. You have given the commandment to save, for You are my rock and You are my fortress.

Would you join me in the Lord's Prayer: Our Father, who art in heaven, hallowed be thy name. Thy kingdom come, thy will be done on earth as it is in heaven. Give us this day our daily bread and forgive us our trespasses as we forgive those who trespass against us. Lead us not into temptation but deliver us from evil. For thine is the kingdom and the power and the glory forever. Amen.

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Pledge of Allegiance led by Senator Nichi S. Farnham of Penobscot County.

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Reading of the Journal of Thursday, March 24, 2011.

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Doctor of the day, Peter Shaw, MD of Falmouth.

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Off Record Remarks

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**COMMUNICATIONS**

The Following Communication: S.C. 185

**STATE OF MAINE  
MAINE COMMUNITY COLLEGE SYSTEM  
OFFICE OF THE PRESIDENT**

March 10, 2011

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

The Honorable Robert W. Nutting  
Speaker of the House  
125th Maine Legislature  
2 State House Station  
Augusta, ME 04333-0002

Dear President Raye and Speaker Nutting:

Thank you for your letter of March 8, 2011, inviting me to address a Joint Session of the 125th Maine Legislature on Wednesday, March 30th. On behalf of Maine's Community College trustees, employees and students, it is with great pride that I accept your kind invitation. I look forward to sharing with you my thoughts on the state of the Maine Community College System.

Thank you again.

Sincerely yours,

S/John Fitzsimmons  
President

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: S.C. 186

**STATE OF MAINE  
MAINE PUBLIC UNIVERSITIES  
UNIVERSITY OF MAINE SYSTEM  
OFFICE OF THE CHANCELLOR**

March 15, 2011

The Honorable Kevin L. Raye  
President of the Senate

The Honorable Robert W. Nutting  
Speaker of the House

125th Maine Legislature  
State of Maine  
Augusta, ME 04333

Dear President Raye and Speaker Nutting:

Thank you for your invitation to address a Joint Session of the 125th Maine Legislature on Wednesday, March 30, 2011 at 11:00 a.m. concerning the State of the University of Maine System. I accept with pleasure and look forward to the opportunity to share with you my thoughts on the role and future of the University of Maine System.

These are challenging times. I deeply appreciate the support provided by the Legislature as we work together to build a brighter future for the people of Maine.

Sincerely,

S/Richard L. Patternaude  
Chancellor

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: S.C. 187

**STATE OF MAINE  
MAINE MARITIME ACADEMY  
OFFICE OF THE PRESIDENT**

March 17, 2011

The Honorable Kevin L. Raye  
President of the Senate  
3 State House Station  
Augusta, ME 04333

Dear Senator Raye:

Thank you for your kind invitation to address the Joint Session of the 125th Maine Legislature on Wednesday, March 30th at 11:00 a.m. I am pleased to have the opportunity to report on the state of Maine Maritime Academy and address any questions or issues you may have.

I look forward to speaking with you later this month.

Sincerely,

S/Dr. William J. Brennan  
President

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: S.C. 188

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

March 23, 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 bills out "Ought Not to Pass":

L.D. 699 An Act To Conserve Energy in Certain Commercial Buildings

L.D. 789 An Act To Eliminate the Governor's Office of Energy Independence and Security

We have also notified the sponsors and cosponsors of each bill listed 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.**

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The Following Communication: S.C. 189

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

March 23, 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. 303 An Act To Improve Hospital Transparency

L.D. 452 An Act To Provide MaineCare Reimbursement for Pastoral Counselors

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. 190

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

March 23, 2011

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

Dear President Raye and Speaker Nutting:

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

L.D. 450 An Act To Auction Off Moose Permits to Maine Guides

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

Sincerely,

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

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

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

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The Following Communication: S.C. 191

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

March 23, 2011

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

Dear President Raye and Speaker Nutting:

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

L.D. 519 Resolve, Directing the Bureau of Insurance To Study Legislators' Health Insurance Benefits Compared to the Health Insurance Benefits of Other Part-time and Seasonal Workers in the State

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

Sincerely,

S/Sen. Rodney L. Whittemore  
Senate Chair

S/Rep. Wesley E. Richardson  
House Chair

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

---

The Following Communication: S.C. 192

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

March 23, 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. 438 An Act To Provide Seed Money for the Construction of Senior Housing in the Town of Newport

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

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.**

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The Following Communication: S.C. 193

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

March 23, 2011

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

Dear President Raye and Speaker Nutting:

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

L.D. 319 An Act To Amend the Saltwater Recreational Fishing Registry Regarding Unauthorized Landing or Possession of Striped Bass (EMERGENCY)

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

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

Sincerely,

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

S/Rep. Windol C. Weaver  
House Chair

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

---

The Following Communication: S.C. 194

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

March 24, 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 bills out "Ought Not to Pass":

L.D. 489 An Act To Exempt Active Duty Armed Services Income from the Income Tax

L.D. 500 An Act To Create an Income Tax Checkoff To Benefit Libraries

We have also notified the sponsors and cosponsors of each bill listed 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.**

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The Following Communication: S.C. 195

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

March 23, 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. 632      Resolve, To Direct the Department of Transportation To Rebuild Williams Road in the Town of Newport

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.**

---

The Following Communication:      H.C. 118

**STATE OF MAINE  
CLERK'S OFFICE  
2 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0002**

March 25, 2011

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

Dear Secretary Carleton:

Please be advised that Speaker of the House Robert W. Nutting accepted the resignation of the Honorable Wayne T. Mitchell of the Penobscot Nation from the Joint Standing Committee on Judiciary effective March 16, 2011.

Sincerely,

S/Heather J.R. Priest  
Clerk of the House

**READ** and **ORDERED PLACED ON FILE.**

---

Senate at Ease.

Senate called to order by the President.

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Off Record Remarks

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**SENATE PAPERS**

Resolve, To Encourage Reciprocity between Maine and New Hampshire in the Reporting of Rabies Vaccinations by Veterinarians

S.P. 406 L.D. 1309

Presented by Senator HILL of York.  
Cosponsored by Senators: KATZ of Kennebec, SCHNEIDER of Penobscot, SHERMAN of Aroostook, THIBODEAU of Waldo,  
Representatives: EDGECOMB of Caribou, McCABE of Skowhegan.

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

Sent down for concurrence.

---

Bill "An Act To Strengthen Computer Privacy"

S.P. 405 L.D. 1308

Presented by Senator MASON of Androscoggin.  
Cosponsored by Senator: DIAMOND of Cumberland,  
Representative: PLUMMER of Windham.  
Submitted by the Department of the Attorney General pursuant to Joint Rule 204.

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 Specify That Providers of Voice Over Internet Protocol Services and Internet Protocol Enabled Services Do Not Constitute Telephone Utilities"

S.P. 408 L.D. 1311

Presented by Senator SAVIELLO of Franklin.  
Cosponsored by Representative FITTS of Pittsfield and Senators: COURTNEY of York, GOODALL of Sagadahoc, PATRICK of Oxford, PLOWMAN of Penobscot, ROSEN of Hancock,  
Representatives: CURTIS of Madison, DION of Portland, WILLETTE of Presque Isle.

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 Require the Department of Health and Human Services To License Families To Provide Care for Children in Foster Care"

S.P. 411 L.D. 1334

Presented by Senator CRAVEN of Androscoggin.  
Cosponsored by Representative EVES of North Berwick and Representatives: FOSSEL of Alna, MALABY of Hancock, PETERSON of Rumford, SANBORN of Gorham, STRANG BURGESS of Cumberland.  
Submitted by the Department of Health and Human Services pursuant to Joint Rule 204.

Bill "An Act To Ensure Patient Privacy and Control with Regard to Health Information Exchanges"

S.P. 414 L.D. 1337

Presented by Senator KATZ of Kennebec.  
Cosponsored by Representative FITTS of Pittsfield and Senators: BARTLETT of Cumberland, HILL of York, SCHNEIDER of Penobscot, TRAHAN of Lincoln, Representatives: CAREY of Lewiston, CEBRA of Naples, GRAHAM of North Yarmouth, HARVELL of Farmington.

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 the Maine Consumer Credit Code To Conform with Federal Law"

S.P. 415 L.D. 1338

Presented by Senator WHITTEMORE of Somerset.  
Cosponsored by Representative MORRISON of South Portland and Representatives: BECK of Waterville, GOODE of Bangor, RICHARDSON of Warren.  
Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.

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

Sent down for concurrence.

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Bill "An Act To Require That Notaries Public Keep Records of Notarial Acts"

S.P. 409 L.D. 1312

Presented by Senator PLOWMAN of Penobscot.  
Cosponsored by Representative COTTA of China and Representative: MOULTON of York.  
Submitted by the Secretary of State pursuant to Joint Rule 204.

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 Amend the Laws Governing the Address Confidentiality Program"

S.P. 407 L.D. 1310

Presented by Senator SHERMAN of Aroostook.  
Cosponsored by Representative GRAHAM of North Yarmouth and Representatives: BRYANT of Windham, COTTA of China, MOULTON of York, ROSEN of Bucksport.  
Submitted by the Secretary of State pursuant to Joint Rule 204.

Committee on STATE AND LOCAL GOVERNMENT suggested and ordered printed.

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

---

Bill "An Act Relating to the Authority of the Legislative Council over the Fiscal Note Process"

S.P. 412 L.D. 1335

Presented by Senator ALFOND of Cumberland.

Committee on STATE AND LOCAL GOVERNMENT suggested and ordered printed.

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

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Bill "An Act To Provide an Internship Employment Tax Credit"

S.P. 413 L.D. 1336

Presented by Senator GOODALL of Sagadahoc.  
Cosponsored by Senator: RECTOR of Knox.

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

Sent down for concurrence.

---

Bill "An Act To Amend the Motor Vehicle Laws"

S.P. 410 L.D. 1313

Presented by Senator COLLINS of York.  
Cosponsored by Representative MAZUREK of Rockland and Senators: DIAMOND of Cumberland, THOMAS of Somerset, Representatives: BRYANT of Windham, CEBRA of Naples, COTTA of China, ROSEN of Bucksport.  
Submitted by the Secretary of State pursuant to Joint Rule 204.



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

Sent down for concurrence.

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

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Off Record Remarks

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## REPORTS OF COMMITTEES

### House

#### Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Designate the Whoopie Pie as the State Dessert"

H.P. 59 L.D. 71

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-8)**.

Signed:

Senators:

THOMAS of Somerset  
COLLINS of York  
SULLIVAN of York

Representatives:

COTTA of China  
BOLAND of Sanford  
BOLDUC of Auburn  
CELLI of Brewer  
GILLWAY of Searsport  
MOULTON of York

The Minority of the same Committee on the same subject reported that the same **Ought Not To Pass**.

Signed:

Representatives:

CASAVANT of Biddeford  
GRAHAM of North Yarmouth  
HARVELL of Farmington  
KAENRATH of South Portland

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-8) AS AMENDED BY HOUSE AMENDMENT "A" (H-20)** thereto.

Reports **READ**.

On motion by Senator **THOMAS** of Somerset, the Majority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**, in concurrence.

**READ ONCE**.

Committee Amendment "A" (H-8) **READ**.

House Amendment "A" (H-20) to Committee Amendment "A" (H-8) **READ** and **ADOPTED**, in concurrence.

Committee Amendment "A" (H-8) as Amended by House Amendment "A" (H-20) thereto, **ADOPTED**, in concurrence.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY**.

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#### Divided Report

The Majority of the Committee on **TRANSPORTATION** on Bill "An Act To Modernize and Reduce the Cost of Driver Education" H.P. 178 L.D. 201

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

Signed:

Senators:

COLLINS of York  
DIAMOND of Cumberland

Representatives:

CEBRA of Naples  
GILLWAY of Searsport  
PARRY of Arundel  
PEOPLES of Westbrook  
RIOUX of Winterport  
THERIAULT of Madawaska

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-12)**.

Signed:

Senator:

THOMAS of Somerset

Representatives:

MAZUREK of Rockland  
HOGAN of Old Orchard Beach  
WILLETTE of Mapleton

Comes from the House with the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-12)**.

Reports **READ**.

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

Sent down for concurrence.

---

**Senate**

**Ought to Pass As Amended**

Senator **McCORMICK** for the Committee on **HEALTH AND HUMAN SERVICES** on Resolve, To Prohibit Smokers from Receiving MaineCare Benefits

S.P. 67 L.D. 216

Reported that the same **Ought to Pass as Amended** by **Committee Amendment "A" (S-17)**.

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

**READ ONCE**.

Committee Amendment "A" (S-17) **READ** and **ADOPTED**.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY**.

---

Senator **McCORMICK** for the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Revise the Laws Governing the Licensure of Public Water System Operators"

S.P. 128 L.D. 424

Reported that the same **Ought to Pass as Amended** by **Committee Amendment "A" (S-18)**.

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

**READ ONCE**.

Committee Amendment "A" (S-18) **READ** and **ADOPTED**.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY**.

---

**Divided Report**

The Majority of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act Regarding the Membership of the Midcoast Regional Redevelopment Authority Board of Trustees"

S.P. 54 L.D. 204

Reported that the same **Ought to Pass as Amended** by **Committee Amendment "A" (S-19)**.

Signed:

Senators:

**RECTOR** of Knox  
**JACKSON** of Aroostook

Representatives:

**DRISCOLL** of Westbrook  
**GILBERT** of Jay  
**HERBIG** of Belfast  
**HUNT** of Buxton  
**TUTTLE** of Sanford

The Minority of the same Committee on the same subject reported that the same **Ought Not To Pass**.

Signed:

Senator:

**MARTIN** of Kennebec

Representatives:

**PRESCOTT** of Topsham  
**DOW** of Waldoboro  
**NEWENDYKE** of Litchfield  
**WINTLE** of Garland

Reports **READ**.

On motion by Senator **RECTOR** of Knox, the Majority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**.

**READ ONCE**.

Committee Amendment "A" (S-19) **READ** and **ADOPTED**.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY**.

---

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

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**SECOND READERS**

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

**House**

Bill "An Act To Amend the Powers and Duties of Municipal Treasurers"

H.P. 390 L.D. 497

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

**House As Amended**

Bill "An Act To Amend the Laws Governing Access to State and State Aid Highways To Allow a Break in a Control of Access"

H.P. 40 L.D. 47  
(C "A" H-21)

Bill "An Act To Include the Study of Franco-American History in the System of Learning Results"

H.P. 65 L.D. 77  
(C "A" H-23)

Bill "An Act To Improve the Sewer District Rate Collection Procedures" (EMERGENCY)

H.P. 72 L.D. 84  
(C "A" H-25)

Bill "An Act To Allow Vietnam Veterans To Receive High School Diplomas Posthumously"

H.P. 96 L.D. 114  
(C "A" H-24)

Bill "An Act To Protect Native Landlocked Salmon Fisheries from Invasive Fish Species"

H.P. 116 L.D. 134  
(C "A" H-33)

Bill "An Act Relating to Disability License Plates and Placards for People with Permanent Disabilities" (EMERGENCY)

H.P. 126 L.D. 143  
(C "A" H-22)

Bill "An Act To Improve Response to Gas Safety Emergencies"

H.P. 174 L.D. 197  
(C "A" H-26)

Bill "An Act To Establish the Wilderness Rescue Fund"

H.P. 204 L.D. 251  
(C "A" H-32)

Bill "An Act To Expand Eligibility of Certain Municipal Landfills To Participate in the State's Remediation and Closure Program"

H.P. 215 L.D. 262  
(C "A" H-30)

Resolve, To Stagger the Terms of Members of the Maine Arborist Advisory Council

H.P. 458 L.D. 628  
(C "A" H-27)

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

---

**Senate**

Bill "An Act To Amend Indemnification Notification Laws"

S.P. 85 L.D. 279

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

Sent down for concurrence.

---

**Senate As Amended**

Bill "An Act To Establish Standards Pertaining to the Feeding of Deer"

S.P. 80 L.D. 271  
(C "A" S-15)

Bill "An Act Regarding the Southern Maine Veterans Memorial Cemetery"

S.P. 88 L.D. 299  
(C "A" S-14)

Bill "An Act To Enhance Penalties To Protect Senior Investors"

S.P. 114 L.D. 401  
(C "A" S-16)

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

Sent down for concurrence.

---

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

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**ENACTORS**

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

**Emergency Measure**

An Act Relating to Standardbred Horse Breeding

H.P. 55 L.D. 67  
(C "A" H-9)

This being an Emergency Measure and having received the affirmative vote of 34 Members of the Senate, with no Senators having voted in the negative, and 34 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

---

**Emergency Resolve**

Resolve, Regarding Legislative Review of Portions of Chapter 232: Well Drillers and Pump Installers Rules, a Major Substantive Rule of the Maine Water Well Commission

H.P. 252 L.D. 310

This being an Emergency Measure and having received the affirmative vote of 34 Members of the Senate, with no Senators having voted in the negative, and 34 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.

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**Emergency Resolve**

Resolve, To Enhance Economic Development in the City of Eastport by Facilitating the Ability of the City of Eastport To Transfer Ownership of Property

S.P. 177 L.D. 594  
(C "A" S-7)

This being an Emergency Measure and having received the affirmative vote of 34 Members of the Senate, with no Senators having voted in the negative, and 34 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.

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**Mandate**

An Act To Change the Name of Township 3, Range 9, NWP, to Cedar Lake Township

H.P. 69 L.D. 81  
(C "A" H-15)

This being a Mandate, in accordance with the provisions of Section 21 of Article IX of the Constitution, and having received the affirmative vote of 33 Members of the Senate, with 1 Senator having voted in the negative, and 33 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

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**Pursuant to Constitution  
Public Land**

Resolve, Directing the Conveyance of Conservation Land in Rockport

S.P. 107 L.D. 394

In accordance with the provisions of Article IX, Section 23 of the Constitution, this requires the affirmative vote of two-thirds of the entire elected Membership of the Senate, 34 Senators having voted in the affirmative and no Senators having voted in the negative, and 34 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.

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**Acts**

An Act To Allow Storage of Lobster Traps on Docks  
H.P. 42 L.D. 49  
(C "A" H-10)

An Act To Allow Provisional Drivers To Transport Persons under Guardianship and Children of Active Military Personnel  
H.P. 43 L.D. 50  
(C "A" H-14)

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

An Act To Amend the Law Governing Employment, Discipline and Dismissal of Chief Deputy Sheriffs  
H.P. 151 L.D. 174  
(C "A" H-16)

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

An Act To Amend the Laws Regarding Noncommercial Foreign Vessels  
H.P. 293 L.D. 367

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

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**Resolve**

Resolve, To Study New and Used Motor Vehicle Dealer Licensing Requirements

H.P. 218 L.D. 265  
(C "A" H-13)

**FINALLY PASSED** and having been signed by the President was presented by the Secretary to the Governor for his approval.

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**Off Record Remarks**

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**ORDERS OF THE DAY**

**Unfinished Business**

The following matter 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 (1/27/11) Assigned matter:

Bill "An Act To Encourage Access to Health Care in Maine"  
S.P. 50 L.D. 157

Tabled - January 27, 2011, by Senator **McCORMICK** of  
Kennebec

Pending - **REFERENCE**

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

On motion by Senator **McCORMICK** of Kennebec, Bill and  
accompanying papers **INDEFINITELY POSTPONED**.

Sent down for concurrence.

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

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On motion by Senator **COURTNEY** of York, **ADJOURNED** to  
Wednesday, March 30, 2011, at 10:00 in the morning.