

# MAINE STATE LEGISLATURE

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One Hundred and Twenty-Fifth Legislature

State of Maine

Daily Edition

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

In Senate Chamber  
Tuesday  
May 3, 2011

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

Prayer by Reverend Michael Reed of Nobleboro.

**REVEREND REED:** Heavenly Father, I come to You in the name of Jesus Christ on behalf of the Senators this morning to ask Your blessing upon their work. I ask that You would give them wisdom and discernment, that they would know the difference between good and evil, between a symptom and a root cause, and that You would give them the fortitude to bring long-term solutions instead of quick fixes. Lord, we pray that You will bless their committee work, that it will be time well spent, and that You will give them gentleness in working well with each other. God, we pray that You will bless their personal lives, that their health will be strong, that their marriages will be characterized by oneness, and that their families will be strong and their homes will be peaceful. Most of all, God, we ask that You would give them an understanding of yourself, Lord, that they would have an intimate fellowship with You. We pray that You would bless them in all areas of their lives. God, we pray that You will bless our Maine Senators, our Representatives, the Governor, and the good state of Maine. We pray this in Jesus' name. Amen.

Pledge of Allegiance led by Senator Jonathan T.E. Courtney of York County.

Reading of the Journal of Thursday, April 28, 2011.

Doctor of the day, Su-Anne Hammond, DO of Windham.

Off Record Remarks

The Chair noted the absence of the Senator from Aroostook, Senator **JACKSON** and further excused the same Senator from today's Roll Call votes.

COMMUNICATIONS

The Following Communication: S.C. 292

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

April 29, 2011

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Inland Fisheries and Wildlife has had under consideration the nomination of Lance S. Wheaton of Forest City Township, for appointment to the Inland Fisheries and Wildlife Advisory Council.

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

YEAS	Senators	2	Martin of Kennebec, Patrick of Oxford
	Representatives	5	Davis of Sangerville, Briggs of Mexico, Clark of Millinocket, Guerin of Glenburn, Wood of Sabattus
NAYS		0	
ABSENT		6	Rep. Crafts of Lisbon, Rep. Eberle of South Portland, Rep. Espling of New Gloucester, Rep. Sarty of Denmark, Rep. Shaw of Standish, Sen. Trahan of Lincoln

Seven members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Lance S. Wheaton of Forest City Township, for appointment to the Inland Fisheries and Wildlife Advisory Council be confirmed.

Signed,

S/Thomas H. Martin Jr.  
Senate Chair

S/Paul T. Davis Sr.  
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **INLAND FISHERIES AND WILDLIFE** be overridden?"

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#42)**

YEAS: Senators: None

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

ABSENT: Senators: BLISS, SULLIVAN

EXCUSED: Senator: JACKSON

No Senator having voted in the affirmative and 32 Senators having voted in the negative, with 2 Senators being absent and 1 Senator being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Lance S. Wheaton** of Forest City Township for appointment to the Inland Fisheries and Wildlife Advisory Council was **CONFIRMED**.

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

The Following Communication: S.C. 293

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

April 29, 2011

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Inland Fisheries and Wildlife has had under consideration the nomination of Lila S. Ware of Skowhegan, for appointment to the Inland Fisheries and Wildlife Advisory Council.

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

YEAS	Senators	3	Martin of Kennebec, Patrick of Oxford, Trahan of Lincoln
	Representatives	5	Briggs of Mexico, Clark of Millinocket, Crafts of Lisbon, Guerin of Glenburn, Wood of Sabattus
NAYS		0	
ABSENT		5	Rep. Davis of Sangerville, Rep. Eberle of South Portland, Rep. Espling of New Gloucester, Rep. Sarty of Denmark, Rep. Shaw of Standish

Eight members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Lila S. Ware of Skowhegan, for appointment to the Inland Fisheries and Wildlife Advisory Council be confirmed.

Signed,

S/Thomas H. Martin Jr.  
Senate Chair

S/Paul T. Davis Sr.  
House Chair

**READ and ORDERED PLACED ON FILE.**

The President laid before the Senate the following: "Shall the recommendation of the Committee on **INLAND FISHERIES AND WILDLIFE** be overridden?"

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#43)**

YEAS: Senators: None

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

NAYS 0

ABSENT 6 Rep. Crafts of Lisbon, Rep. Eberle of South Portland, Rep. Espling of New Gloucester, Rep. Sarty of Denmark, Rep. Shaw of Standish, Sen. Trahan of Lincoln

ABSENT: Senators: BLISS, SULLIVAN

EXCUSED: Senator: JACKSON

No Senator having voted in the affirmative and 32 Senators having voted in the negative, with 2 Senators being absent and 1 Senator being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Lila S. Ware** of Skowhegan for appointment to the Inland Fisheries and Wildlife Advisory Council was **CONFIRMED**.

Seven members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Jeffrey C. Lewis of Ellsworth, for appointment to the Inland Fisheries and Wildlife Advisory Council be confirmed.

Signed,

S/Thomas H. Martin Jr.  
Senate Chair

S/Paul T. Davis Sr.  
House Chair

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

**READ and ORDERED PLACED ON FILE.**

The President laid before the Senate the following: "Shall the recommendation of the Committee on **INLAND FISHERIES AND WILDLIFE** be overridden?"

The Following Communication: S.C. 294

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

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

April 29, 2011

The Doorkeepers secured the Chamber.

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

The Secretary opened the vote.

**ROLL CALL (#44)**

Dear Mr. President:

YEAS: Senators: None

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Inland Fisheries and Wildlife has had under consideration the nomination of Jeffrey C. Lewis of Ellsworth, for appointment to the Inland Fisheries and Wildlife Advisory Council.

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

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

ABSENT: Senators: BLISS, SULLIVAN

EXCUSED: Senator: JACKSON

YEAS Senators 2 Martin of Kennebec, Patrick of Oxford  
Representatives 5 Davis of Sangerville, Briggs of Mexico, Clark of Millinocket, Guerin of Glenburn, Wood of Sabattus

No Senator having voted in the affirmative and 32 Senators having voted in the negative, with 2 Senators being absent and 1 Senator being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Jeffrey C. Lewis** of Ellsworth for appointment to the Inland Fisheries and Wildlife Advisory Council was **CONFIRMED**.

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

The Following Communication: S.C. 295

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

April 29, 2011

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Inland Fisheries and Wildlife has had under consideration the nomination of Cathy A. DeMerchant of Vassalboro, for reappointment to the Inland Fisheries and Wildlife Advisory Council.

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

YEAS	Senators	2	Martin of Kennebec, Patrick of Oxford
	Representatives	5	Davis of Sangerville, Briggs of Mexico, Clark of Millinocket, Guerin of Glenburn, Wood of Sabattus
NAYS		0	
ABSENT		6	Rep. Crafts of Lisbon, Rep. Eberle of South Portland, Rep. Espling of New Gloucester, Rep. Sarty of Denmark, Rep. Shaw of Standish, Sen. Trahan of Lincoln

Seven members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Cathy A. DeMerchant of Vassalboro, for reappointment to the Inland Fisheries and Wildlife Advisory Council be confirmed.

Signed,

S/Thomas H. Martin Jr.  
Senate Chair

S/Paul T. Davis Sr.  
House Chair

**READ and ORDERED PLACED ON FILE.**

The President laid before the Senate the following: "Shall the recommendation of the Committee on **INLAND FISHERIES AND WILDLIFE** be overridden?"

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#45)**

YEAS: Senators: None

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

ABSENT: Senators: BLISS, SULLIVAN

EXCUSED: Senator: JACKSON

No Senator having voted in the affirmative and 32 Senators having voted in the negative, with 2 Senators being absent and 1 Senator being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Cathy A. DeMerchant** of Vassalboro for reappointment to the Inland Fisheries and Wildlife Advisory Council was **CONFIRMED**.

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

The Following Communication: S.C. 286

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

April 27, 2011

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

Dear Secretary Carleton,

Pursuant to my authority under Title 10 MRSA Chapter 1-A §11, I am pleased to appoint Jay Wadleigh of Belgrade to the Citizen Trade Policy Commission. Mr. Wadleigh is the Vice President of Local 6, the International Association of Machinists, at Bath Iron Works, and will serve as a person who is active in the organized labor community.

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

Sincerely,

S/Robert W. Nutting  
Speaker of the House

**READ and ORDERED PLACED ON FILE.**

**READ and ORDERED PLACED ON FILE.**

The Following Communication: S.C. 288

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

April 28, 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 1 MRSA Chapter 13 §411, I am pleased to appoint Robert Weaver of Portland to the Right to Know Advisory Committee. With this appointment Mr. Weaver is representing the public.

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

Sincerely,

S/Robert W. Nutting  
Speaker of the House

**READ and ORDERED PLACED ON FILE.**

The Following Communication: S.C. 287

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

April 28, 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 4 MRSA §1701, I am pleased to appoint the Honorable Joshua A. Tardy of Newport to the Judicial Compensation Commission.

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

Sincerely,

S/Robert W. Nutting  
Speaker of the House

The Following Communication: S.C. 296

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

April 28, 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 Glenn W. Burroughs of Lewiston for reappointment to the Workers' Compensation Board.

Pursuant to Title 39-A, MRSA §151, this nomination will require review by the Joint Standing Committee on Labor, Commerce, Research and Economic Development and confirmation by the Senate.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The Following Communication: S.C. 289

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

April 25, 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. Treat of Hallowell, to report the following bill Leave to Withdraw:

L.D. 1111 An Act To Ensure Timely Resolution of Professional Negligence Claims

Sincerely,

S/Sen. David R. Hastings III  
Senate Chair

S/Rep. Joan M. Nass  
House Chair

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

The Following Communication: S.C. 290

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

April 26, 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 Sen. Whittemore of Somerset, to report the following bill Leave to Withdraw:

L.D. 797 An Act To Reform the Election Laws

Sincerely,

S/Sen. Nichi S. Farnham  
Senate Chair

S/Rep. Michael G. Beaulieu  
House Chair

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

Senate at Ease.

Senate called to order by the President.

**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 (4/26/11) Assigned matter:

JOINT RESOLUTION - memorializing Stanley Taylor Bennett II, of Falmouth, past President, Chairman of the Board, Chief Executive Officer and Vice President of Strategic Planning of Oakhurst Dairy

HLS 256

Tabled - April 26, 2011, by Senator **COURTNEY** of York

Pending - **ADOPTION**, in concurrence

(In House, April 14, 2011, **READ** and **ADOPTED**.)

(In Senate, April 26, 2011, **READ**.)

**READ.**

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

Senator **PLOWMAN:** Thank you Mr. President. Men and women of the Senate, and members of the Bennett family, and friends, I rise this morning to begin what I believe will be a couple of us, three of us or so, that will try to wrap up in a few minutes what Stan Bennett meant to the state of Maine. It can't be done in a few minutes. When you talk about branding a label everybody



knows the word Oakhurst and they did a very good job as a company so that when you reach in you find Oakhurst. What was incredible was that they also branded the name Bennett. The name Bennett stands so much for family and community service that you can't help but think of that when the name comes forward. Mr. Bennett did manage to brand that name with the help of his extensive family and his friends and employees. Today we honor that gentleman and the fact that so many of you came here to honor him with us speaks volumes for the respect that you had and the loss that we have all experienced, certainly not to the degree that you have but the state is at a loss and so is your family. We want you to know that we stand with you. Thank you.

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

Senator **HOBBS:** Thank you Mr. President. Men and women of the Senate, my condolences and prayers and thoughts are with the Bennett family on the loss of an individual who had dignity, had the respect of both the business community and the not-for-profit entities that he was so generous with his time and financial assistance. He was a person I've known for a long time. There is something that the writings that have been presented in the obituary and other stories about Stan since his death doesn't say. That is that I'm proud to say that one of Stan's first jobs, besides probably working in the dairy, was that he did serve in the 106<sup>th</sup> Legislature as the legal counsel for the House Majority Office and Speaker of the House. That's when I first met Stan in 1973. We kind of took a liking to each other. We kidded each other a lot about our political affiliations and the fact that we were both at that time, I believe, under the age of 25 and playing with major league players over there in the House and here in this Body. It was a long-time relationship, off and on relationship, that we had because he loved the art of statesmanship, politics, and government. I think that was a little bit of forte in that. He served in community services also. He thought it was very important not only to be involved with different social service groups. He also served at the local level as a member of the planning board and zoning board of appeals. I have fond memories of Stan. I do have the fondest memory of Stan which was somewhat of a funny episode which I would like to share with you. I can't believe I'm sharing this. I think the family will appreciate this, those who work at Oakhurst Dairy will appreciate the loyalty he had for Oakhurst Dairy. We had some mutual friends and everyone gathered one time at our house, there were three or four couples, through mutual friends. Stan went into the kitchen and the first thing he did was go into the refrigerator to see whether or not I was drinking Oakhurst milk. I say that because it was really a cute situation. It just demonstrates something about Stan, himself. We weren't close friends but over the years I really enjoyed his friendship. His counsel was very good with respect to politics. We didn't agree all the time but one thing we did agree on was those who serve in public office in Maine, at every level, should be respected. He had a great deal of respect for the institution, this institution and all governmental institutions. With that, my condolences to the family and let's say a prayer for him afterwards.

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Off Record Remarks

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

Senator **COLLINS:** Thank you Mr. President. I'll talk about the other side of Stan Bennett because some of you in this Chamber know that I was, in my other life, in the food business. When I was starting out as a fledgling salesman, trying to make a mark for myself with the company that employed me and I later on bought out, we were trying to get distributions in dairies across the state of Maine and New Hampshire and Vermont on a couple of items we represented. One of them was Swiss Miss Cocoa and their refrigerated pudding line. When you are young and inexperienced in sales, Oakhurst Dairy on Forrest Avenue was awe inspiring. They were the biggest around. I was somewhat nervous about going in to talk to Stan about my products. I remember it vividly because he was very gracious and to the point. What's your product line? What's the price? How am I going to sell it? I told him that I would work promoting the product, pushing it through his warehouse, and having his trucks deliver it along with the milk to retailers, food service operators such as schools, colleges, and whatever. I remember him saying it was okay and that he'd take it on but I had to go out and help him sell it. He was a taskmaster and demanded a certain amount of loyalty to his brand as well as making sure the product proved out. He was very gracious to me. I'll never forget him. He was a strong disciplinarian as far getting the job done and making sure the work was done on a timely manner. If you proved yourself to him you had his loyalty as well. My condolences to the family. I'll miss him a lot. Thank you.

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

Senator **SULLIVAN:** Thank you Mr. President. I rise because I believe that perhaps one of the most moving tributes to a man is after his death a fierce competitor put into the paper a whole sheet newsprint of a half a glass of milk. It said, "Today, people of Maine, the glass is half empty." It was a tribute to Stan Bennett. The tribute, I think, that is most astounding is that two competitors in this dog-eat-dog business of making profits, his natural competitor, it was for a dairy. You saw that only at the bottom. It said Hood. Nothing about their product. Nothing else. That's the epitome of a man who has reached, in personal life and in business life, the respect and the level of respect that you can forget that you are competitors and, indeed, I think the view that the glass was half empty may be even more so with his death. I was moved by that. I hope the family is extremely comforted by the fact that father, son, husband, and all can say he was respected and loved, not only by them but also by the very people he competed against. It's quite an honor. Congratulations to the honor and it speaks so well of the legacy he leaves for the state of Maine. Thank you.

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

Senator **ALFOND**: Thank you Mr. President. Ladies and gentlemen of the Senate, I also stand with the deepest sympathy and condolences to the Bennett family. When I first got elected one of the first visits that I told myself that I would do is go visit Oakhurst Dairy and go visit Stan Bennett. I remember being in their corporate offices. I used quotations because it reminded me so much of the Dexter Corporate offices because you would have thought you were in the smallest little business in the world. There was nothing grand. Nothing glamorous. Why? Because Stan Bennett invested in his people, invested in equipment, and that was all around him. He didn't need all the mahogany tables and the leather chairs because that didn't make sense to him. What made sense to him was having a great product that Maine and all of New England could enjoy. That was reflected and still reflected and his legacy will be reflected all the time, when you go past Oakhurst Dairy and you look on top of their building and it's all these solar panels. Why? Because Stan Bennett knew that this was a wise investment for his company and it was a place that he knew he should invest in. When you go to the Boys and Girls Club one of the greatest things that you see everyday is boys and girls always having juice and milk. The stories of youngsters coming up and knowing they are having a great day, whether it's the start of their day or the end of the day, knowing Oakhurst Dairy is providing such a nutritious beginning or ending is just something that is a testament to Stan Bennett and his family. Finally, just the way he also contributed the company's profits; 10% of everything that Oakhurst Dairy made they gave away. I think it just set so many examples of what I think strong businessmen do here in the state of Maine. They are successful and they give back. They are successful and they lead. I want to thank the Bennett family for being here. It's with deep, deep sadness that we have lost a great leader of the state of Maine. I just wish that he was still with us. Thank you.

**ADOPTED**, in concurrence.

**THE PRESIDENT**: The Chair is very pleased to recognize in the rear of the chamber the family of a truly great man, the family of Stan Bennett. Theodore, Colby, and Sarah Jane Bennett, Christine Arlander, and other members of the Bennett family. Would they please rise and accept the greetings of the Maine Senate.

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Off Record Remarks

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**SENATE PAPERS**

Bill "An Act To Encourage Science, Technology, Engineering and Mathematics Education"

S.P. 490 L.D. 1540

Presented by Senator SCHNEIDER of Penobscot.  
(GOVERNOR'S BILL)

Cosponsored by Representative RICHARDSON of Carmel and Senators: ALFOND of Cumberland, BARTLETT of Cumberland, BRANNIGAN of Cumberland, COURTNEY of York, CRAVEN of Androscoggin, FARNHAM of Penobscot, GERZOFKY of Cumberland, GOODALL of Sagadahoc, HASTINGS of Oxford,

HOBBS of York, JACKSON of Aroostook, KATZ of Kennebec, LANGLEY of Hancock, MARTIN of Kennebec, MASON of Androscoggin, McCORMICK of Kennebec, PLOWMAN of Penobscot, President RAYE of Washington, RECTOR of Knox, ROSEN of Hancock, SAVIELLO of Franklin, SHERMAN of Aroostook, SNOWE-MELLO of Androscoggin, SULLIVAN of York, THIBODEAU of Waldo, THOMAS of Somerset, WHITTEMORE of Somerset, WOODBURY of Cumberland, Representatives: BEAVERS of South Berwick, BELIVEAU of Kittery, BENNETT of Kennebunk, BLACK of Wilton, BOLDUC of Auburn, BRIGGS of Mexico, CAIN of Orono, CASAVANT of Biddeford, CELLI of Brewer, CHAPMAN of Brooksville, CHASE of Wells, CLARK of Millinocket, CORNELL du HOUX of Brunswick, COTTA of China, CRAFTS of Lisbon, CRAY of Palmyra, CROCKETT of Bethel, CURTIS of Madison, CUSHING of Hampden, DAVIS of Sangerville, DILL of Old Town, DOW of Waldoboro, DRISCOLL of Westbrook, DUCHESNE of Hudson, EBERLE of South Portland, EDGECOMB of Caribou, ESPLING of New Gloucester, EVES of North Berwick, FITZPATRICK of Houlton, FLOOD of Winthrop, FOSSEL of Alna, FOSTER of Augusta, GIFFORD of Lincoln, GILBERT of Jay, GRAHAM of North Yarmouth, GUERIN of Glenburn, HAMPER of Oxford, HARVELL of Farmington, HASKELL of Portland, HERBIG of Belfast, HINCK of Portland, HUNT of Buxton, INNES of Yarmouth, JOHNSON of Greenville, KAENRATH of South Portland, KENT of Woolwich, KESCHL of Belgrade, LIBBY of Waterboro, LOVEJOY of Portland, LUCHINI of Ellsworth, MAKER of Calais, MALABY of Hancock, MALONEY of Augusta, MARTIN of Eagle Lake, McCABE of Skowhegan, McCLELLAN of Raymond, McFADDEN of Dennysville, MORISSETTE of Winslow, NELSON of Falmouth, NEWENDYKE of Litchfield, O'BRIEN of Lincolnville, O'CONNOR of Berwick, PARKER of Veazie, PETERSON of Rumford, PICCHIOTTI of Fairfield, PILON of Saco, PRESCOTT of Topsham, RANKIN of Hiram, RICHARDSON of Warren, SANBORN of Gorham, SANDERSON of Chelsea, SARTY of Denmark, SHAW of Standish, SIROCKI of Scarborough, STEVENS of Bangor, STRANG BURGESS of Cumberland, TIMBERLAKE of Turner, TREAT of Hallowell, TURNER of Burlington, TUTTLE of Sanford, VOLK of Scarborough, WAGNER of Lewiston, WELSH of Rockport, WINTLE of Garland.

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

Sent down for concurrence.

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Bill "An Act To Amend the Housing Provisions of the Maine Human Rights Act"

S.P. 487 L.D. 1530

Presented by Senator HASTINGS of Oxford.  
Submitted by the Maine Human Rights Commission pursuant to Joint Rule 204.

Bill "An Act To Amend the Maine Human Rights Act Regarding Accessible Building Standards"

S.P. 488 L.D. 1531

Presented by Senator HASTINGS of Oxford.  
Submitted by the Maine Human Rights Commission pursuant to Joint Rule 204.

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

Sent down for concurrence.

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Bill "An Act To Improve Laws on Gaming"

S.P. 489 L.D. 1539

Presented by President RAYE of Washington.

Bill "An Act To Amend the Campaign Finance Laws"  
(EMERGENCY)

S.P. 491 L.D. 1541

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

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

Sent down for concurrence.

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

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### ORDERS

#### Senate Order

On motion by Senator COURTNEY of York, the following Senate Order:

S.O. 15

Ordered, that pursuant to Joint Rule 353, subsection 10, a special study table is established in the Senate.

**READ and PASSED.**

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### REPORTS OF COMMITTEES

#### House

**Ought to Pass**

The Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act Relating to Qualified Financial Contracts by Domestic Insurers"

H.P. 938 L.D. 1279

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

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-128).**

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

**READ ONCE.**

House Amendment "A" (H-128) **READ** and **ADOPTED**, in concurrence

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

---

The Committee on **TAXATION** on Bill "An Act To Allow Treasurers To Process Tax Lien Discharge and Sanitary District Sewer Lien Documents Using Facsimile Signatures"

H.P. 241 L.D. 297

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.**

---

The Committee on **TAXATION** on Bill "An Act To Clarify the Use of Tax Increment Financing Funds for Recreational Development"

H.P. 416 L.D. 533

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.**

The Committee on **TAXATION** on Bill "An Act To Qualify the Port of Eastport as Tax Exempt for Purpose of Bonding" (EMERGENCY)

H.P. 440 L.D. 557

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 **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Require the Inclusion of a Financial Statement on School Administrative Unit Bond Obligations When Voting on a School Construction Project"

H.P. 275 L.D. 349

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-124)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-124)**.

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

**READ ONCE**.

Committee Amendment "A" (H-124) **READ** and **ADOPTED**, in concurrence.

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

---

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Establish a Pilot Physical Education Project in Four Maine Schools" (EMERGENCY)

H.P. 939 L.D. 1280

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-125)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-125)**.

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

**READ ONCE**.

Committee Amendment "A" (H-125) **READ** and **ADOPTED**, in concurrence.

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

---

The Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act Concerning Policy Objectives of the Public Utilities Commission"

H.P. 356 L.D. 463

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-121)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-121)**.

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

**READ ONCE**.

Committee Amendment "A" (H-121) **READ** and **ADOPTED**, in concurrence.

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

---

The Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Create the Anson and Madison Water District" (EMERGENCY)

H.P. 657 L.D. 890

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-116)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-116)**.

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

**READ ONCE**.

Committee Amendment "A" (H-116) **READ** and **ADOPTED**, in concurrence.

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

---

The Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Amend the Charter of the Anson Water District"

H.P. 754 L.D. 1018

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-117)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-117)**.

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

**READ ONCE.**

Committee Amendment "A" (H-117) **READ** and **ADOPTED**, in concurrence.

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

---

The Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act Designating March 29th Vietnam Veterans Day" (EMERGENCY)

H.P. 12 L.D. 20

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-29)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-29) AS AMENDED BY HOUSE AMENDMENT "D" (H-104)** thereto.

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

**READ ONCE.**

Committee Amendment "A" (H-29) **READ**.

House Amendment "D" (H-104) to Committee Amendment "A" (H-29) **READ** and **ADOPTED**, in concurrence.

Committee Amendment "A" (H-29) as Amended by House Amendment "D" (H-104) thereto, **ADOPTED**, in concurrence.

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

---

The Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Allow Consumer Refunds or Exchanges of Unopened Bottles of Spirits"

H.P. 397 L.D. 504

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-119)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-119)**.

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

**READ ONCE.**

Committee Amendment "A" (H-119) **READ** and **ADOPTED**, in concurrence.

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

---

The Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Change the Frequency of Wine Tastings Allowed in a 12-month Period"

H.P. 411 L.D. 528

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-118)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-118)**.

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

**READ ONCE.**

Committee Amendment "A" (H-118) **READ** and **ADOPTED**, in concurrence.

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

---

The Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Update Department of Defense, Veterans and Emergency Management Laws"

H.P. 463 L.D. 633

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-120)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-120)**.

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

**READ ONCE.**

Committee Amendment "A" (H-120) **READ** and **ADOPTED**, in concurrence.

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

---

Divided Report

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Limit Charges for Fingerprinting Performed for Certain Criminal History Background Checks"

H.P. 243 L.D. 282

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

Signed:

Senators:

GERZOFISKY of Cumberland  
WHITTEMORE of Somerset

Representatives:

BLODGETT of Augusta  
CLARKE of Bath  
HANLEY of Gardiner  
HASKELL of Portland  
LAJOIE of Lewiston  
PLUMMER of Windham  
BURNS of Whiting  
LONG of Sherman  
MORISSETTE of Winslow  
SANDERSON of Chelsea

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

Signed:

Senator:

MASON of Androscoggin

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

Reports **READ**.

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

---

**Divided Report**

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Resolve, To Ensure That Maine Teachers and Paraprofessionals Who Work with Children with Autism Spectrum Disorders Are Highly Qualified (EMERGENCY)

H.P. 546 L.D. 715

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-115)**.

Signed:

Senators:

LANGLEY of Hancock  
ALFOND of Cumberland  
MASON of Androscoggin

Representatives:

RICHARDSON of Carmel  
LOVEJOY of Portland  
McFADDEN of Dennysville  
NELSON of Falmouth  
RANKIN of Hiram  
WAGNER of Lewiston

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

Signed:

Representatives:

EDGECOMB of Caribou  
JOHNSON of Greenville  
MAKER of Calais  
McCLELLAN of Raymond

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

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-115)**.

Reports **READ**.

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

**READ ONCE**.

Committee Amendment "A" (H-115) **READ** and **ADOPTED**, in concurrence.

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

---

**Divided Report**

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Resolve, Requiring the Department of Education To Amend Its Rules To Prohibit School Administrative Units from Imposing Unreasonable Restrictions That Impede the Ability of Parents and Evaluators To Observe Students

H.P. 708 L.D. 964

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

Signed:

Senators:

LANGLEY of Hancock  
MASON of Androscoggin

Representatives:

RICHARDSON of Carmel  
EDGECOMB of Caribou  
JOHNSON of Greenville  
MAKER of Calais  
McCLELLAN of Raymond  
McFADDEN of Dennysville

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

Signed:

Senator:

ALFOND of Cumberland

Representatives:

LOVEJOY of Portland  
NELSON of Falmouth  
RANKIN of Hiram  
WAGNER of Lewiston

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

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

Reports **READ**.

On motion by Senator **LANGLEY** of Hancock, **TABLED** until Later in Today's Session, pending **ACCEPTANCE OF EITHER REPORT**.

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**Divided Report**

The Majority of the Committee on **INLAND FISHERIES AND WILDLIFE** on Resolve, To Increase the Amount Tagging Agents Receive for Tagging Game

H.P. 467 L.D. 637

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-105)**.

Signed:

Senators:

MARTIN of Kennebec  
TRAHAN of Lincoln

Representatives:

DAVIS of Sangerville  
CRAFTS of Lisbon  
EBERLE of South Portland  
GUERIN of Glenburn  
SARTY of Denmark  
SHAW of Standish

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

Signed:

Senator:

PATRICK of Oxford

Representatives:

BRIGGS of Mexico  
CLARK of Millinocket  
ESPLING of New Gloucester

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-105)**.

Reports **READ**.

Senator **TRAHAN** of Lincoln moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#46)**

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

NAYS: Senators: ALFOND, BARTLETT, BRANNIGAN, CRAVEN, DIAMOND, GERZOFKY, GOODALL, HOBBS, PATRICK, SCHNEIDER, SULLIVAN

ABSENT: Senator: BLISS

EXCUSED: Senator: JACKSON

22 Senators having voted in the affirmative and 11 Senators having voted in the negative, with 1 Senator being absent and 1 Senator being excused, the motion by Senator **TRAHAN** of Lincoln to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **PREVAILED**.

**READ ONCE**.

Committee Amendment "A" (H-105) **READ** and **ADOPTED**, in concurrence.

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

---

**Divided Report**

The Majority of the Committee on **TAXATION** on Bill "An Act To Increase the Collection of Sales and Use Tax"

H.P. 362 L.D. 469

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

Signed:

Senators:

TRAHAN of Lincoln  
HASTINGS of Oxford  
WOODBURY of Cumberland

Representatives:

KNIGHT of Livermore Falls  
BENNETT of Kennebunk  
BICKFORD of Auburn  
BURNS of Alfred  
HARMON of Palermo  
PILON of Saco  
WATERHOUSE of Bridgton

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-122)**.

Signed:

Representatives:

BERRY of Bowdoinham  
BRYANT of Windham  
FLEMINGS of Bar Harbor

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

Reports **READ**.

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

---

**Senate**

**Ought to Pass**

Senator **THIBODEAU** for the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Amend the Yarmouth Water District Charter"

S.P. 448 L.D. 1441

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

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

**READ ONCE**.

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

---

**Ought to Pass As Amended**

Senator **SHERMAN** for the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act To Regulate the Keeping of Wolf Hybrids" (EMERGENCY)

S.P. 26 L.D. 11

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-50)**.

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

**READ ONCE**.

Committee Amendment "A" (S-50) **READ** and **ADOPTED**.

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

Senator **SHERMAN** for the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Resolve, To Authorize the Exchange of Certain Lands Owned by the State

S.P. 341 L.D. 1132

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-55)**.

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

**READ ONCE**.

Committee Amendment "A" (S-55) **READ** and **ADOPTED**.

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

Senator **MASON** for the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on 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

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-61)**.

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

**READ ONCE**.

Committee Amendment "A" (S-61) **READ** and **ADOPTED**.



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

---

Senator SAVIELLO for the Committee on **ENVIRONMENT AND NATURAL RESOURCES** on Resolve, Directing the Department of Environmental Protection To Amend Its Rules Governing the Length of Time Certain Permits Are Valid

S.P. 266 L.D. 862

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-56)**.

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

**READ ONCE.**

Committee Amendment "A" (S-56) **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 Improve the Rate of Organ and Tissue Donation by Establishing the Organ Donation Advisory Council"

S.P. 139 L.D. 435

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-57)**.

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

**READ ONCE.**

Committee Amendment "A" (S-57) **READ** and **ADOPTED**.

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

---

Senator RECTOR for the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Amend the Laws Regarding Tips Used in Payment of Service Employees"

S.P. 57 L.D. 207

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-58)**.

Report **READ**.

On motion by Senator **RECTOR** of Knox, **TABLED** until Later in Today's Session, pending **ACCEPTANCE OF THE REPORT**.

Senator TRAHAN for the Committee on **TAXATION** on Bill "An Act To Exempt Certain Meals Provided to Food Service Employees from the Sales and Use Tax"

S.P. 184 L.D. 604

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-53)**.

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

**READ ONCE.**

Committee Amendment "A" (S-53) **READ** and **ADOPTED**.

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

---

Senator COLLINS for the Committee on **TRANSPORTATION** on Bill "An Act To Allow a Driver To Receive a Designation on That Driver's License That the Driver Is a Veteran"

S.P. 304 L.D. 986

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-62)**.

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

**READ ONCE.**

Committee Amendment "A" (S-62) **READ** and **ADOPTED**.

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

---

Senator FARNHAM for the Committee on **VETERANS AND LEGAL AFFAIRS** on Resolve, Directing the Commission on Governmental Ethics and Election Practices To Study Modifying the Maine Clean Election Act

S.P. 251 L.D. 848

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-54)**.

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

**READ ONCE.**

Committee Amendment "A" (S-54) **READ** and **ADOPTED**.

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

---

**Divided Report**

The Majority of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act To Require Disclosure of the Origin of Certain Products Sold at Farm Stands" (EMERGENCY)

S.P. 230 L.D. 738

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

Signed:

Senator:

THIBODEAU of Waldo

Representatives:

EDGECOMB of Caribou  
BLACK of Wilton  
CRAY of Palmyra  
DILL of Old Town  
FOSTER of Augusta  
GIFFORD of Lincoln  
McCABE of Skowhegan  
O'BRIEN of Lincolnville  
TIMBERLAKE of Turner

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-49)**.

Signed:

Senators:

SHERMAN of Aroostook  
SCHNEIDER of Penobscot

Reports **READ**.

Senator **SHERMAN** of Aroostook moved the Senate **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report.

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**Divided Report**

The Majority of the Committee on **JUDICIARY** on Bill "An Act To Modernize the Procedure for Appeals in Criminal Cases"

S.P. 320 L.D. 1087

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

Signed:

Senators:

HASTINGS of Oxford  
BLISS of Cumberland  
WOODBURY of Cumberland

Representatives:

NASS of Acton  
BEAULIEU of Auburn  
DILL of Cape Elizabeth  
FOSTER of Augusta  
MOULTON of York  
PRIEST of Brunswick  
ROCHELO of Biddeford  
SARTY of Denmark  
WATERHOUSE of Bridgton

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

Signed:

Representative:

MALONEY of Augusta

Reports **READ**.

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

Sent down for concurrence.

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**Divided Report**

The Majority of the Committee on **JUDICIARY** on Bill "An Act To Direct the Judicial Branch To Take Requisite Measures To Collect Fines and Penalties"

S.P. 337 L.D. 1104

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

Signed:

Senators:

HASTINGS of Oxford  
BLISS of Cumberland  
WOODBURY of Cumberland

Representatives:

NASS of Acton  
BEAULIEU of Auburn  
DILL of Cape Elizabeth  
FOSTER of Augusta  
MALONEY of Augusta  
PRIEST of Brunswick  
ROCHELO of Biddeford  
SARTY of Denmark  
WATERHOUSE of Bridgton

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

Signed:

Representative:

MOULTON of York

Reports **READ**.

On motion by Senator **HASTINGS** of Oxford, the Majority **OUGHT TO PASS** Report **ACCEPTED**.

**READ ONCE**.

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

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**Divided Report**

The Majority of the Committee on **TAXATION** on Bill "An Act To Allow a Tax Credit for Tuition Paid to Private Schools"  
S.P. 325 L.D. 1092

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-60)**.

Signed:

Senators:

TRAHAN of Lincoln  
HASTINGS of Oxford

Representatives:

KNIGHT of Livermore Falls  
BENNETT of Kennebunk  
BICKFORD of Auburn  
BURNS of Alfred  
HARMON of Palermo  
WATERHOUSE of Bridgton

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

Signed:

Senator:

WOODBURY of Cumberland

Representatives:

BERRY of Bowdoinham  
BRYANT of Windham  
FLEMINGS of Bar Harbor  
PILON of Saco

Reports **READ**.

On motion by Senator **TRAHAN** of Lincoln, **TABLED** until Later in Today's Session, pending **ACCEPTANCE OF EITHER REPORT**.

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**Divided Report**

The Majority of the Committee on **TAXATION** on Bill "An Act To Amend the Laws Regarding the Determination of Domicile Based on the Geographic Location of an Individual's Bank"  
S.P. 339 L.D. 1130

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-59)**.

Signed:

Senators:

TRAHAN of Lincoln  
HASTINGS of Oxford  
WOODBURY of Cumberland

Representatives:

KNIGHT of Livermore Falls  
BENNETT of Kennebunk  
BERRY of Bowdoinham  
BICKFORD of Auburn  
BURNS of Alfred  
FLEMINGS of Bar Harbor  
HARMON of Palermo  
PILON of Saco  
WATERHOUSE of Bridgton

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

Signed:

Representative:

BRYANT of Windham

Reports **READ**.

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

**READ ONCE**.

Committee Amendment "A" (S-59) **READ** and **ADOPTED**.

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

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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**

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

H.P. 338 L.D. 445

Bill "An Act To Bring Maine's Minimum Financial Responsibility Laws Pertaining to Rental Vehicles into Conformity with Privately Owned Vehicles"

H.P. 410 L.D. 527

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

H.P. 612 L.D. 816

Bill "An Act To Amend the Lien Process for Unpaid Water Rates"

H.P. 796 L.D. 1061

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

H.P. 853 L.D. 1155

Resolve, To Require the Department of Transportation To Designate the Park Street Bridge in the Town of Presque Isle the Gold Star Memorial Bridge

H.P. 910 L.D. 1219

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

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**House As Amended**

Bill "An Act To Promote Further Stability within the Workers' Compensation System by Extending the Number of Terms That May Be Served on the Maine Employers' Mutual Insurance Company Board of Directors"

H.P. 267 L.D. 334  
(C "A" H-102)

Bill "An Act To Make Technical Changes to Aquaculture Laws"

H.P. 270 L.D. 337  
(C "A" H-106)

Bill "An Act To Expand Recertification Options for Certified Nursing Assistants"

H.P. 420 L.D. 537  
(C "A" H-107)

Bill "An Act To Clarify the Boundary between the Town of Cushing and the Town of Friendship"

H.P. 424 L.D. 541  
(C "A" H-109)

Bill "An Act To Amend Certain Laws Governing County Sheriffs"

H.P. 531 L.D. 701  
(C "A" H-110)

Bill "An Act To Amend the Laws Relating to Group Trusts Established by Group Self-insurers of Workers' Compensation Benefits"

H.P. 575 L.D. 768  
(C "A" H-103)

Resolve, To Streamline the Laws Governing Small Slaughterhouses (EMERGENCY)

H.P. 682 L.D. 922  
(C "A" H-114)

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

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**Senate**

Bill "An Act To Treat Plantations in the Same Manner as Towns for Purposes of Tax Increment Financing"

S.P. 259 L.D. 855

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

Sent down for concurrence.

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

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**ORDERS OF THE DAY**

The Chair laid before the Senate the following Tabled and Later (4/7/11) Assigned matter:

JOINT ORDER - Expression of Legislative Sentiment Recognizing Don Brown, of Gardiner, who was named the 2011 Outstanding Citizen of the Year

SLS 183

Tabled - April 7, 2011, by Senator **KATZ** of Kennebec

Pending - **PASSAGE**

(In Senate, April 7, 2011, **READ.**)

**READ.**

**THE PRESIDENT:** The Chair recognizes the Senator from Kennebec, Senator **Katz**.

Senator **KATZ:** Thank you Mr. President. Men and women of the Senate, for most of the last 30 years I've been waking up to a wonderful, warm voice. It's not my wife's. She doesn't get up as early as I do. It's been Don Brown's of WABK radio. That's right, over 30 years. For those of you who live in this area, you know he's a local institution. If you are a baseball fan you feel like Kirk Goudy and Joe Cascarella and Ned Martin become members of your family over the years because they are always there in a

very comforting way. That certainly has been true for me and many thousands of other people in Central Maine who feel that way about Don Brown. As the Secretary just noted, he was named Le Club Calumet Citizen of the Year recently. It's not so much for his radio exploits that Dan was honored, it's because of an institution called the Love Fund, which many of you may know of. The Love Fund began a couple of decades ago, I guess now, when Don Brown and one of his colleagues at the radio station was doing, I believe, a Toys for Tots drive. Don tells the story about a little kid came up to one of them and started tugging on his leg and saying, "I really don't need a toy, my family needs some food." Don tells the story about how the light bulb went on in his head at that point and they saw they were doing it all wrong. They started the Love Fund and people contribute money, particularly over the Christmas period, to the Love Fund. Over the years they have raised over \$1 million. They don't have a Board of Directors. They don't have a committee that decides. He and his colleagues just decide how this money is going to be dispersed. They have touched the lives of literally thousands and thousands of people in the Central Maine area. That's why Don Brown was so recognized and he is here today. I wanted to add my voice to that and to thank him and to say that I'm proud to be his friend. Thank you, Mr. President.

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

Senator **HOBBS:** Thank you Mr. President. Men and women of the Senate, I'd be remiss if I didn't rise to say that I'm proud that Don Brown grew up in Saco, Maine. He got his start in radio at the local radio station, WIDE radio. He also was well known, to many of you who vaguely remember, from the Dave Astor Show. He was one of the earlier individuals that went all through high school being on the Dave Astor Show. He also is well known in the sports community as being one of the voices of high school sports throughout all of Maine, not just here in the capital city. Congratulations to Don Brown. We're pleased and honored that he was born, brought up, and raised in Saco, Maine. You are fortunate to have him here in the Augusta area.

**PASSED.**

Sent down for concurrence.

**THE PRESIDENT:** The Chair is very pleased to recognize in the rear of the chamber Don Brown. Would he please rise and be recognized by the Maine Senate.

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The Chair laid before the Senate the following Tabled and Later (4/27/11) Assigned matter:

HOUSE REPORT - from the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Resolve, To Evaluate the Energy Use of the State House

H.P. 287 L.D. 361

Report - Ought to Pass as Amended by Committee Amendment "A" (H-92)

Tabled - April 27, 2011, by Senator **COURTNEY** of York

Pending - **ACCEPTANCE OF REPORT**

(In House, April 26, 2011, Report **READ** and **ACCEPTED** and Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-92).**)

(In Senate, April 27, 2011, Report **READ.**)

On motion by Senator **ALFOND** of Cumberland, **TABLED** until Later in Today's Session, pending **ACCEPTANCE OF THE REPORT.**

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The Chair laid before the Senate the following Tabled and Later (4/28/11) Assigned matter:

Bill "An Act To Amend the InforME Public Information Access Act" S.P. 482 L.D. 1521

Tabled - April 28, 2011, by Senator **THOMAS** of Somerset

Pending - **REFERENCE**

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

On motion by Senator **THOMAS** of Somerset, **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY.**

Sent down for concurrence.

---

The Chair laid before the Senate the following Tabled and Later (4/28/11) Assigned matter:

**Emergency**

Resolve, To Establish a Task Force on Franco-Americans H.P. 486 L.D. 656 (C "A" H-88)

Tabled - April 28, 2011, by Senator **PLOWMAN** of Penobscot

Pending - **FINAL PASSAGE**, in concurrence

(In Senate, April 26, 2011, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-88)**, in concurrence.)

(In House, April 28, 2011, **FINALLY PASSED.**)

On motion by Senator **PLOWMAN** of Penobscot, placed on the **SPECIAL STUDY TABLE**, pending **PASSAGE**, in concurrence.

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Senate at Ease.

Senate called to order by the President.

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Off Record Remarks

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**RECESSED** until the sound of the bell.

After Recess

Senate called to order by the President.

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**ORDERS OF THE DAY**

The Chair laid before the Senate the following Tabled and Later Today Assigned matter:

SENATE REPORT - from the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Amend the Laws Regarding Tips Used in Payment of Service Employees"

S.P. 57 L.D. 207

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-58)**.

Tabled - May 3, 2011, by Senator **RECTOR** of Knox

Pending - **ACCEPTANCE OF REPORT**

(In Senate, May 3, 2011, Report **READ**.)

Report **ACCEPTED**.

**READ ONCE**.

Committee Amendment "A" (S-58) **READ** and **ADOPTED**.

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

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

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

**SENATE PAPERS**

Bill "An Act To Authorize the Public Utilities Commission To Exercise Jurisdiction over Private Natural Gas Pipelines To Ensure Safe Operation" (EMERGENCY)

S.P. 492 L.D. 1545

Presented by President **RAYE** of Washington.

Cosponsored by Representative **MAKER** of Calais and Representatives: **BURNS** of Whiting, **McFADDEN** of Dennysville, **TILTON** of Harrington, **TURNER** of Burlington. Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

Sent down for concurrence.

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

**PAPERS FROM THE HOUSE**

**House Paper**

Bill "An Act To Reform the Land Use and Planning Authority in the Unorganized Territories"

H.P. 1126 L.D. 1534

Presented by Representative **GIFFORD** of Lincoln. Cosponsored by Senator **THOMAS** of Somerset and Senator: **MASON** of Androscoggin, Representatives: **AYOTTE** of Caswell, **BURNS** of Alfred, **CRAFTS** of Lisbon, **CRAY** of Palmyra, **LIBBY** of Waterboro, **TURNER** of Burlington, **WILLETTE** of Mapleton.

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.

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

**PAPERS FROM THE HOUSE**

**House Paper**

Bill "An Act To Require All Correctional Facilities in the State To Participate in the Unified Inmate Transportation System"

H.P. 1131 L.D. 1542

Presented by Representative **BURNS** of Whiting. Cosponsored by President **RAYE** of Washington and Senators: **MASON** of Androscoggin, **WHITTEMORE** of Somerset, Representatives: **DAVIS** of Sangerville, **HARVELL** of Farmington, **LONG** of Sherman, **PLUMMER** of Windham, **WILLETTE** of Mapleton.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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.

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

**PAPERS FROM THE HOUSE**

**House Paper**

Bill "An Act To Amend Licensing and Certification Laws Administered by the Department of Health and Human Services"  
H.P. 1129 L.D. 1537

Presented by Representative STRANG BURGESS of Cumberland.  
Cosponsored by Senator CRAVEN of Androscoggin and Senator: McCORMICK of Kennebec, Representatives: EVES of North Berwick, FOSSEL of Alna, MALABY of Hancock, O'CONNOR of Berwick, SANDERSON of Chelsea, SIROCKI of Scarborough. Submitted by the Department of Health and Human Services pursuant to Joint Rule 204.

Comes 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.

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

**PAPERS FROM THE HOUSE**

**House Paper**

Bill "An Act To Allow Counties To Opt Out of Maine Judicial Marshal Service"  
H.P. 1132 L.D. 1543

Presented by Representative BURNS of Whiting.  
Cosponsored by President RAYE of Washington and Senators: MASON of Androscoggin, WHITTEMORE of Somerset, Representatives: DAVIS of Sangerville, KNAPP of Gorham, LONG of Sherman, PLUMMER of Windham. Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

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

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

**PAPERS FROM THE HOUSE**

**House Paper**

Bill "An Act To Protect Heating Oil Consumers"  
H.P. 1128 L.D. 1536

Presented by Representative CORNELL du HOUX of Brunswick. Cosponsored by Senator GERZOFSKY of Cumberland and Senator: GOODALL of Sagadahoc, Representatives: CLARKE of Bath, KENT of Woolwich, OLSEN of Phippsburg, PILON of Saco, PRESCOTT of Topsham, PRIEST of Brunswick, WEBSTER of Freeport. Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

**REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed, in concurrence.

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

**PAPERS FROM THE HOUSE**

**House Paper**

Resolve, Directing the Commissioner of Marine Resources To Contract for an Independent Analysis of the Limited Entry Lobster License System  
H.P. 1124 L.D. 1532

Presented by Representative TILTON of Harrington. Cosponsored by Senator COURTNEY of York and Representatives: DOW of Waldoboro, MCKANE of Newcastle, PARKER of Veazie, VALENTINO of Saco. Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

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

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

**PAPERS FROM THE HOUSE**

**House Papers**

Bill "An Act To Provide for a Method To Remove an Elected Municipal Official" (EMERGENCY)

H.P. 1125 L.D. 1533

Presented by Representative SANDERSON of Chelsea.  
Cosponsored by Senator THOMAS of Somerset and  
Representatives: BLODGETT of Augusta, CLARKE of Bath,  
COTTA of China, HARVELL of Farmington, O'CONNOR of  
Berwick, SIROCKI of Scarborough.  
Approved for introduction by a majority of the Legislative Council  
pursuant to Joint Rule 205.

Comes 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.

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Bill "An Act Relating to Fiscal Notes on Proposed Legislation"  
H.P. 1127 L.D. 1535

Presented by Representative KNIGHT of Livermore Falls.  
Cosponsored by Senator TRAHAN of Lincoln and  
Representatives: BENNETT of Kennebunk, BERRY of  
Bowdoinham, CHASE of Wells, FLEMINGS of Bar Harbor,  
HARMON of Palermo, MALABY of Hancock, NEWENDYKE of  
Litchfield, PILON of Saco.

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

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

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

**PAPERS FROM THE HOUSE**

**House Paper**

Bill "An Act To Amend the Laws Governing the Maine Turnpike  
Authority and To Implement Certain Recommendations of the  
Government Oversight Committee in the Office of Program  
Evaluation and Government Accountability Report Concerning the  
Maine Turnpike Authority"

H.P. 1130 L.D. 1538

Presented by Representative CEBRA of Naples.  
Cosponsored by Senator COLLINS of York and Senators:  
COURTNEY of York, DIAMOND of Cumberland, HILL of York,  
KATZ of Kennebec, MASON of Androscoggin, PLOWMAN of  
Penobscot, President RAYE of Washington, THOMAS of  
Somerset, TRAHAN of Lincoln, WHITTEMORE of Somerset,  
Representatives: BLACK of Wilton, BURNS of Whiting, BURNS of

Alfred, CHASE of Wells, COTTA of China, CRAFTS of Lisbon,  
CURTIS of Madison, CUSHING of Hampden, DAMON of Bangor,  
DAVIS of Sangerville, FLOOD of Winthrop, FOSSEL of Alna,  
FOSTER of Augusta, FREDETTE of Newport, GIFFORD of  
Lincoln, GILLWAY of Searsport, HOGAN of Old Orchard Beach,  
JOHNSON of Greenville, KESCHL of Belgrade, KNIGHT of  
Livermore Falls, LIBBY of Waterboro, LONG of Sherman,  
MAZUREK of Rockland, McCLELLAN of Raymond,  
NEWENDYKE of Litchfield, Speaker NUTTING of Oakland,  
O'CONNOR of Berwick, OLSEN of Phippsburg, PARRY of  
Arundel, PEOPLES of Westbrook, PLUMMER of Windham,  
SANDERSON of Chelsea, THERIAULT of Madawaska, TILTON  
of Harrington, VOLK of Scarborough, WEAVER of York,  
WILLETTE of Mapleton, WINSOR of Norway.  
Approved for introduction by a majority of the Legislative Council  
pursuant to Joint Rule 205.

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

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

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

**PAPERS FROM THE HOUSE**

**Joint Resolution**

The following Joint Resolution:

H.P. 1135

**JOINT RESOLUTION RECOGNIZING MILLICENT  
MACFARLAND ON THE OCCASION OF HER RETIREMENT  
AS CLERK OF THE HOUSE OF REPRESENTATIVES**

WHEREAS, We, the Members of the 125th Legislature, take  
this opportunity to recognize the longtime service of Millicent  
MacFarland, known as Millie, who served the Maine House of  
Representatives as a dedicated public servant; and

WHEREAS, Ms. MacFarland was born in Augusta, Maine  
and received her early education in Whitefield schools, graduated  
from Erskine Academy in South China in 1974 and attended  
Thomas College and the University of Maine at Augusta, where  
she earned her Bachelor of Science degree in Public  
Administration; and

WHEREAS, Ms. MacFarland served the Maine House of  
Representatives in various capacities for over 30 years, including  
8 years as Assistant Clerk of the House and service in the  
distinguished position of Clerk of the House from December 2000  
to December 2010; and

WHEREAS, as Clerk of the House of Representatives, Ms.  
MacFarland worked closely with the Speaker of the House on  
issues of parliamentary procedure and administrative matters  
ranging from scheduling to personnel policies of House



employees and oversaw the daily operations and workflow of the House under the direction of the Speaker of the House; and

WHEREAS, among her many professional contributions, on the national level Ms. MacFarland was elected by her peers to serve in every leadership post of the American Society of Legislative Clerks and Secretaries, including as President in 2009, and in 1995 she became the first editor of the Journal of the American Society of Legislative Clerks and Secretaries, a publication that discusses topics such as parliamentary procedures, management and technology in state legislatures; and

WHEREAS, Ms. MacFarland is a member of the Mason's Manual Commission, which is a 20-member commission entrusted with the copyright of the premier guide on legislative procedure used by legislatures in the United States; and

WHEREAS, Ms. MacFarland received the Legislative Staff Achievement Award from the National Conference of State Legislatures for her dedicated and excellent service to the Maine Legislature in 1996, the first year the award was granted; and

WHEREAS, from 1996 to 2002, Ms. MacFarland served as either permanent secretary or parliamentarian for the Maine Democratic Party State Convention and she has been very active in and supportive of the Maine Legislative Memorial Scholarship Committee and the Joseph W. Mayo ALS Scholarship Committee; and

WHEREAS, throughout Ms. MacFarland's tenure she has displayed unflinching professionalism and has exemplified the integrity and sacrifice of one dedicated to public service, contributing her impressive expertise and commitment to the Maine State Legislature and to the State of Maine; 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 send our appreciation to Millicent MacFarland for her many years of exemplary and loyal service to the Maine State Legislature and the State of Maine, and we send her our best wishes on her future endeavors; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to Millicent MacFarland with the appreciation of the people of the State of Maine.

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

**READ** and **ADOPTED**, in concurrence.

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

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Senator **RECTOR** of Knox was granted unanimous consent to address the Senate off the Record.

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Senator **SNOWE-MELLO** of Androscoggin was granted unanimous consent to address the Senate off the Record.

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On motion by Senator **COURTNEY** of York, **ADJOURNED**, until Thursday, May 5, 2011, at 10:00 in the morning, in memory of and lasting tribute to Stanley Taylor Bennett II of Falmouth.