

MAINE STATE LEGISLATURE

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Senate Legislative Record
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
Thursday
May 5, 2011

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

Prayer by Pastor Craig Riportella, Calvary Temple Church in Waterville.

PASTOR RIPORELLA: Good morning and thank you Mr. President. Would you bow your heads with me this morning. Most holy Lord, as our founding fathers sought the wisdom of God when faced with critical decisions, we come humbly before you today, O Lord, seeking wisdom, guidance, and direction for the conversation and decisions which must be made today in this chamber. We ask for Your grace upon us, dear Lord. You are our mighty fortress, our refuge, and the God in whom we place our trust. As our nation faces great distress and uncertainty, we ask Your holy spirit to fall afresh upon Your people. Convict us of sin and inflame us with a passion to pray for our land and its people. Grant the leaders of our country and of this Senate an awareness of our need for wisdom and salvation in You. Protect and defend us against our enemies and may the cause of Christ always prevail in our schools, courts, homes, churches, and government. Lord, God, send a spirit of revival and may it begin in our hearts. Remember America, we pray, as we remember the foundations upon which this country was built. Remember the prayers of our nation's fathers and mothers and do not forget us in our time of need. In the precious name of our Lord, Jesus Christ. Amen.

Pledge of Allegiance led by Senator Roger J. Katz of Kennebec County.

Reading of the Journal of Tuesday, May 3, 2011.

Doctor of the day, David McDermott, MD of Dover-Foxcroft.

Off Record Remarks

Out of order and under suspension of the Rules, on motion by Senator **COURTNEY** of York, the following Joint Order:
S.P. 497

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

READ and PASSED.

Ordered sent down forthwith for concurrence.

PAPERS FROM THE HOUSE

Non-Concurrent Matter

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

S.P. 137 L.D. 433
(C "A" S-20)

In Senate, April 6, 2011, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-20).**

Comes from the House, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-20) AS AMENDED BY HOUSE AMENDMENT "A" (H-131)** thereto, in **NON-CONCURRENCE.**

On motion by Senator **COURTNEY** of York, the Senate **RECEDED and CONCURRED.**

Joint Resolution

The following Joint Resolution:

H.P. 1134

JOINT RESOLUTION MEMORIALIZING THE UNITED STATES CONGRESS TO URGE THE GOVERNMENT OF CANADA TO END ITS SANCTIONING OF THE ANNUAL SEAL PUP HUNT

WE, your Memorialists, the Members of the One Hundred and Twenty-fifth Legislature of the State of Maine now assembled in the First Regular Session, most respectfully present and petition the United States Congress as follows:

WHEREAS, the State of Maine has strong and valuable ties to Canada, sharing a long, common border with the Provinces of Quebec and New Brunswick, and Maine is the state closest to the Canadian Maritime Provinces; and

WHEREAS, the Canadian commercial seal hunt is the largest annual mass slaughter of marine mammals in the world, and harp seals are the primary target of the hunt, with 98% of all harp seals killed in 2006 being pups under 3 months of age, and hooded seals are also killed; and

WHEREAS, the annual shooting, clubbing and often live skinning of more than 300,000 seal pups in front of their mothers has outraged much of the international community, including the European Union, which has banned all trade in harp and hooded

seal products, and has prompted the international effort to boycott Canadian seafood products; and

WHEREAS, the slaughter is done mainly for the luxury fur market and therefore is unnecessary and is demonstrably cruel, as evidenced by wounded seals that are often left to suffer in agony and pups that are often initially only wounded, with an estimated 42% skinned alive while conscious; and

WHEREAS, Maine citizens believe in the humane treatment of animals, and a report by an independent team of veterinarians who studied the commercial seal hunt concluded that government regulations regarding humane killings were being neither respected nor enforced; and

WHEREAS, the Canadian government once banned this practice, but then removed the ban, which has resulted in the brutal deaths of over 1,000,000 seal pups in the last 3 years, and reports have shown that the slaughter of the pups failed to comply with Canada's basic animal welfare standards; now, therefore, be it

RESOLVED: That We, your Memorialists, respectfully urge and request that the United States Congress call on Canada's government to end its sanctioning of the annual baby seal hunt without delay; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the President of the United States Senate, to the Speaker of the United States House of Representatives, to the Canadian Ambassador to the United States and to each Member of the Maine Congressional Delegation.

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

READ and **ADOPTED**, in concurrence.

COMMUNICATIONS

The Following Communication: S.C. 297

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

May 3, 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 Toby B. Hammond of Naples for appointment to the Maine Land Use Regulation Commission.

Pursuant to Title 12, MRSA §683, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Agriculture, Conservation and Forestry.

Sincerely,

S/Paul R. LePage
Governor

READ and **ORDERED PLACED ON FILE**.

The Following Communication: S.C. 298

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

May 3, 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 Stuart M. Smith of Edgecomb for appointment to the State Board of Corrections.

Pursuant to Title 34-A, MRSA §1802, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Criminal Justice and Public Safety.

Sincerely,

S/Paul R. LePage
Governor

READ and **ORDERED PLACED ON FILE**.

The Following Communication: S.C. 299

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

May 3, 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 Karl W. Turner of Cumberland for appointment to the Board of Trustees, University of Maine System.

Pursuant to P&SL 1967, Chapter 229, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 300

**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 appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Labor, Commerce, Research and Economic Development.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 301

**STATE OF MAINE
ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE
COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY**

May 2, 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 Criminal Justice and Public Safety has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 667 An Act To Establish a Municipal and County Reimbursement Fee for Those Guilty of Crimes

L.D. 1102 An Act To Ensure That Victims Are Kept Informed in Criminal Cases

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

Sincerely,

S/Sen. Garrett P. Mason
Senate Chair

S/Rep. Gary E. Plummer
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 302

**STATE OF MAINE
ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE
COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY**

May 3, 2011

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

Dear President Raye and Speaker Nutting:

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

L.D. 525 An Act To Establish a Minimum Mandatory Sentence for Convictions of Illegally Providing Liquor to a Minor

L.D. 717 An Act To Increase the Penalties for Possessing and Displaying a Firearm on School Property

L.D. 737 An Act To Grandfather Certain Existing Buildings and Structures with Respect to Fire Safety Codes and Standards

L.D. 1074 An Act To Create the Position of Juvenile Community Service Director in the Department of Corrections

L.D. 1217 Resolve, Directing the Office of the State Fire Marshal To Amend Its Rules Relative to Construction Permit Applications

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

Sincerely,

S/Sen. Garrett P. Mason
Senate Chair

S/Rep. Gary E. Plummer
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 303

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

April 28, 2011

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

Dear President Raye and Speaker Nutting:

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

L.D. 977 Resolve, To Analyze the Value of Distance Learning in a Rural Environment

L.D. 1293 Resolve, To Establish a Study Group To Promote the Use of Locally Grown Food in Schools

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

Sincerely,

S/Sen. Brian D. Langley
Senate Chair

S/Rep. David E. Richardson
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 304

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

April 28, 2011

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

Dear President Raye and Speaker Nutting:

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

L.D. 245 An Act To Amend the Laws Governing Waste Processing

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

Sincerely,

S/Sen. Thomas B. Saviello
Senate Chair

S/Rep. James M. Hamper
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 306

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

May 2, 2011

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

Dear President Raye and Speaker Nutting:

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

- L.D. 728 An Act To Reduce Truck Travel Caused by the Bottle Redemption Laws
- L.D. 900 An Act To Reduce Fraud in Bottle Deposit Redemption
- L.D. 1063 An Act To Restore Limits on the Location of Licensed Redemption Centers and Improve Operations
- L.D. 1210 An Act To Exempt Small Distributors from Unclaimed Deposit Requirements
- L.D. 1255 Resolve, To Study Initiatives To Increase Recycling in Maine (EMERGENCY)
- L.D. 1417 An Act To Exempt Wine Bottles from Maine's Container Redemption System

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

Sincerely,

S/Sen. Thomas B. Saviello
Senate Chair

S/Rep. James M. Hamper
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 305

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

May 2, 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. 674 An Act To Authorize the Department of Health and Human Services To Administratively Suspend or Revoke Facility Licenses

L.D. 1181 An Act To Increase Access to Vital Records

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. 307

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

May 2, 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 bills out "Ought Not to Pass":

L.D. 226 An Act To Allow Maine Citizens To Buy Health Insurance across State Lines

L.D. 364 Resolve, Directing Updated Review and Evaluation of Maine's Mental Health Parity Law (EMERGENCY)

L.D. 410 An Act To Repeal the Provisions in the Insurance Laws Governing Guaranteed Issue and Community Rating

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

L.D. 473 An Act To Enable Maine Residents To Purchase Health Insurance over State Lines

- L.D. 496 An Act To Amend the Laws Governing Financial Incentives and Geographic Accessibility of Services Covered by Health Insurance Providers
- L.D. 645 Resolve, To Replace Maine's Health Insurance System with the Type of System Used in New Hampshire
- L.D. 867 An Act To Amend the Laws Governing Insurance as They Relate to Civil Penalties Imposed for Violations of Those Laws
- L.D. 1162 An Act To Allow Members of Professional Associations To Purchase Health Insurance across State Lines
- L.D. 1200 An Act To Authorize the Health Care Choice Compact To Permit the Purchase of Health Insurance from New Hampshire
- L.D. 1251 An Act To Prevent Credit Card Company Unfair Trade Practices
- L.D. 1436 An Act To Reform Maine's Health Insurance Laws

We have also notified the sponsors and cosponsors of each bill listed 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. 308

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

April 28, 2011

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

Dear President Raye and Speaker Nutting:

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

- L.D. 90 An Act Regarding Graphic Images Displayed with the Intention of Interfering with Civil Rights
- L.D. 1101 An Act To Require Specificity in Deed Restrictions

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

Sincerely,

S/Sen. David R. Hastings, III
Senate Chair

S/Rep. Joan M. Nass
House Chair

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

The Following Communication: S.C. 309

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

April 28, 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. 1055 An Act Regarding the Computation of Workers' Compensation Rates Based on Past Claims
- L.D. 1065 An Act To Amend the Laws Governing the Determination of Permanent Impairment under the Maine Workers' Compensation Act of 1992

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

Sincerely,

S/Sen. Christopher W. Rector
Senate Chair

S/Rep. Kerri L. Prescott
House Chair

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

The Following Communication: S.C. 310

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

May 2, 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. 1026 An Act To Regulate the Distribution of Feature Motion Pictures in the State
- L.D. 1378 An Act To Create a State-sponsored 401(k) Retirement Plan for Participation by Private Employers

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

Sincerely,

S/Sen. Christopher W. Rector
Senate Chair

S/Rep. Kerri L. Prescott
House Chair

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

The Following Communication: S.C. 311

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

May 2, 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. 664 An Act To Ensure Apportionment of Scallop Licenses
- L.D. 997 Resolve, Directing the Commissioner of Marine Resources To Review the Composition of the Scallop Advisory Council and Recommend Any Changes Necessary To Ensure Appropriate Representation
- L.D. 1284 An Act To Amend the Scallop Advisory Council

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. 312

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

May 2, 2011

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

Dear President Raye and Speaker Nutting:

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

- L.D. 583 An Act To Establish a National Rifle Association License Plate
- L.D. 1148 An Act To Improve Vehicle Safety for First Responders
- L.D. 1189 An Act To Require Bicyclists To Contribute to the Improvement of Bikeways

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

Sincerely,

S/Sen. Ronald F. Collins
Senate Chair

S/Rep. Richard M. Cebra
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 313

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

May 2, 2011

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

Dear President Raye and Speaker Nutting:

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

- L.D. 1403 An Act To Allow Eligible Nonprofit Organizations To Hold Two Card Games Per Month

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

Sincerely,

S/Sen. Nichi S. Farnham
Senate Chair

S/Rep. Michael G. Beaulieu
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

Senate at Ease.

Senate called to order by the President.

SENATE PAPERS

Bill "An Act To Create a Public Charter School Program in Maine"
S.P. 496 L.D. 1553

Presented by Senator MASON of Androscoggin.
Cosponsored by Senator KATZ of Kennebec, Representatives: KENT of Woolwich, VOLK of Scarborough and Senators: COLLINS of York, LANGLEY of Hancock, Representatives: BEAULIEU of Auburn, CASAVANT of Biddeford, MALONEY of Augusta, McCLELLAN of Raymond, MORISSETTE of Winslow, ROSEN of Bucksport.

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

Sent down for concurrence.

Bill "An Act To Update and Improve Maine's Laws Pertaining to the Rights of Persons with Intellectual Disabilities"
S.P. 495 L.D. 1548

Presented by Senator BRANNIGAN of Cumberland.

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

Sent down for concurrence.

Bill "An Act To Amend the Laws Governing the Deference Afforded to Agency Decisions"
S.P. 493 L.D. 1546

Presented by Senator PLOWMAN of Penobscot.
Cosponsored by Representative FITTS of Pittsfield and Senators: COURTNEY of York, THIBODEAU of Waldo, Representative: CROCKETT of Bethel.

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

Sent down for concurrence.

Bill "An Act To Allow Certain Wholesale Seafood Dealers To Process Imported Lobsters" (EMERGENCY)
S.P. 494 L.D. 1547

Presented by Senator **SNOWE-MELLO** of Androscoggin. Cosponsored by Representative **WEAVER** of York. Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

Sent down for concurrence.

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

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Provide Additional Flexibility for the Funding of Infrastructure Improvements by Consumer-owned Water Utilities"
H.P. 668 L.D. 909

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-126)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-126)**.

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

READ ONCE.

Committee Amendment "A" (H-126) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Encourage Business Development by Limiting the Time a Utility May Hold a Business Customer's Deposit"
H.P. 882 L.D. 1191

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-127)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-127)**.

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

READ ONCE.

Committee Amendment "A" (H-127) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Address the Documented Educational and Rehabilitation Needs of Persons Who Are Blind or Visually Impaired"
H.P. 572 L.D. 765

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-130)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-130)**.

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

READ ONCE.

Committee Amendment "A" (H-130) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Eliminate Duplication of Paint Disclosure and Radon Requirements"
H.P. 427 L.D. 544

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

Signed:

Senators:

WHITTEMORE of Somerset
BRANNIGAN of Cumberland
SNOWE-MELLO of Androscoggin

Representatives:

RICHARDSON of Warren
FITZPATRICK of Houlton
McKANE of Newcastle
MORISSETTE of Winslow
PICCHIOTTI of Fairfield

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A"** (H-82).

Signed:

Representatives:

BEAUDOIN of Biddeford
BECK of Waterville
GOODE of Bangor
MORRISON of South Portland
TREAT of Hallowell

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

Reports **READ**.

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

READ ONCE.

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 To Expand Access to Oral Health Care"

H.P. 219 L.D. 266

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

Signed:

Senators:

RECTOR of Knox
MARTIN of Kennebec

Representatives:

PRESCOTT of Topsham
DOW of Waldoboro
DRISCOLL of Westbrook
GILBERT of Jay
HERBIG of Belfast

HUNT of Buxton

NEWENDYKE of Litchfield

TUTTLE of Sanford

VOLK of Scarborough

WINTLE of Garland

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A"** (H-129).

Signed:

Senator:

JACKSON of Aroostook

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

Reports **READ**.

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

Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Repeal the Informed Growth Act"

H.P. 255 L.D. 322

Reported that the same **Ought to Pass as Amended by Committee Amendment "A"** (H-108).

Signed:

Senators:

THOMAS of Somerset
COLLINS of York
SULLIVAN of York

Representatives:

COTTA of China
CASAVANT of Biddeford
GILLWAY of Searsport
GRAHAM of North Yarmouth
HARVELL of Farmington
MOULTON of York

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

Signed:

Representatives:

BOLAND of Sanford
BOLDUC of Auburn
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-108)**.

Reports **READ**.

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

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

Senator **SCHNEIDER:** Thank you very much Mr. President. I appreciate this moment to speak on this change to this legislation that we had passed in a previous legislature. Most communities are not in a position to afford the employment or services of town planners. As a result they move forward often not really understanding the wide, broad implications of large scale development on their communities. In an effort to provide a funding mechanism so that there would be ample opportunity to study the changes the large scale development would bring we passed the Informed Growth Act. This provides communities, without pitting them against each other, the funding mechanism for the impact study. We wanted to avoid pitting towns against each other and so all of them were brought in together to avoid that. The change on this bill, unfortunately, will undo that good work that we did. It sounds like it won't but what will end up happening is some communities will participate and others will not and this will create a patchwork which will definitely pit communities against each other because some will take advantage of the funding and others may not. I recognize, and some of us understood, that some of the large towns already have the means to develop an impact study and to understand what the implications will be of large scale development on their communities. However many of them don't take advantage of those services and, as a result, we see around Maine a lot of towns, until the large scale development is put in, don't understand that their downtowns are going to become virtual ghost towns. We see that. Our towns are very important to Maine's quality of life. It is why many of us choose to stay and live in Maine. It's because of that very unique quality our downtowns have on our quality of life. Unfortunately, this change will make it so our communities will not have a mechanism because they will feel, I think, that they cannot take advantage of the fee involved that will be collected from large scale developers. Unfortunately, they won't have the necessary information to at least make an informed decision on whether or not this is what they want for their community. I hope people will vote against the pending motion and I encourage you to reject the current motion and hold your vote for the Minority Report. Thank you very much.

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

THE PRESIDENT: The Chair recognizes the Senator from Oxford, Senator Hastings.

Senator **HASTINGS:** Thank you Mr. President. Ladies and gentlemen of the Senate, this has been a bill that I have had great concern about since it first came before the legislature, I believe,

three sessions ago. First I want to point out that although the title indicates that this involves the repeal of the Informed Growth Act that, in fact, is not what it does. This bill simply says that any community that wishes to avail itself of what it sees to be the benefits of the Informed Growth Act must opt into that, must affirmatively decide that it wishes to be covered by the Informed Growth Act and its provisions. My opposition to the Informed Growth Act, from the beginning, has been based on my belief that the act was brought forward not to help engender development but to prevent development. It was brought forward initially as an attempt to prevent the development of large scale retail in Maine. That is my belief. What the Informed Growth Act does is require any developer of a large retail complex to pay a fee of about \$40,000 to the State Planning Office and then studies are done by a list of providers. Most of these providers coming from out-of-state. Most of these experts on the list are from different places such as New Jersey, Chicago, and very few are from Maine. They are to do a comprehensive impact study. That sounds fine. An economic impact study. One of my great concerns has been that it's not to engender the growth and make sure that it is done in the right way. The way the study is set up, and the impacts that are to be studied are laid out, it sets up a roadmap to set up a roadblock for large scale development because the study says that if you find more than two of these impacts to be a negative, it doesn't say what it means by negative, that this is a reason to deny the project. One of those impacts will be that it competes against existing retailers. My goodness, that's the American way to start a new business. Obviously it competes against those already in the community. That's how we improve. To say that it is a negative impact because you might compete against somebody who already is selling the same goods in the community is, to me, just proof in and of itself that the purpose of the bill was to prevent large scale development. I don't know how much of it is because of the economy or how much of it is because of the act, but I do know that since the act became law not one of these large scale retail developments has occurred in the state of Maine. When I look at another thing, if this is all about keeping big boxes out of Maine what it really has become is Wal-Mart protection bill. They are already here. All this does is mean that the Targets of the world and the other large competitors aren't going to be able to get into Maine because they are going to come in and they are going to be selling the same goods as Wal-Mart. They are going say they want to put another store in to compete but they are not going to be allowed to. Ladies and gentlemen of the Senate, this bill, nevertheless, allows any community that wishes to go down that road to do so by simply voting to opt into the provisions of the Informed Growth Act. I think it's a fine compromise by the committee and I would hope that you would support the motion before the Senate. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Sagadahoc, Senator Goodall.

Senator **GOODALL:** Thank you Mr. President. Men and women of the Senate, I rise today in opposition to this motion. I rise to just point out a few specifics and add to this debate. It's important to note that I agree, compromise and working together in drafting proposals, no matter what the bill is, is appropriate most of the time in this distinct Body. That being said, compromise with an amendment to allow communities to opt in will further divide our communities when it comes to economic development and create

competition, in essence, or pit one community against another because some communities will adopt ordinances and some may not. As a result not only will the communities not have the tools in their toolbox to know how the project will impact their community there is a greater likelihood that this community will probably receive the development without the proper planning. One thing we should not do is enact policies that pit one community against another. I think that is a very important component of this debate and I would encourage you to reject this motion. Thank you, Mr. President.

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

Senator **SULLIVAN:** Thank you Mr. President. Men and women of the Senate, I would ask you to support this motion. I sat through the committee hearings this year and we had several choices. I was actually going through my bag here to try to find a note that I was going to read to you. Then I remembered I couldn't use props. What I really wanted to do was show you that I did pay attention. The lady who wrote this sent me a dragonfly birthday card, crossed out birthday, and thanked me for the questions and for protecting this. It would have been somebody that probably would have preferred me to be on the Minority Report. I am not. This is a compromise. Compromise is both sides of the aisle giving up something they want and both sides of the aisle getting something or taking something they really didn't want. The opt in was the middle ground. Yes, it competes. It allows one community to compete against another if they decide to opt in. The reality, people, whether it is in Veterans and Legal Affairs right now where we're talking about racinos or casinos, whether you are talking about where the next grocery store should go, or whether you are talking about the rate of property taxes in one community versus another, there is competition between communities. That's the name of the game. This says, what I think it should say, if a community wants to take part they may. They may. What is wrong with that? It is a compromise. I'll take the half a loaf of bread. It puts communities back where good government comes as close to the people as it can be. Times have changed. This is compromise. I think we need to look at what has happened. I'm surprised I was not prepared to even debate this morning, quite frankly. I am recalling from memory and when you get to be my age that's not always a good thing to do. I will tell you this was spoken about, talked about, and both sides gave. It is not often very easy for me to argue with the good Chair from Somerset, Senator Thomas, but he gave in a lot. I think it was to keep me quiet but that's okay. Whatever the reason. I gave in a lot. I think we've come out with the best we possibly can do. I think it keeps those communities that want to continue with growth so they certainly can. It allows competition and puts government closer to the people, the way it should be. I'm all for it. I hope you will join me in supporting this motion. Thank you.

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

Senator **SCHNEIDER:** Thank you Mr. President. Men and women of the Senate, the law on the books today does not prevent development in any way. I don't think there is a smoking gun of any sort that says that it's to hold up progress because I'm very much in favor of development as long as people understand

what that development means. I don't think that a lot of communities have the funds necessary to really understand what that means. This was in no way, this law from my perspective nor do I think it does, saying to communities that they shouldn't develop. It simply allowed a mechanism to get funds to those communities on a level playing field that would allow them to at least understand potential impacts. Yes, negative impacts because that is really what most communities want to know. What will happen to our community that may really hurt us? Unfortunately, the opt in, as good as it sounds, is a compromise that unravels the legislation. It unravels the law. We were trying to prevent a situation which often happens under, for example, the Tax Increment Financing Law where communities are essentially forced into having TIFs because if they don't then the other community next to them will and they would lose the development. I don't want communities to lose development because they participate in having an impact study done. They may want that development. They may want large scale development. That's just fine. I think what we were trying to do was to say here is a mechanism to provide the community, on a level playing field statewide, the necessary information for them to at least move forward in whichever direction they choose in an intelligent and thoughtful way. By opting in, as wonderful as the compromise sounds, it creates a patchwork of one community who might want to participate but now feels that they can't because if they do they may actually lose the large scale development that they actually want. That was not my intention. That's what will happen here. We can see around the state what has happened to our downtowns. We know it because you only need to visit very close by towns whose downtowns suffer because the large scale development has pulled away a lot of the business to the little merchants down there. That's fine if that is what communities want and they understand what the implications are, whatever those implications are. That's great. At least this was a way to provide that information. I think you all know I'm always willing to compromise. I think this is one bill where compromise is not going to achieve what the law was intended to do, which was to create a level playing field with good information for communities so that they could make informed decisions. Thank you.

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

Senator **CRAVEN:** Thank you Mr. President. Men and women of the Senate, I actually rise to explain my vote and my support for this measure. When I served in the other Body I had voted in favor of the original bill and felt strongly that it was a good way to go. I realized that this bill is good for some communities and not good for others. However, I am standing in support of my own community because we do have in-house planners and have prepared space as well, right off Exit 80, for any large company that would like to come and do business in that area. I will be supporting this measure. Thank you.

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

Senator **THOMAS:** Thank you Mr. President. I think a lot of folks expected more fireworks when the Senator from York, Senator Sullivan, and the Senator from Somerset, Senator Thomas, ended up on the same committee. To some displeasure, it's

been a great pleasure for me to serve with the Senator from York and I appreciate her wisdom. It's very wise not to underestimate the Senator from York, Senator Sullivan. We have a long and proud tradition in Maine of home rule and local control and town meetings. This compromise that we reached on the Informed Growth Act allows that home rule, allows that local control, so that each town can decide for itself if they want to limit or restrict growth. If they need tools in their toolbox those tools are available. I think that is why we passed it. I think it ends up a good bill. I think it ends up better because those who want growth and decide not to get in the way of growth can help facilitate it. Those that think that they need to restrict it and plan more are able to do that. With all of the communities in Maine, if there is one state where one size doesn't fit all it has to be Maine. Thank you.

THE PRESIDENT: The pending question before the Senate is the motion by the Senator from Somerset, Senator Thomas to Accept the Majority Ought to Pass as Amended Report. A Roll Call has been ordered. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#47)

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

NAYS: Senators: ALFOND, BARTLETT, BRANNIGAN, GERZOFKY, GOODALL, HILL, HOBBS, JACKSON, PATRICK, SCHNEIDER

ABSENT: Senator: BLISS

24 Senators having voted in the affirmative and 10 Senators having voted in the negative, with 1 Senator being absent, the motion by Senator THOMAS of Somerset to ACCEPT the Majority OUGHT TO PASS AS AMENDED Report, in concurrence, PREVAILED.

READ ONCE.

Committee Amendment "A" (H-108) 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 Exempt Retired Military Pay from State Income Tax"
H.P. 477 L.D. 647

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-123).

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

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-123).

Reports READ.

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

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

THE PRESIDENT: The Chair recognizes the Senator from Oxford, Senator Patrick.

Senator PATRICK: Thank you Mr. President. Ladies and gentlemen of the Senate, I probably will be voting in support of this but I ask the Body when is it that we stop giving exemptions for everything? I'm not 100% sure but I think an exemption is actually taking away from our income and stuff. Sometime down along the road we're going to have to figure out where we're going to get some income. I have heard from this Body that we always have, in the past, believed in making sure that our obligations that will be paid for and stuff like that. I hope that this is going to happen in the future. I just want to let people know that this is probably going to be taking away some of the income that we have in the state of Maine. Thank you.

THE PRESIDENT: The pending question before the Senate is the motion by the Senator from Lincoln, Senator Trahan to Accept the Majority Ought to Pass as Amended Report. A Roll Call has been ordered. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#48)

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

NAYS: Senators: None

ABSENT: Senator: BLISS

34 Senators having voted in the affirmative and no Senator having voted in the negative, with 1 Senator being absent, 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-123) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senate

Ought to Pass As Amended

Senator **LANGLEY** for the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Resolve, To Study the Creation of a School of Hospitality and Hotel Management within the University of Maine System

S.P. 171 L.D. 579

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-70)**.

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

READ ONCE.

Committee Amendment "A" (S-70) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator **COLLINS** for the Committee on **TRANSPORTATION** on Bill "An Act To Make Changes to the Motorcycle Inspection Sticker Requirements"

S.P. 72 L.D. 221

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-66)**.

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

READ ONCE.

Committee Amendment "A" (S-66) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator **FARNHAM** for the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Facilitate a Change of Location for Liquor Retailers"

S.P. 105 L.D. 343

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-68)**.

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

READ ONCE.

Committee Amendment "A" (S-68) **READ** and **ADOPTED**.
ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator **FARNHAM** for the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Reduce the Minimum Amount of Product Required To Be Purchased by Agency Liquor Stores for Licensure"

S.P. 268 L.D. 864

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-69)**.

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

READ ONCE.

Committee Amendment "A" (S-69) **READ** and **ADOPTED**.

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 Allow Municipalities To Restrict the Possession of Firearms in Certain Circumstances" S.P. 170 L.D. 578

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

Signed:

Senators:

MASON of Androscoggin
WHITTEMORE of Somerset

Representatives:

PLUMMER of Windham
BURNS of Whiting
HANLEY of Gardiner
LAJOIE of Lewiston
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:

GERZOFSKY of Cumberland

Representatives:

BLODGETT of Augusta
CLARKE of Bath
HASKELL of Portland

Reports **READ**.

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

Divided Report

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Allow School Administrative Units and Educational Advisory Organizations To Participate in the State's Group Health Plan"

S.P. 200 L.D. 619

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-64)**.

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
NELSON of Falmouth
RANKIN of Hiram

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

Signed:

Senator:

ALFOND of Cumberland

Representatives:

LOVEJOY of Portland
WAGNER of Lewiston

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

Reports **READ**.

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

READ ONCE.

Committee Amendment "A" (S-64) **READ and ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Allow Medical Records To Contain an Option Regarding HIV Status Disclosure"

S.P. 179 L.D. 596

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

Signed:

Senators:

McCORMICK of Kennebec
FARNHAM of Penobscot

Representatives:

FOSEL of Alna
MALABY of Hancock
O'CONNOR of Berwick
SANDERSON of Chelsea
SIROCKI of Scarborough
STUCKEY of Portland

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-65)**.

Signed:

Senator:

CRAVEN of Androscoggin

Representatives:

STRANG BURGESS of Cumberland

EVES of North Berwick

PETERSON of Rumford

SANBORN of Gorham

Reports **READ**.

Senator **McCORMICK** of Kennebec moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

Divided Report

The Majority of the Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Permit Senior Citizens To Designate a 3rd Party To Receive Notice of Cancellation of Insurance Policies"

S.P. 93 L.D. 313

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-71)**.

Signed:

Senators:

WHITTEMORE of Somerset

BRANNIGAN of Cumberland

Representatives:

BEAUDOIN of Biddeford

BECK of Waterville

FITZPATRICK of Houlton

GOODE of Bangor

MORRISON of South Portland

TREAT of Hallowell

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

Signed:

Senator:

SNOWE-MELLO of Androscoggin

Representatives:

RICHARDSON of Warren

McKANE of Newcastle

MORISSETTE of Winslow

PICCHIOTTI of Fairfield

Reports **READ**.

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

READ ONCE.

Committee Amendment "A" (S-71) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **TAXATION** on Bill "An Act To Amend the Laws Governing Sales Tax on Used Motor Vehicles" S.P. 163 L.D. 571

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

BERRY of Bowdoinham

BICKFORD of Auburn

BRYANT of Windham

BURNS of Alfred

FLEMINGS of Bar Harbor

PILON of Saco

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-63)**.

Signed:

Representatives:

HARMON of Palermo

WATERHOUSE of Bridgton

Reports **READ**.

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

Sent down for concurrence.

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

Off Record Remarks

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

Off Record Remarks

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

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

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

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

Off Record Remarks

RECESSED until the sound of the bell.

After Recess

Senate called to order by the President.

SECOND READERS

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

House

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

Bill "An Act To Clarify the Use of Tax Increment Financing Funds for Recreational Development"
H.P. 416 L.D. 533

Bill "An Act To Qualify the Port of Eastport as Tax Exempt for Purpose of Bonding" (EMERGENCY)
H.P. 440 L.D. 557

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

Senate at Ease.

Senate called to order by the President.

House As Amended

Bill "An Act Designating March 29th Vietnam Veterans Day" (EMERGENCY)
H.P. 12 L.D. 20
(H "D" H-104 to C "A" H-29)

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
(C "A" H-124)

Bill "An Act Concerning Policy Objectives of the Public Utilities Commission"
H.P. 356 L.D. 463
(C "A" H-121)

Bill "An Act To Allow Consumer Refunds or Exchanges of Unopened Bottles of Spirits"
H.P. 397 L.D. 504
(C "A" H-119)

Bill "An Act To Update Department of Defense, Veterans and Emergency Management Laws"
H.P. 463 L.D. 633
(C "A" H-120)

Resolve, To Increase the Amount Tagging Agents Receive for Tagging Game
H.P. 467 L.D. 637
(C "A" H-105)

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
(C "A" H-115)

Bill "An Act To Create the Anson and Madison Water District"
(EMERGENCY)

H.P. 657 L.D. 890
(C "A" H-116)

Bill "An Act To Amend the Charter of the Anson Water District"

H.P. 754 L.D. 1018
(C "A" H-117)

Bill "An Act Relating to Qualified Financial Contracts by Domestic Insurers"

H.P. 938 L.D. 1279
(H "A" H-128)

Bill "An Act To Establish a Pilot Physical Education Project in Four Maine Schools" (EMERGENCY)

H.P. 939 L.D. 1280
(C "A" H-125)

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

Bill "An Act To Change the Frequency of Wine Tastings Allowed in a 12-month Period"

H.P. 411 L.D. 528
(C "A" H-118)

READ A SECOND TIME.

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 PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Schneider.

Senator **SCHNEIDER:** Thank you Mr. President. Men and women of the Senate, some of you may be wondering why this bill has been chosen to have a roll call. The reason is because I don't believe we need to increase the number of wine tastings nor do I think we should be encouraging additional consumption of alcohol in this state. We have a lot of problems with regard to alcohol in general in this state. Our jails could virtually be emptied out, potentially, if we had less problems with alcohol. In general, I don't support bills that encourage or enhance or promote alcohol. I know that sounds maybe trivial to some people but I think it's really important to make that statement. I don't think that we should be promoting in the legislature alcohol consumption. I think this just enhances and contributes to that. There are some people who say, "Oh, well this may be a business bill, promoting business." I'm just not sure that promoting business in this way is a very productive way for our legislature to be moving forward. In general, you will see that I ask for roll call votes on bills that promote the use, I think, of alcohol. I think we have a problem with it and I think we should be not encouraging it. That's why I asked for a roll call. Thank you very much.

THE PRESIDENT: The pending question before the Senate is Passage to be Engrossed as Amended, in concurrence. A Roll Call has been ordered. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#49)

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

NAYS: Senator: SCHNEIDER

ABSENT: Senator: BLISS

33 Senators having voted in the affirmative and 1 Senator having voted in the negative, with 1 Senator being absent, the Bill was **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

Senate

Bill "An Act To Direct the Judicial Branch To Take Requisite Measures To Collect Fines and Penalties"
S.P. 337 L.D. 1104

Bill "An Act To Amend the Yarmouth Water District Charter"
S.P. 448 L.D. 1441

READ A SECOND TIME and PASSED TO BE ENGROSSED.

Sent down for concurrence.

Senate As Amended

Bill "An Act To Regulate the Keeping of Wolf Hybrids"
(EMERGENCY)
S.P. 26 L.D. 11
(C "A" S-50)

Bill "An Act To Amend the Laws Regarding Tips Used in Payment of Service Employees"
S.P. 57 L.D. 207
(C "A" S-58)

Bill "An Act To Exempt Certain Meals Provided to Food Service Employees from the Sales and Use Tax"
S.P. 184 L.D. 604
(C "A" S-53)

Resolve, Directing the Commission on Governmental Ethics and Election Practices To Study Modifying the Maine Clean Election Act

S.P. 251 L.D. 848
(C "A" S-54)

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
(C "A" S-56)

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
(C "A" S-62)

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
(C "A" S-61)

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
(C "A" S-59)

Resolve, To Authorize the Exchange of Certain Lands Owned by the State

S.P. 341 L.D. 1132
(C "A" S-55)

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

Sent down for concurrence.

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
(C "A" S-57)

READ A SECOND TIME.

THE PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Snowe-Mello.

Senator **SNOWE-MELLO:** Thank you Mr. President. Honorable members of the Senate, I stand here today to briefly note the importance of this small step towards improving and saving lives in Maine. L.D. 435 received unanimous bi-partisan support in committee and in both Chambers. I am so pleased that the Senator from Hancock, Senator Langlely, asked me to co-sponsor this important bill to increase the rate of organ and tissue donations. This cause affects so many individuals and families across Maine and the United States. It also potentially affects each and every one of us. I know I can speak from personal experience as well as a New Gloucester constituent, George Carman; who waited countless years to receive his dual lung

transplant this year and, thank goodness, is home and doing well. I just wanted to note the passage of this unanimous bi-partisan bill today that will do so much for so many. Thank you.

PASSED TO BE ENGROSSED AS AMENDED.

Sent down for concurrence.

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

ENACTORS

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

Emergency Measure

An Act To Clarify the Scope of Maine's Franchise Laws for Dealers of Power Equipment, Machinery and Appliances
S.P. 96 L.D. 316

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 Measure

An Act To Continue the Axle Fine Waiver during the Midwinter Season

S.P. 240 L.D. 796
(C "A" S-40)

This being an Emergency Measure and having received the affirmative vote of 33 Members of the Senate, with no Senators 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.

Acts

An Act To Implement a Maine Unemployment Insurance Work-sharing Program

H.P. 222 L.D. 269
(C "A" H-91)

An Act To Amend Shelter Provisions To Accommodate Rotational Grazing of Livestock

H.P. 253 L.D. 320
(C "A" H-98)

An Act To Clarify the Uniform Arbitration Act
H.P. 379 L.D. 486
(C "A" H-94)

An Act Concerning the Lake and River Protection Fund
H.P. 439 L.D. 556
(C "A" H-99)

An Act To Allow for Timely Credit for Driver's License
Suspensions Imposed by a Court
S.P. 178 L.D. 595

An Act Pertaining to the Laws Governing Pull Events
H.P. 459 L.D. 629
(C "A" H-100)

An Act Relating to Indemnity Agreements in Motor Carrier
Transportation Contracts
S.P. 216 L.D. 727
(C "A" S-43)

An Act To Terminate the Authorization of the Maine Self-
Insurance Guarantee Association To Serve as a Statistical
Advisory Organization for Self-insurers
S.P. 221 L.D. 731

An Act To Strengthen the Laws Regarding Dangerous Dogs
H.P. 562 L.D. 755
(C "A" H-101)

An Act To Modify the Auditing Requirements for Certain Small
Water Utilities
H.P. 579 L.D. 772
(C "A" H-93)

An Act To Amend the Maine Consumer Credit Code Regarding
Interest Charged on Deferred Payments
S.P. 279 L.D. 891

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

Resolve

Resolve, To Direct the Bureau of Consumer Credit Protection To
Recommend Changes to Credit Reporting Laws Concerning Paid
Debts
S.P. 364 L.D. 1243

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

Senate at Ease.

Senate called to order by the President.

ORDERS OF THE DAY

Unfinished Business

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

The Chair laid before the Senate the following Tabled and Later
(5/3/11) Assigned matter:

HOUSE REPORTS - from 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

Majority - **Ought Not to Pass** (8 members)

Minority - **Ought to Pass** (5 members)

Tabled - May 3, 2011, by Senator **LANGLEY** of Hancock

Pending - **ACCEPTANCE OF EITHER REPORT**

(In House, April 28, 2011, the Minority **OUGHT TO PASS** Report
READ and **ACCEPTED** and the Resolve **PASSED TO BE
ENGROSSED**.)

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

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

Under suspension of the Rules, **READ TWICE**.

On motion by Senator **SHERMAN** of Aroostook, Senate
Amendment "A" (S-67) **READ**.

THE PRESIDENT: The Chair recognizes the Senator from
Aroostook, Senator Sherman.

Senator **SHERMAN:** Thank you Mr. President. Ladies and
gentlemen of the Senate, this is a clean up of the original bill.
What this is about is getting a second opinion for a child in school
that may have some issues. As the bill was originally talked
about, I guess, in committee the bill seemed too broad. This has
been narrowed down. A qualified individual would have to come
into a school system and have to follow the same rules and
guidelines as, what I call, the special ed people in that school
district. If a parent hires someone to do an evaluation on their
child there should not be school disruption, they should not have
any more or any less access than what the school personnel
would do. Some of you with larger school systems may have a
person on staff to do this. In some of the rural areas you have
traveling evaluators. They are kind of in and out anyways. In
some cases I know that parents would like to have a second
opinion. You go to a doctor. You take your appendix out or leave

it. That's obviously a lot more involved than this. Thank you, Mr. President.

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 just want to speak for a second and thank the good Senator from Aroostook for explaining it so well. I think in committee we heard a lot of very, very powerful testimony from parents who care so deeply about their children and are just looking for a second opinion. With that, thank you for hearing that and thank you to the good Senator from Aroostook for explaining it so well.

On further motion by Senator **SHERMAN** of Aroostook, Senate Amendment "A" (S-67) **ADOPTED.**

PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-67), in NON-CONCURRENCE.

On motion by Senator **FARNHAM** of Penobscot, the Senate **RECONSIDERED** whereby the Resolve was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-67), in NON-CONCURRENCE.**

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

Senator **FARNHAM:** Thank you Mr. President. I will not be supporting the change to the Special Education regulation. The source for my comments today are from the Southern Penobscot Regional Program for Children with Exceptionalities. That's a program in which Bangor, Hermon, Brewer, Old Town, and other towns join together to use space and instructional expertise efficiently to serve these students. Even with the proposed amendment, the Director, Murray Shulman, still feels that a change to the current State and federal regulations in this area is unnecessary. Current special education regulations contain procedures to deal with parent complaints in this area. It allows them to come forth if they have a problem with the student's instructional plan and to talk with the school and the school's expertise in this manner. I'm afraid that by passing this change we will put the parent-hired qualified examiner or evaluator up against the school qualified examiner and this may not be the best way to serve our students, their teachers, or the administrators. Thank you.

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

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

Senator **SCHNEIDER:** Thank you Mr. President. Men and women of the Senate, I appreciate the moment to weigh in. I just think it's a good idea to have the ability to have a second opinion. I think that this is the reason that this is being asked for, so that there can be another review. I don't think that this is something that will hurt anybody. I also don't think it necessarily means that it's pitting anybody against each other. The fact that there is a

fear of that concerns me. I think that any provider should welcome another opinion rather than be afraid of another opinion. Thank you very much for the time.

THE PRESIDENT: The pending question before the Senate is Passage to be Engrossed as Amended, in Non-concurrence. A Roll Call has been ordered. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#50)

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

NAYS: Senator: FARNHAM

ABSENT: Senators: BLISS, COURTNEY

32 Senators having voted in the affirmative and 1 Senator having voted in the negative, with 2 Senators being absent, the Resolve was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-67), in NON-CONCURRENCE.**

Ordered sent down forthwith for concurrence.

The Chair laid before the Senate the following Tabled and Later (5/3/11) Assigned matter:

SENATE REPORTS - from 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

Majority - **Ought Not to Pass** (10 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (S-49)** (2 members)

Tabled - May 3, 2011, by Senator **SHERMAN** of Aroostook

Pending - motion by same Senator to **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report

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

On motion by Senator **SHERMAN** of Aroostook, the Minority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED.**

READ ONCE.

Committee Amendment "A" (S-49) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Clarify and Update the Laws Related to Health Insurance, Insurance Producer Licensing and Surplus Lines Insurance"

H.P. 1138 L.D. 1551

Presented by Representative RICHARDSON of Warren. Cosponsored by Senator WHITTEMORE of Somerset. Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.

Bill "An Act To Implement the Requirements of the Federal Patient Protection and Affordable Care Act"

H.P. 1140 L.D. 1554

Presented by Representative RICHARDSON of Warren. Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.

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

REFERRED to the Committee on **INSURANCE AND FINANCIAL SERVICES** and ordered printed, in concurrence.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Change Document Filing Fees for County Registries of Deeds" (EMERGENCY)

H.P. 1137 L.D. 1550

Presented by Representative MOULTON of York. Cosponsored by Senator COLLINS of York and Senator: SULLIVAN of York, Representatives: BOLAND of Sanford, GRAHAM of North Yarmouth. Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Resolve, Authorizing the Commissioner of Administrative and Financial Services To Sell or Lease the Interests of the State in Certain Real Property Located in Rockwood and Sinclair in the Unorganized Territory

H.P. 1139 L.D. 1552

Presented by Representative COTTA of China. Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.

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

REFERRED to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed, in concurrence.

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

PAPERS FROM THE HOUSE

House Paper

Resolve, To Name the Main Street Bridge in Newport after Sergeant Donald Sidney Skidgel

H.P. 1136 L.D. 1549

Presented by Representative FREDETTE of Newport. Cosponsored by Senator PLOWMAN of Penobscot and Representative: MARTIN of Eagle Lake. 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.

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

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

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