

MAINE STATE LEGISLATURE

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



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

Senate Legislative Record
One Hundred and Twenty-Fifth Legislature

State of Maine

Daily Edition

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

Pages 1 - 1494

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

In Senate Chamber
Tuesday
May 10, 2011

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

Prayer by Reverend David Glusker of South China, Retired Pastor, United Methodist Church.

REVEREND GLUSKER: Let us pray. Good morning, Lord. Thank you for a new day. Help us to get through it. Be present with us as we make difficult decisions, as we engage in important conversations, and as we do our best to make the world a better place. I ask your special blessing upon each of these persons gathered together in this room, that they may be guided by Your holy spirit and led in directions that will make the state of Maine an even better place to live. With all of that we offer our gratitude. Amen.

Pledge of Allegiance led by Senator Margaret M. Craven of Androscoggin County.

Reading of the Journal of Thursday, May 5, 2011.

Doctor of the day, Nancy Cummings, MD of Wilton.

COMMUNICATIONS

The Following Communication: S.C. 314

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

May 5, 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 Criminal Justice & Public Safety has had under consideration the nomination of Lt. Col. Robert A. Williams of Vassalboro, for appointment as the Chief of the Maine State Police.

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	Mason of Androscoggin, Gerzofsky of Cumberland, Whittemore of Somerset
	Representatives	10	Plummer of Windham, Blodgett of Augusta, Burns of Whiting, Clarke of Bath, Hanley of Gardiner, Haskell of Portland, Lajoie of Lewiston, Long of Sherman, Morissette of Winslow, Sanderson of Chelsea
NAYS		0	
ABSENT		0	

Thirteen members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Lt. Col. Robert A. Williams of Vassalboro, for appointment as the Chief of the Maine State Police be confirmed.

Signed,

S/Garrett P. Mason
Senate Chair

S/Gary E. Plummer
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** be overridden?"

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#51)

YEAS: Senators: None

NAYS: 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

ABSENT: Senator: BLISS

No Senator having voted in the affirmative and 34 Senators having voted in the negative, with 1 Senator being absent, 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 **Lt. Col. Robert A. Williams** of Vassalboro for appointment as the Chief of the Maine State Police was **CONFIRMED**.

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

THE PRESIDENT: The Chair is pleased to recognize in the rear of the chamber Lt. Col. Robert A. Williams and members of his family. Would they please rise and accept the greetings of Maine Senate.

The Following Communication: S.C. 315

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

May 4, 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 Chelsey Whynot of Cape Elizabeth for appointment to the State Board of Education.

Pursuant to Title 20-A, MRSA §401, 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. 325

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

May 9, 2011

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

Dear President Raye,

This is to inform you that I am today nominating Richard A. Cook of Hermon for reappointment to the Maine Milk Commission.

Pursuant to Title 7, MRSA §2952, this reappointment 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. 326

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

May 9, 2011

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

Dear President Raye,

This is to inform you that I am today nominating Gary M. Koocher of Portland for appointment 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. 316

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

May 4, 2011

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

Dear President Raye and Speaker Nutting:

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

L.D. 16 An Act To Revise Notification Requirements for Pesticides Applications Using Aircraft or Air-carrier Equipment

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

Sincerely,

S/Sen. Roger L. Sherman
Senate Chair

S/Rep. Peter E. Edgecomb
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 327

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

May 5, 2011

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

Dear President Raye and Speaker Nutting:

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

L.D. 1382 An Act To Protect Homeowners Regarding Sewer Liens

L.D. 1447 An Act To Create Jobs through the Establishment of the Renewable Energy Resources Feed-in Tariff Program

L.D. 1527 An Act To Encourage the Creation of Jobs through Development of Maine's Solar Industry

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

Sincerely,

S/Sen. Michael D. Thibodeau
Senate Chair

S/Rep. Stacey A. Fitts
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 328

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

May 6, 2011

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

Dear President Raye and Speaker Nutting:

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

L.D. 502 An Act To Place a Moratorium on Expedited Permitting of Grid-scale Wind Energy Development (EMERGENCY)

L.D. 711 An Act To Regulate Noise from Wind Turbines in Residential Developments

LEGISLATIVE RECORD - SENATE, TUESDAY, MAY 10, 2011

- L.D. 865 An Act To Require the Department of Environmental Protection To Enforce Standards for Smaller-scale Wind Energy Development in Organized Areas
- L.D. 1035 Resolve, To Establish Baseline Information on Health Impacts from Grid-scale Wind Energy Development
- L.D. 1042 An Act To Preserve and Protect Citizens' Property Rights and Values
- L.D. 1170 An Act To Establish a Code of Ethics for Individuals Involved in Grid-scale Wind Energy Development
- L.D. 1234 An Act To Restore the Uniform Visual Permitting Standard for Wind Power Projects
- L.D. 1236 An Act To Amend the Legislative Findings in the Maine Wind Energy Act
- L.D. 1291 Resolve, To Promote Community Wind Energy Development
- L.D. 1362 An Act To Ensure Accurate Valuation of a Community Benefits Package for Communities That Host Wind Energy Developments
- L.D. 1411 An Act To Facilitate Transparency and Accountability while Reducing Electricity Costs
- L.D. 1443 An Act To Improve the Permitting Process for Wind Energy Developments and To Protect Maine's Quality of Place
- L.D. 1479 An Act To Minimize Conflicts between Property Owners and Grid-scale Wind Energy Developments

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

Sincerely,

S/Sen. Michael D. Thibodeau
Senate Chair

S/Rep. Stacey A. Fitts
House Chair

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

The Following Communication: S.C. 317

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

May 4, 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 bill out "Ought Not to Pass":

L.D. 918 An Act To Reduce the Cost of Mental Health Services in Maine

We have also notified the sponsor and cosponsors 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. 329

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

May 6, 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. 150 An Act To Require Drug Testing for Medicaid Recipients with Prescriptions for Scheduled Drugs

LEGISLATIVE RECORD - SENATE, TUESDAY, MAY 10, 2011

- L.D. 193 An Act To Require an Applicant for State Assistance To Show Proof of Legal Residence in the United States and Proof of Residency for at Least the Previous 90 Days in This State
- L.D. 539 An Act To Build Accountability into the General Assistance Laws
- L.D. 605 An Act To Require Random Drug Testing for MaineCare Recipients
- L.D. 678 Resolve, To Improve Health Outcomes for MaineCare Members in Managed Care
- L.D. 920 An Act To Ensure the Availability of Preventive Health Care Services for Children
- L.D. 1122 An Act To Increase Dental Benefits and Oral Health Care
- L.D. 1131 An Act To Require Public Disclosure of Health Care Prices
- L.D. 1270 Resolve, To Convene a Task Force To Study Staffing Ratios and Issues for Nursing Homes and Residential Care Facilities
- L.D. 1294 An Act To Impose a 90-day Residency Requirement in Order To Receive State Assistance
- L.D. 1370 An Act To Amend the Laws Governing General Assistance Programs
- L.D. 1431 An Act To Establish Standards for the Administration of General Assistance Programs

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. 318

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

May 4, 2011

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

Dear President Raye and Speaker Nutting:

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

- L.D. 626 An Act To Allow Nonresidents Who Work in Maine To Purchase Hunting and Fishing Licenses at Resident Rates
- L.D. 692 An Act To Reduce Nonresident Hunting and Fishing License Fees and To Add Archery Hunting to Combination Licenses
- L.D. 1080 An Act To Ban the Use of Traps and Dogs in Bear Hunting
- L.D. 1121 An Act To Provide for Incentives and Reparations to Landowners in Connection with All-terrain Vehicle Access

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

Sincerely,

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

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

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 319

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

May 4, 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. 1078 An Act To Amend the Audit and Enforcement Functions of the Workers' Compensation Board
- L.D. 1432 An Act To Expand Apprenticeship Programs and Scholarship Programs with Funding from Identification of Ineffective Economic Development Tax Incentives

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. 320

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

May 4, 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 bill out "Ought Not to Pass":

- L.D. 1508 An Act To Ensure Cultchless American Oyster Growers Licenses Are Issued by the Department of Marine Resources Only to Individuals Who Are Growers of American Oysters (EMERGENCY)

We have also notified the sponsor and cosponsors 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. 321

**STATE OF MAINE
ONE HINDERED AND TWENTY-FIFTH LEGISLATURE
JOINT SELECT COMMITTEE ON REGULATORY FAIRNESS
AND REFORM**

May 4, 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 Select Committee on Regulatory Fairness and Reform has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 160 Resolve, To Require the Department of Agriculture, Food and Rural Resources and the Department of Public Safety To Develop a Consolidated License for Convenience Stores
- L.D. 730 An Act To Streamline the Issuance of State Business Licenses

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

Sincerely,

S/Sen. Jonathan T. E. Courtney
Senate Chair

S/Rep. Jonathan B. McKane
House Chair

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

The Following Communication: S.C. 322

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

May 4, 2011

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

Dear President Raye and Speaker Nutting:

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

- L.D. 153 RESOLUTION, Proposing an Amendment to the Constitution of Maine To Provide for the Reduction of the Size of the Legislature
- L.D. 587 An Act To Reduce the Cost of Delivering Certain State Services
- L.D. 669 RESOLUTION, Proposing an Amendment to the Constitution of Maine To Change the Number of Members of the Legislature, the Length of Legislative Sessions and the Requirements for Introduction of Bills in a Second Regular Session
- L.D. 780 RESOLUTION, Proposing an Amendment to the Constitution of Maine To Limit the Number of Terms Served in Total
- L.D. 953 An Act To Establish the Maine Science Advisory Board

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

Sincerely,

S/Sen. Douglas A. Thomas
Senate Chair

S/Rep. H. David Cotta
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 330

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

May 6, 2011

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

Dear President Raye and Speaker Nutting:

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

- L.D. 62 An Act Relating to the State Bid Process
- L.D. 158 An Act To Improve Public Understanding in the Rulemaking of Certain Departments
- L.D. 478 An Act To Strengthen Maine Small Business by Establishing a Preference Percentage for State Contract Bids
- L.D. 942 An Act To Exempt Municipalities from Indemnification Provisions in State Contracts
- L.D. 987 An Act Regarding the Sale of Surplus Land Owned by the Department of Transportation
- L.D. 1389 An Act To Require Certain Costly Rules To Be Approved by the Legislature

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

Sincerely,

S/Sen. Douglas A. Thomas
Senate Chair

S/Rep. H. David Cotta
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 323

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

May 4, 2011

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

Dear President Raye and Speaker Nutting:

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

- L.D. 808 An Act Regarding Property Taxes in the Unorganized Territories
- L.D. 1341 An Act To Provide Rent Relief to Low-income Maine Residents
- L.D. 1351 An Act To Improve and Simplify the Application for Benefits under the Circuitbreaker Program

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

Sincerely,

S/Sen. A. David Trahan
Senate Chair

S/Rep. L. Gary Knight
House Chair

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

The Following Communication: S.C. 324

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

May 4, 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 bills out "Ought Not to Pass":

- L.D. 798 An Act To Prohibit Nonresidents from Contributing to Maine Political Campaigns or Candidates
- L.D. 1037 An Act To Establish a Welcome Home Bonus for Veterans of the Campaigns in Iraq and Afghanistan

- L.D. 1339 An Act To Amend the Process for Appeals of Liquor Licensing Decisions

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

The Following Communication: S.C. 331

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

May 9, 2011

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

Dear President Raye and Speaker Nutting:

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

- L.D. 1141 An Act To Allow Direct Shipment of Beer and Wine by Retail Licensees

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

Resolve, To Transfer the Guilford Butler School to Regional School Unit 13

S.P. 498 L.D. 1559

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

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

Sent down for concurrence.

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

Off Record Remarks

Senator PATRICK of Oxford was granted unanimous consent to address the Senate off the Record.

REPORTS OF COMMITTEES

House

Ought to Pass

The Committee on INLAND FISHERIES AND WILDLIFE on Bill "An Act To Allow a Portion of Snowmobile Registration Fees To Be Used for the Repair of Trail-grooming Equipment"
H.P. 471 L.D. 641

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 **AGRICULTURE, CONSERVATION AND FORESTRY** on Resolve, To Establish the Commission To Study the Promotion and Expansion of the Maine Maple Sugar Industry (EMERGENCY)

H.P. 91 L.D. 109

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-159)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-159)**.

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

READ ONCE.

Committee Amendment "A" (H-159) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act Regarding the Milk Handling Fee"
H.P. 514 L.D. 718

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-162)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-162)**.

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

READ ONCE.

Committee Amendment "A" (H-162) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act To Require Certification of Private Applicators of General Use Pesticides"
H.P. 719 L.D. 975

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-163)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-163)**.

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

READ ONCE.

Committee Amendment "A" (H-163) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Amend the Laws Governing the Capital Reserve Funds of the Maine Educational Loan Authority" (EMERGENCY) H.P. 54 L.D. 66

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-149).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-149).**

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

READ ONCE.

Committee Amendment "A" (H-149) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Resolve, Regarding Legislative Review of Portions of Chapter 101: Maine Unified Special Education Regulation Birth to Age Twenty, a Major Substantive Rule of the Department of Education (EMERGENCY)

H.P. 88 L.D. 106

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-148).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-148).**

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

READ ONCE.

Committee Amendment "A" (H-148) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **ENVIRONMENT AND NATURAL RESOURCES** on Bill "An Act To Clarify Maine's Phaseout of the 'Deca' Mixture of Polybrominated Diphenyl Ethers" H.P. 690 L.D. 930

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-152).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-152).**

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

READ ONCE.

Committee Amendment "A" (H-152) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **HEALTH AND HUMAN SERVICES** on Resolve, To Improve Access to Employment Opportunities for Persons with Intellectual Disabilities and Autistic Disorders (EMERGENCY)

H.P. 20 L.D. 28

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-139).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-139).**

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

READ ONCE.

Committee Amendment "A" (H-139) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **HEALTH AND HUMAN SERVICES** on Resolve, To Implement Certain Recommendations of the Governor's Task Force on Expanding Access to Oral Health Care for Maine People

H.P. 316 L.D. 390

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-170).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-170).**

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

READ ONCE.

Committee Amendment "A" (H-170) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Increase Efficiency and Effectiveness in the Licensing of Certain Health and Human Services Providers"
H.P. 566 L.D. 759

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-171).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-171).**

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

READ ONCE.

Committee Amendment "A" (H-171) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Require Defibrillators in All Health Club Gyms"
H.P. 808 L.D. 1073

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-172).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-172).**

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

READ ONCE.

Committee Amendment "A" (H-172) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Amend Certain Insurance Provisions Relating to Variable Annuity Death Benefits and Multiple Employer Trusts"
H.P. 648 L.D. 881

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-158).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-158).**

Report **READ.**

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

The Committee on **JUDICIARY** on Bill "An Act To Allow a Nonresident Notary Public or Justice of the Peace To Perform a Single Wedding Ceremony"
H.P. 120 L.D. 138

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-134).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-134).**

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

READ ONCE.

Committee Amendment "A" (H-134) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **JUDICIARY** on Bill "An Act To Amend the Maine Limited Liability Company Act" (EMERGENCY)
H.P. 727 L.D. 983

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-135).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-135).**

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

READ ONCE.

Committee Amendment "A" (H-135) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **MARINE RESOURCES** on Bill "An Act To Assist the Commercial Fishing Safety Council"
H.P. 421 L.D. 538

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-168).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-168).**

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

READ ONCE.

Committee Amendment "A" (H-168) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Allow Municipalities the Option To Subsidize Publicly Owned Bus Stops through Advertising"
H.P. 608 L.D. 812

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-169).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-169).**

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

READ ONCE.

Committee Amendment "A" (H-169) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **TAXATION** on Bill "An Act To Exempt from the Sales Tax Meals Provided at Retirement Facilities"
H.P. 13 L.D. 21

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-166).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-166).**

Report **READ.**

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

The Committee on **TAXATION** on Bill "An Act To Provide a Sales Tax Exemption to Commercial Horticulturists"
H.P. 187 L.D. 234

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-153).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-153).**

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

READ ONCE.

Committee Amendment "A" (H-153) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **TAXATION** on Bill "An Act To Exempt from the Income Tax Military Death Payments and Employment-based Retirement Income of Persons Who Are 65 Years of Age or Older"
H.P. 284 L.D. 358

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-136).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-136).**

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

READ ONCE.

Committee Amendment "A" (H-136) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **TRANSPORTATION** on Bill "An Act To Create a Temporary Disability Parking Permit"
H.P. 349 L.D. 456

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-145).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-145).**

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

READ ONCE.

Committee Amendment "A" (H-145) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **TRANSPORTATION** on Bill "An Act To Provide an Option To Register with the Selective Service System When Obtaining a Driver's License"

H.P. 394 L.D. 501

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-157).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-157).**

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

READ ONCE.

Committee Amendment "A" (H-157) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Streamline the Liquor Licensing Reporting Procedure"

H.P. 919 L.D. 1228

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-137).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-137).**

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

READ ONCE.

Committee Amendment "A" (H-137) **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 Amend the Law Governing Administrative Suspensions of Driver's Licenses"

H.P. 671 L.D. 912

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

Signed:

Senators:

MASON of Androscoggin
GERZOFKY of Cumberland
WHITTEMORE of Somerset

Representatives:

PLUMMER of Windham
BURNS of Whiting
CLARKE of Bath
HANLEY of Gardiner
HASKELL of Portland
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 as Amended by Committee Amendment "A" (H-161).**

Signed:

Representative:

BLODGETT of Augusta

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 Bill "An Act To Make the Consolidation of School Administrative Units Voluntary and To Eliminate the Penalties for Units That Choose Not To Consolidate"

H.P. 221 L.D. 268

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

Signed:

McFADDEN of Dennysville
WAGNER of Lewiston

Senators:

LANGLEY of Hancock
ALFOND of Cumberland
MASON of Androscoggin

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-132)**.

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
WAGNER of Lewiston

Signed:

Senator:
ALFOND of Cumberland

Representatives:

LOVEJOY of Portland
NELSON of Falmouth
RANKIN of Hiram

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-167)**.

(Representative SOCTOMAH of the Passamaquoddy Tribe - of the House - supports the Majority **Ought Not To Pass** Report.)

Signed:

Representative:

LOVEJOY of Portland

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

Reports **READ**.

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

(Representative SOCTOMAH of the Passamaquoddy Tribe - of the House - supports the Majority **Ought Not To Pass** Report.)

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

Divided Report

Reports **READ**.

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

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Resolve, Requiring the Department of Education To Amend Its Rules Relating to School Administrative Unit Payments for the Costs Associated with Independent Educational Evaluations

H.P. 518 L.D. 689

Divided Report

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Require That School Administrative Units Bear the Burden of Proving That an Individualized Education Program Is Appropriate"

H.P. 259 L.D. 326

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

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

Signed:

Signed:

Senators:

LANGLEY of Hancock
MASON of Androscoggin

Senators:

LANGLEY of Hancock
MASON of Androscoggin

Representatives:

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

Representatives:

RICHARDSON of Carmel
EDGECOMB of Caribou
JOHNSON of Greenville
MAKER of Calais
McCLELLAN of Raymond
McFADDEN of Dennysville
RANKIN of Hiram
WAGNER of Lewiston

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-133)**.

Signed:

Senator:

ALFOND of Cumberland

Representatives:

LOVEJOY of Portland
NELSON of Falmouth

(Representative SOCTOMAH of the Passamaquoddy Tribe - of the House - supports the Majority **Ought Not To Pass** Report.)

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

Reports **READ**.

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

Divided Report

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Eliminate the Penalty for School Administrative Units That Did Not Consolidate and Eliminate State Funding of Local Administrative Costs"

H.P. 593 L.D. 786

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

Signed:

Senators:

LANGLEY of Hancock
ALFOND of Cumberland
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
WAGNER of Lewiston

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-146)**.

Signed:

Representative:

LOVEJOY of Portland

(Representative SOCTOMAH of the Passamaquoddy Tribe - of the House - supports the Majority **Ought Not To Pass** Report.)

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

Reports **READ**.

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

Divided Report

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Resolve, To Promote Education Regarding Parkinson's Disease among Health Care and Emergency Personnel

H.P. 858 L.D. 1160

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

Signed:

Senators:

McCORMICK of Kennebec
FARNHAM of Penobscot

Representatives:

STRANG BURGESS of Cumberland
EVES of North Berwick
FOSSEL of Alna
MALABY of Hancock
O'CONNOR of Berwick
PETERSON of Rumford
SANBORN of Gorham
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" (H-141)**.

Signed:

Senator:

CRAVEN of Androscoggin

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

Reports **READ**.

On motion by Senator **MCCORMICK** of Kennebec, 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 Require an Independent Audit of State Government Every 4 Years"

H.P. 25 L.D. 32

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

Signed:

Senators:

THOMAS of Somerset
COLLINS of York
SULLIVAN of York

Representatives:

COTTA of China
BOLAND of Sanford
BOLDUC of Auburn
CASAVANT of Biddeford
CELLI of Brewer
GRAHAM of North Yarmouth
MOULTON of York
TURNER of Burlington

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-150)**.

Signed:

Representative:

HARVELL of Farmington

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

Reports **READ**.

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

**Senate
Ought to Pass As Amended**

Senator **MASON** for the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Increase Accountability for the Most Serious Offenders of Laws Prohibiting Operating under the Influence of Drugs and Alcohol"

S.P. 331 L.D. 1098

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-72)**.

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

READ ONCE.

Committee Amendment "A" (S-72) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator **LANGLEY** for the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act Regarding Retention and Graduation Rates for Maine's Colleges and Universities"

S.P. 156 L.D. 564

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-74)**.

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

READ ONCE.

Committee Amendment "A" (S-74) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator **MARTIN** for the Committee on **INLAND FISHERIES AND WILDLIFE** on Resolve, Establishing a Task Force To Examine the Decline in the Number of Nonresident Hunters

S.P. 226 L.D. 792

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-76)**.

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

READ ONCE.

Committee Amendment "A" (S-76) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator **HASTINGS** for the Committee on **JUDICIARY** on Bill "An Act To Amend the Probate Code Relating to the Authority of the Probate Court To Approve Transfers from a Protected Person's Estate"

S.P. 361 L.D. 1186

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-75)**.

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

READ ONCE.

Committee Amendment "A" (S-75) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Exempt Health Care Sharing Ministries from Insurance Requirements"

S.P. 296 L.D. 950

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-77)**.

Signed:

Senators:

WHITTEMORE of Somerset
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 Not To Pass**.

Signed:

Senator:

BRANNIGAN of Cumberland

Representatives:

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

Reports **READ**.

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

READ ONCE.

Committee Amendment "A" (S-77) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Amend Maine Law To Conform with Federal Law Regarding Employment Practices for Certain Minors"

S.P. 149 L.D. 516

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-79)**.

Signed:

Senators:

RECTOR of Knox
MARTIN of Kennebec

Representatives:

PRESCOTT of Topsham
DOW of Waldoboro
NEWENDYKE of Litchfield
VOLK of Scarborough
WINTLE of Garland

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

Signed:

Senator:

JACKSON of Aroostook

Representatives:

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

Reports **READ**.

Senator **RECTOR** of Knox moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

THE PRESIDENT: The Chair recognizes the Senator from Knox, Senator Rector.

Senator **RECTOR:** Thank you Mr. President. Men and women of the Senate, this is one of those bills that I think begins to just move Maine slightly more into the mainstream. All of us are concerned about education and opportunities for young people. I think education takes many, many different forms. Education happens in a classroom. Education happens on the ball field or on a court. Education happens on the theater stage. Education happens in the workplace as you are growing up. Every one of those opportunities, I think, provides a different shaping mechanism for the young people that we produce. In this case Maine has had the most restrictive laws related to 16 and 17 year olds in the nation. We have been the outliers, far more restrictive than our other New England counterparts and far more restrictive than most other states. This change, the amended version of this bill, moves us slightly into the mainstream. We're still in the 20% of most restrictive states in the nation, but it moves us slightly closer to the mainstream. What it does is expand the number of hours in a week that a young person 16 or 17 year old can work from 20 to 24. It expands the number of hours in a day that this young person can work, including on weekend days, from 4 to 6. It extends the ending time of the day for those young people from 10 p.m. to 11 p.m. I think these changes are modest in scale and reflect comparable activities such as sports activities, theater activities, and other activities that young people participate in already with the sanction of the school. For instance, where I

come from we play in the Mountain Valley Conference in sports. The Mountain Valley Conference means our kids travel from George's Valley High School to Kingfield or to Bethel to play basketball in the wintertime, often getting home at midnight, 12:30, or 1 o'clock. This isn't even allowing for that sort of late activity. We allow those activities to take place in a limited way. Some students choose to play sports. Some students choose to do theater. Some students choose to have jobs. I had a call from a young person who was asking for extended hours in relation to this bill. They had heard about this because they were helping their single mom pay the bills at home for they and their siblings. I think we don't understand, in some cases, the many pressures that people are under and the opportunity that work provides for them to help them feel like they are a contributing member of their family. In many cases, as the cost of college rises, we find young people needing to raise money for themselves so that they can go on to higher education and pursue whatever their dreams might be. I think work provides a shaping opportunity at the start and an opportunity to earn money so that they can pursue their dreams and I think this bill modestly addresses some of the changes that we need in the state of Maine to move ourselves to the mainstream. Thank you, Mr. President.

On motion by Senator **JACKSON** of Aroostook, 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 Aroostook, Senator Jackson.

Senator **JACKSON:** Thank you Mr. President. Ladies and gentlemen of the Senate, this is a tough bill to kind of come down and make a decision on. I understand how important it is to give young people a taste of what their life is going to be in the future and how important it is to develop work ethics. I truly think that those are important things but along with that, as the good Senator from Knox, Senator Rector, said, I also believe that education is very, very important. It is what would have young people rise up to a higher standard than their parents, many times, or generations past. I know that I've only had the opportunity to get a two year degree in college but that was more than my father got. He only went through the eighth grade because he came from a large family and was expected to work. He went to work when he was only 13 or whatever and never had the opportunity to get an education. A formal education I should say because he's probably more intelligent than I am. I'm very concerned about this type of thing, this type of attitude that we've had this session. The original bill called for a lot more than this amendment. We've had bills for training wages. We've had bills that would push the school year back. Things like that. It just seems to be an overall attempt at making it easier for young people to work for some businesses that would want these lower paid workers. The thing that's hard to understand about it is that we have a very high unemployment rate for these types of jobs where people are out there wanting to be hired. I don't understand why we're trying to do everything we can to push for these younger people. Everything that I've heard, and I've been on that committee for nine years and it's not the first time that we've seen this bill, is that it's not if you fall over that 20 hours mark but at 20 hours everything shows that education-wise you start going down from there. Health-wise you start going down from there. Twenty-four hours, I don't know that this is going to

make the worse difference in the world but it's a move towards that. There is nothing to say that you move it 4 hours this session and next session we're back here and move it 4 more hours. I don't know. I just think that 20 hours is where we've been. There are reasons for why that is. There is no great hurry or great need to push people to work more hours. I'm just concerned that this is moving the wrong way. I think everything that you hear from everyone in the state is that educating our young people is the key to economic success for the entire state. This is going to take it away. Okay, so you move from 24 hours. It's a little more money. Kids, I've been there. I understand whenever you get \$300 or \$400 in your pocket when you are 16 years old you think that you've got the world by the tail when you really don't. That's exactly what happened to me. I didn't go back to college until I was 32 years old because I finally smartened up and understood that education would be a lot better than where I was headed. I'm concerned that this is going to entice young people, when they turn 18, to keep right on that road instead of going on to college. There are some people that obviously aren't going to go to college and that's fine and I understand that. We need those people too. For many of these young people, they are going to go out and they are going get the nice car because they are getting more money. That's going to trap them from going to college. I just think that I've seen this play out with kids. I have high school kids right now. I've seen this play out. This law actually helps parents keep their kids in school. I haven't seen, or I haven't heard, a great outcry from anyone that is in support. It's just the opposite. I've heard an outcry of people against this. I cannot stress enough how important I think it is for people to get work ethic but I think that they are going to get that work ethic with the 20 hours plus all the schoolwork they are going to have plus all the basketball games and everything else they are going have. Their plate is going to be fuller than most of ours. It is fuller already than most of ours. Lastly, I would say that there is a process already. If you are a parent and you want your child to work more hours, or if you are a student and you want to work more hours, you can go to the principal, you can go to the superintendent, and sit down and they can sign off on letting you work more hours already for those kids that are so advanced or so capable of handling a full load like this. They can go out and get that extra hour but it's going to be sought out. It's going to be people sitting down and saying, "Oh ya, this really does work for you" as opposed to young people who don't understand how important education is and just going out and starting to work more and more hours. You can say it's only 4 hours and it is, but it's headed down that road. We've seen a great number of bills this session that would bring that way, would bring us further away from having young people educated. I think that's a problem. That's why I didn't support it and that's why I'll be supporting the Minority Report.

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

Senator **SULLIVAN:** Thank you Mr. President. Men and women of the Senate, I rise to let you know I will not be support this motion. It's not that I think the whole bill is bad and not that I think that there are not things to be changed. My biggest concern about this bill is raising that time at night from 10 to 11. Eleven o'clock at night means you have to drive home, even if you are fortunate enough to live close by, 15 or 20 minutes. Time to wash up and do all the things you do before you go to bed, it's at least

12. The kids that would be working are the ones who start school at 8 o'clock in the morning. Six hours of sleep, if you've got to get up around 6:30 or so, shower and do that, go to school, and hopefully have breakfast, and a lot of our kids skip breakfast and come to school hungry and they don't learn to begin with. There is a problem here to working until 11 o'clock at night. Ten o'clock is my line. I need to tell you I know I'm old. I'm the first to admit it. My colleagues usually remind me that I'm old here. However, when I went to college I had to be in by 11 o'clock during the week. College age. Eleven o'clock during the week in the dorm. Twelve o'clock on weekends. Three times a semester I was allowed to be out until 11 o'clock. I see some people laughing. Maybe they were in college around the same time that I was. I'm not that old. We did have cars and phones and indoor plumbing and all kinds of things. I have to tell you that I watch these kids come into school. You cannot be out until 11 o'clock if you can work 6 days a week or 24 hours, depending how you do it. If you take your 6 hours from 3 o'clock in the afternoon until 9 o'clock that's 6 hours. You still have another hour. Start at 3:30 and go to 9:30. I have always said that the week of Memorial Day and the week of Labor Day, when we lose our college kids one way or the other, we should just totally end all of the child labor laws at that time for those two weeks. I'm willing to do that. I understand that they are out getting the last, or the first depending on the holiday you are talking about, of the summer. That's important. I cannot go for something that says 11 o'clock at night. If this were changed with that alone I would be able to vote for it. I want people to know that. It is 10 o'clock every night. You cannot survive on that number of hours of sleep. The very old and young teenagers need their sleep. I can testify, having been in both the very old and the young. I remember. Thank you very much.

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

Senator **SCHNEIDER:** Thank you very much Mr. President. Men and women of the Senate, originally I was a co-signer and I am a co-signer on the bill. I did that with some hesitation. Being somebody who believes in very hard work, I thought potentially this might be a very positive change for our young people, to be able to have longer working hours. This is a learning process. In that process what I came to find was that there have been studies done that show that additional working hours beyond the 20 are actually detrimental to children's educational needs. To me, when I balance additional working hours of 4 hours against making sure that students are adequately provided the best opportunity for education the 4 hours loses, in my book. To me, I cannot agree more about the opportunity to learn on the job. I think it's a fantastic educational opportunity, but at the same time I think it's incredibly critical that we don't detract from the education that we provide to our young people. I think, unfortunately, that the additional work hours and the lengthy hours in the evening would potentially do that, harm our young people. I don't think that is the direction we want to go in. It's with some reluctance, in fact for myself because I know that students want to help their families with the income and at the same time I thought if 4 hours was really going to make that much of a difference to the family income, I'm going to be voting against the pending motion. I hope you will join me. 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, allowing extra stress for our young people, I think, is not doing them any favors. Turning back the safeguards that empower young people to learn is bad business. Education costs more than 50% of our General Fund spending in the State of Maine. Students need to be awake and present when they are in class and they need to go to school. When work becomes more important than school we have a very high drop out rate. We have a high drop out rate in Maine as it is. I think that students have a lot of the stress that they have in their lives and many of them have to work to just earn a living or add income to their family's income is really, I think, too bad and unfortunate. We need to place way more emphasis on education because that's their job. That's their real job. Thank you, Mr. President.

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

Senator **PLOWMAN:** Thank you Mr. President. Men and women of the Senate, I appreciate the concerns that were shared by all of the Senators who spoke today on the bill. The bill rectifies something that was put into law that forbade young adults from working. There is no provision that says that you can work more hours. You are absolutely limited to 20 hours a week or less. We have kids today who are within one or two classes of graduating and they are out of school by 11 o'clock in the morning. They can work 4 hours a day. They would love to be able to work more because they would like to go to college. In a recent AP poll the number one reason that high school students do not go to college is because they can't afford it and their families are in no position to help them. They are asking for a chance to help themselves. Do we recognize the difference between work and the importance of work to help a family? I'd say Aroostook County sets the example. Every year, for hundreds of years, the children were let out of school for the potato harvest. Nobody seemed to think that was a problem, in fact it was a good thing. Go figure. These kids that need to work to help their families with 4 hours more a week at \$7.35 an hour, please note that there is no training wage, there is no attempt in this bill to change minimum wage, will be able to bring in between \$20 and \$22 or \$23 a week more, which adds up to almost \$90 a month for a family living on the edge. Do you know what they do when they can't get 24 hours a week? They try to have three masters; school and two employers. Now the reason that the bill is here is to give a little more hours, to take into account that there are kids who would work on a day off from school where there is no power, when there is a water problem, or when there is a snow day. Did you know they can snowboard at Hermon right up until 2 o'clock in the afternoon and then they can clock in at 2 and go to work but they are not allowed on a snow day to help out on one of the busiest days of the year. It is also pushing the 10 o'clock end time back for the very reason that on Monday morning labor inspectors walk into some of our best employers and ask for all the timecards for 16 and 17 year olds. They look to see who clocked at 10:03 or 10:04 and they start handing out fines. This practice has resulted in employers, large employers, not hiring anyone under 18 because of the mining that goes on Monday mornings. Does this need to be 11 o'clock? Maybe not, but when you are hammering people at 10:02 and 10:03 you are hurting the very businesses that are offering our kids a way to make ends meet and a way to get through college. I got to tell you, the kids that can buy fancy cars are not the ones

that are worried about going to college. They are not the ones that are worried about helping make ends meet. If they can buy a fancy car God bless them. It's none of our business. This is between parents and their children. It should be. We have kids who are very capable and you deny them by opposing this bill. You deny and you forbid. I'm going to tell you those two words, when you are trying to help somebody move up and move on and help out, are not the two words that a 16 or 17 year old needs to hear. You may not help. You are forbidden from helping out. They will find a way. They will work under the table. They will get another job. They are responsible young people. Give them the chance to prove it. Thank you, Mr. President.

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

Senator **BARTLETT:** Thank you Mr. President. I rise in opposition to the pending motion. I think there have been some legitimate concerns raised about the 20 hours and whether someone might, under certain circumstances, be able to work more than 24 hours. Picking up on where the good Senator from Penobscot left off and dealing with school closures, the law already provides that if a school is closed, for example on a snow day, the student can work up to 8 hours on that day and they can work up to 28 hours per week when that has occurred. There already is an exception that deals with school closures that would give the student an opportunity to work those additional hours. Also in any week where the school calendar has less than 3 days of scheduled school session that week a student may increase their hours to 50. They can work up to 50 hours in those weeks. We've already provided significant exemptions that cover those circumstances when school is not in session as much or when there are snow days to let kids work more. One of the pieces that worries me the most is the increase from 4 to 6 hours on any scheduled day. Let's start by remembering that during a school day students are in session for a little less than 6 hours a day. Right now they can work 4 hours, bringing it up to a 10 hour day. They would still have time to do their schoolwork, eat dinner, and get ready for school the next day. We're going to increase it now so they can spend as much time at work as they did at school during the day. That's 12 hours, essentially, of work, of focused attention during the day, leaving little time for any homework, sleep, dinner with the family, or you name it. It is a significant problem, I think, just in the quantity of hours we are asking them to work in a day. If this bill was simply going from 20 to 24 hours, saying to let them work a little bit longer on the weekends, that might be one thing. The fact that we are making this kind of increase, essentially doubling their workday, 6 hours in school a day, to me that is work because it's pretty focused attention, and 6 hours at work. Add the study time on top of that. I also want to address an issue dealing with the nibbling around the edges concern that I have often heard when I served on the Labor Committee. Using the excuse that if the student wasn't out by 10 exactly that big fines were coming. The law has dealt with that as well. It provides that when there are diminutive violations the penalties are disregarded. The violations can simply be disregarded. What that means, in the context of this law, is that you have a 10 minute window so as long as that student has clocked out by 10:10 on any given night you are covered. That provides another little window or cushion of protection for employers. During this debate there have been concerns raised about opportunities for students to do better, to make more

money to fulfill their dreams. If our focus is on students let's really focus on students. Let's say for each additional hour over 20 that a student works let's give them time-and-a-half. If it's important for them and important to their employer to work let's give them a little more money to put towards that cause, to put towards their future, to put towards their families. To say it's about the students when what we really want to do is make sure employers have access to cheaper, transitional labor so they don't have to hire someone that just might want a little bit of a raise from time to time, that might stick around for 2, 3, or 4 years and be entitled to more compensation. I want to help Maine businesses. I want to help Maine students. Let's find a way to do it together, to do it reasonably in a way that is not going to compromise a student's education. Thank you.

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

Senator **MASON:** Thank you Mr. President. Men and women of the Senate, I didn't originally intend to stand up on this bill but I just heard a couple of comments that I felt I needed to address. I would agree with the good Senator from Androscoggin, Senator Craven, that it's unfortunate that sometimes minor children have to contribute to their family's lot in life. It's too bad that this has to happen but every once in a while reality hits and those things have to happen sometimes. I've watched kids when I was growing up in high school that had to help their family out. They had to pitch in. They had to get a job and they had to do what their family needed to keep their heads above water. I think that this bill will give them a little bit more breathing room. I also wanted to address the comment that the Senator from York, Senator Sullivan, made. I can beat you by an hour, Senator. I had to be in my dorm by 10 o'clock when I was in college. As most of the people in here know, Mr. President, I went to a rather conservative Christian college and we had to be in by 10. Man, did that tick me off. I worked at a country club when I was in college and if they would have a wedding at the country club or would sometimes offer people a little extra money if they could stay after and run the golf buggy to pick up the golf balls or clean up after a wedding or do something like that. I couldn't participate in that. I think this is a good bill. I think we ought to let parents parent. I think they know what is best for their kid. I think their kids know what is best for the kids themselves. I think this is a step in the right direction. I don't think that this is any kind of scheme to get cheap labor. I think that this is just a way for kids to be able to earn a little extra money for whatever their lot in life is. I'd encourage everybody to support the motion. Thank you, Mr. President.

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

Senator **PATRICK:** Thank you Mr. President. Ladies and gentlemen of the Senate, I rise in opposition to this motion. One of the factors that I haven't heard today is the education factor. Where is Maine in the graduation rate of our students? Are we near the top of the United States of America as far as graduating our kids from college? I hardly doubt it. As a matter of fact I think we actually have a fairly dismal graduation rate. I think the Chief Executive and every Chief Executive that ever took that job said that we are for education and that they want our kids to strive for education and we're going to have to compete against the Asians,

against the Europeans who send their kids to school for probably twice as long as we do, and we're debating whether or not we want our kids to work 4 hours more per week. Shame on us if we stand here and say, "My goodness gracious, that kid's going to have to try to pay his way through college on minimum wage." The problem is the cost of education in the United States of America and in the state of Maine, even in our community colleges, is doggone high. I'm ashamed to think that we want our kids to work more amount of hours than we do educating them. I can also think of many of my friends whose kids, 16 and 17 years old, finally get their first job. What happens between the child and the parents? Well the next thing you know the kid wants to work more and he's wondering if he really wants to graduate from high school, or buy a truck or a car, and it's kind of nice going out at night and staying out and working on weekends. The next thing you know they are doing just the opposite. Instead of wanting to go to college they are wanting to quit school and work full-time at a menial job. I think the extra 4 hours, although it may not be huge, I remember one Representative always used to use the phrase in the other Body, we're going down a slippery slope. I think that is what happens. I've used a phrase in Legal and Veterans Affairs of you want a bite of the apple. When a group comes before us they want to just take a little bite of the apple. Four hours here, 4 hours there, training wage here, training wage there. What have you got? How is this going to help us raise our graduation rates? How is it going to help us send more kids to college? How is it going to help us to keep more kids in college? Maine also has a deplorable rate, I think it's 36%, of kids only staying the first year in college. That's why they have a Dean of Readmissions, which drives me crazy. Maine does have a great adult education system in the state of Maine, which I think is great but we shouldn't have to use the adult education system in the state of Maine. We want our kids to go to college so they don't have to. Ladies and gentlemen, let's just go along and kill this bill and move onto something more important. Thank you.

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

Senator **DIAMOND:** Thank you Mr. President. Ladies and gentlemen of the Senate, I'd like to pose a question through the Chair to anyone who may wish to respond.

THE PRESIDENT: The Senator may pose his question.

Senator **DIAMOND:** Thank you Mr. President. The question, Mr. President, is where did we arrive at the 20 hours which, evidently, is now the level at which the students can work per week? That's the first question. Second question is, is there any research to show that 10 o'clock would be better than 11 o'clock, for example?

THE PRESIDENT: The Senator from Cumberland, Senator Diamond poses two questions through the Chair to anyone who may wish to answer. The Chair recognizes the Senator from Kennebec, Senator McCormick.

Senator **McCORMICK:** Thank you Mr. President. Men and women of the Senate, I was not going to show my age today and rise and explain what happened when I was younger but I've changed my mind and I will. I have to focus on what this bill is for. It's for 16 and 17 year old teenagers. It's for those who

choose this may be a good thing for them and are supported by their parents in that endeavor. I've had children of my own that have traveled from here to Presque Isle on a school night for a hockey game and gotten home at 2 in the morning. Somehow that's alright. I was in full support of that. That is what our son wanted to do. If our son wanted to work until 10 or 11 at night I would have been supportive of that too. The assumption that seems to be going around here is that somehow these children, if they are home and not working, will be studying. I don't know how many studies I've seen that show, going back 15 years, that kids were spending more than 40 hours a week in front of the TV. I'm sure the computers and cell phones are competing with that number today. I haven't seen any recent studies. I used to teach 8th grade and I can't tell you how many kids would come in on Tuesday mornings and say, "Mr. McCormick, did you see that game last night?" I'd say, "I went to bed at half time." These were 13 year olds staying up past midnight watching Monday night football. The assumption that somehow they will just be home studying if we take away from them, I think, is false. This is for those kids that make that decision. I know when I was young I worked from the time I was old enough to walk. I shoveled stuff in chicken farms and I did all those things. When I look back on those experiences it was never anything about the money. There were so many things you could learn about; responsibility, interacting with adults. The primary thing I learned in every one of those jobs was that this was not what I wanted to do for the rest of my life and maybe I should get some more education. I give the teenagers a little more credit, I think, than most. Thank you, Mr. President.

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

Senator **BARTLETT:** Thank you Mr. President. I want to briefly respond to the question in terms of the 20 hours. There have been a number of studies that have been done which indicate that working more than 20 hours starts to have a significantly negative impact on grades and the ability to focus on all the things that dictate your success in academics. There were a wide range of studies. You can find them dealing with high school students. You can find even more that deal with college students, who you would assume would be better equipped to deal with working more hours. It turns out that whether the student was working on campus or off when you start getting upwards of 20 hours you see a significant deterioration in their grades and their academic performance. To me, that is where the 20 hours comes from. It's based on studies. Perhaps a new study can be done based on 24 hours in Maine if this passes. The reality is that the studies that have been done have shown a marked drop off after 20 hours. To me, that is the kind of science we ought to rely on.

THE PRESIDENT: The Chair recognizes the Senator from Lincoln, Senator Trahan.

Senator **TRAHAN:** Thank you Mr. President. May I pose a question through the Chair?

THE PRESIDENT: The Senator may pose his question.

Senator **TRAHAN:** Thank you Mr. President. I've heard testimony that somehow this is going to be harmful to our academic graduation rates and whatnot. Maine has one of the

worst in the country in that area. If we are one of the strictest in the country when it comes to allowing our students to work, why is it that all these other states are so far ahead of us if they're more liberal with their labor laws?

THE PRESIDENT: The Senator from Lincoln, Senator Trahan poses a question through the Chair to anyone who may wish to answer. The Chair recognizes the Senator from Cumberland, Senator Alfond.

Senator **ALFOND:** Thank you Mr. President. Ladies and gentlemen of the Senate, I am so proud that this question was asked because just recently in the paper, as of this week or maybe late last week, the State of Maine just reported its new 4-year high school graduation at 82.8%, which puts us in the top 10 in this country. I think that one of the things that I think we all can do is celebrate our high schools and celebrate our teachers and celebrate our communities that are putting so much emphasis on our high school graduation because we all know that's the first step into either the workplace or to college or to a career. That's one piece. I would also like to add a couple other things that haven't been discussed today. I know that the Senator from York talked about 11 o'clock and talked about some of the consequences. There are studies after studies that show driving deaths increase for teens, who already have a huge number of those deaths across the country. Keep students until 11 o'clock does increase more students on the road at a later time in the evening. Workplace injuries. We're now putting students in the workplace later in the day, later in the night. More hours during the week. Again, there are studies across the country that show that the longer and later that a worker is in the workplace, especially teens, there is a correlation between fatigue and injuries. Finally, workplace violence. Again, another study shows that the longer you are at the workplace the more chance there will be that you will be associated with workplace violence. All of this has been studied to death. Report after report shows that the 20 hours is an important number. It's an important number because of the answer that I first gave, which is 82.8%, 82.8% of our high school students graduate. I don't think we want to put into law something that possibly could negatively affect that. I hope that people will join my light and vote against this motion.

THE PRESIDENT: The Chair recognizes the Senator from Arostook, Senator Jackson.

Senator **JACKSON:** Thank you Mr. President. Ladies and gentlemen of the Senate, I'm not going to say I'll try to be brief. I didn't know that numbers that the good Senator from Cumberland, Senator Alfond, just said, but that certainly speaks a lot to the question. I wanted to get up and say that I didn't know the answer to that question but I do think that we've had a tough time here in Maine in getting people to go to college and I think we're certainly moving up on those numbers all the time. I think this type of law is probably the reason why we're moving towards that number because people are starting to see the value of education. If you mess with that or start going down letting kids work more and more hours I think we're going to have a worse time convincing people that college is where they really need to be going. Like I said earlier, I had seen this bill before in the Labor Committee. I'm not sure if it was my first or second session. It came in and at the time Representative Bill Smith from Van Buren was the Chair of the committee. When the bill came

in, at first look, I think it was something similar to this. Just a limited number of extra hours. It wasn't going to the full 40 that the original bill did. It was 4 or 6 hours more a week. I really can't remember now. At first look at it I thought, "What's the problem with an extra 4 or 5 hours?" All the testimony came out and all the talk about the 20 hour number kind of being the bar for educational attainment falling backwards. Representative Smith, who I actually got to know and enjoy serving with an awful lot, told the story of the mill in Van Buren, which I now represent. When he was a high school student many of his friends, who he argued were just as good as he was in class at the time, started working at the shingle mill. He said they made a fair amount of money doing it. He said they started to lose interest in school. His mother flat out refused to allow him to work there. He said that years later, after he'd gone into the military and came back and got his law degree at Georgetown, obviously he was doing quite well in the Van Buren area. He said he saw a lot of those guys. He's represented a lot of them for Workers' Comp things. Most of them don't have their fingers and stuff like that from injuries. It really struck me as his experience with his classmates and his feeling that educationally or intellectually they seemed to be on par and, while there is nothing wrong with people working in mills and things like that, it just seemed that education and the lack of not being working those hours that his classmates did certainly made a big difference in Representative Smith's life, where it seems his classmates certainly had it a lot tougher. That is just something that I really kind of came 180 degrees in the Labor Committee on because of that and some other information that came out during those hearings. I don't think there is a bit of problem with people working, people getting that work ethic. I think they are going to get that in the 20 hours that they can work while school is in and all the hours that they can work during the summertime because it's 50 hours a week that they can work during the summertime. I don't think there is a problem with people getting their work ethic in that regard. The 10 o'clock, people getting fined or whatever after 10, well that same thing will happen at the 11 o'clock hour if those people are going consistently over the time limit. I don't see how that actually makes a difference but I'm just concerned that we are moving in the wrong path here. I'd ask you to vote against the pending motion.

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

Senator **SULLIVAN:** Thank you Mr. President. Ladies and gentlemen of the Senate, I actually am answering the question that was posed about the 10 o'clock and 11 o'clock night. There are studies on the education of children. Part of it has to do with the brain actually not getting enough rest. It's sort of like when you try to diet, I'm not successful at that either. When you try to diet and if you go and stop eating completely the body thinks it's starving and it actually will store fat rather than burn it. The body believes it is starving. The brain says the same thing. It begins to just sort of function. When you get tired do you ever drive home and say, "I don't remember going through such and such an intersection tonight." You are really in a fog. Kids do the same thing. They have shown that when kids go on stop and screech all day long, go to bed too late, and have to get up too early they cannot function. They do not learn. Just as when your belly is too empty, you do not learn as well. Just like when your mind is foggy because you've been sleep deprived. Why do they ask

truckers to stay off the roads after so many hours of driving? Why do we ask pilots to have a certain amount of hours for rest over before they can take another flight? If kids are growing at a faster rate, and they are, their metabolism is different, they need the rest. You cannot go on 6 hours of sleep every night and think that you are going to be fine. I would recommend that you go to any of the websites that talk about the affect of sleep on children. Believe it or not, we even run schools wrong. We should be putting our older kids into school later in the morning and starting our elementary kids earlier because of the sleep cycle that teenagers have and young kids have. We don't do that. I also want to tell you that the other piece, I think it was the Kennebec, Senator McCormick, who talked about growing up and working. I am willing to bet that, if it were legal, we'd have at least 90% of the people in here that grew up with a mom and dad in the house. We had people who grew up, I see a couple of people shaking their heads and I know that's true, in the Ozzie and Harriet day. Father Knows Best. We'd be laughed right out now if fathers know best. Maybe mothers know best. I got somebody's eyes to sort of go up on that one. Just joking. Seriously, it is a time when our kids don't have that. The reason why 13 year olds are watching football games at night is because their parents are either out working or they don't care. My parents didn't have the luxury to go to college but all three of their children did. Until their dying day they were the most proud of that. All three of their children went to college. I did not come from a wealthy home. We had parents then who realized the importance of education. We had two parents doing the parenting job and that was sort of that tough love piece. This is important. The whole idea of education and the fact that the model we've always used is the school is an absent parent. We need to make decisions. Keeping kids up and having them work on less than 6 hours a night, they cannot do it. That's my biggest complaint with this bill. Six hours of sleep a night. Ten o'clock, dropping it from 11 to 10. There are studies. I'd ask you to go and look at those studies. Thank you for your time and I'm not going to stand up again on this subject.

THE PRESIDENT: The Chair recognizes the Senator from Franklin, Senator Saviello.

Senator **SAVIELLO:** Thank you Mr. President. Ladies and gentlemen of the Senate, very quickly. I looked at this fact sheet and I noticed there is a point on here that no state in New England, other than Maine, limits the age group to 4 hours except Connecticut with 6 hours, Massachusetts and Rhode Island at 9, Vermont and New Hampshire has no limit. The second bullet down after that says only Massachusetts and Maine in New England limit the day of work until 10, Rhode Island is 11:30, Vermont and New Hampshire have no limits. I'm trying to figure out how to use my little phone here and I quickly looked it up. I found out Vermont has the second highest high school graduation rate. Seems the fact that they have no limit there hasn't affected their ability to graduate. Thank you, Mr. President.

THE PRESIDENT: The pending question before the Senate is the motion by the Senator from Knox, Senator Rector 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 (#52)

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

NAYS: Senators: ALFOND, BARTLETT, BRANNIGAN, CRAVEN, GERZOFISKY, GOODALL, HILL, HOBBS, JACKSON, PATRICK, SCHNEIDER, SULLIVAN, WOODBURY

ABSENT: Senator: BLISS

21 Senators having voted in the affirmative and 13 Senators having voted in the negative, with 1 Senator being absent, the motion by Senator **RECTOR** of Knox to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, **PREVAILED**.

READ ONCE.

Committee Amendment "A" (S-79) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senate at Ease.

Senate called to order by the President.

Divided Report

The Majority of the Committee on **TRANSPORTATION** on Bill "An Act To Provide Funding for the State Transit, Aviation and Rail Transportation Fund"

S.P. 180 L.D. 597

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

Signed:

Senator:
DIAMOND of Cumberland

Representatives:
GILLWAY of Searsport
HOGAN of Old Orchard Beach
PARRY of Arundel
RIOUX of Winterport
THERIAULT of Madawaska
WILLETTE of Mapleton

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-78).**

Signed:

Senators:

COLLINS of York
THOMAS of Somerset

Representatives:

CEBRA of Naples
MAZUREK of Rockland
PEOPLES of Westbrook
ROSEN of Bucksport

Reports **READ.**

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

Sent down for concurrence.

Divided Report

The Majority of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Clarify Certain Provisions in the Harness Racing Laws"

S.P. 153 L.D. 561

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-73).**

Signed:

Senators:

FARNHAM of Penobscot
PATRICK of Oxford
PLOWMAN of Penobscot

Representatives:

BEAULIEU of Auburn
CAREY of Lewiston
CHIPMAN of Portland
CROCKETT of Bethel
DAMON of Bangor
JOHNSON of Eddington
LONGSTAFF of Waterville
RUSSELL of Portland
WILLETTE of Presque Isle

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

Signed:

Representative:

VALENTINO of Saco

Reports **READ.**

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

READ ONCE.

Committee Amendment "A" (S-73) **READ** and **ADOPTED.**

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

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

SECOND READERS

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

House

Bill "An Act To Eliminate Duplication of Paint Disclosure and Radon Requirements"

H.P. 427 L.D. 544

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

House As Amended

Bill "An Act To Repeal the Informed Growth Act"

H.P. 255 L.D. 322
(C "A" H-108)

Bill "An Act To Exempt Retired Military Pay from State Income Tax"

H.P. 477 L.D. 647
(C "A" H-123)

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
(C "A" H-130)

Bill "An Act To Provide Additional Flexibility for the Funding of Infrastructure Improvements by Consumer-owned Water Utilities"

H.P. 668 L.D. 909
(C "A" H-126)

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
(C "A" H-127)

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

Senate As Amended

Bill "An Act To Make Changes to the Motorcycle Inspection Sticker Requirements"

S.P. 72 L.D. 221
(C "A" S-66)

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
(C "A" S-71)

Bill "An Act To Facilitate a Change of Location for Liquor Retailers"

S.P. 105 L.D. 343
(C "A" S-68)

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
(C "A" S-70)

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
(C "A" S-64)

Bill "An Act To Require Disclosure of the Origin of Certain Products Sold at Farm Stands" (EMERGENCY)

S.P. 230 L.D. 738
(C "A" S-49)

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
(C "A" S-69)

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

Sent down for concurrence.

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

Off Record Remarks

ENACTORS

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

Emergency Measure

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)

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 Make Technical Changes to Aquaculture Laws

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

An Act To Clarify the Role of the Public Advocate

S.P. 133 L.D. 429
(C "A" S-46)

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

S.P. 135 L.D. 431
(C "A" S-47)

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

An Act To Clarify the Boundary between the Town of Cushing and the Town of Friendship, Town of Warren, Town of Thomaston and Town of Waldoboro

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

An Act To Clarify the Procedure by Which a Salvage Company May Apply for a Motor Vehicle Title

S.P. 190 L.D. 610
(C "A" S-45)

An Act To Amend Certain Laws Governing County Sheriffs

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

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)

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

H.P. 612 L.D. 816

An Act To Amend the Lien Process for Unpaid Water Rates

H.P. 796 L.D. 1061

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

H.P. 853 L.D. 1155

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

An Act To Create the Maine Fishery Infrastructure Tax Credit Program

S.P. 125 L.D. 421
(C "A" S-42)

On motion by Senator **ROSEN** of Hancock, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **ENACTMENT**, in concurrence.

Resolves

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

Resolve, To Design and Implement a Demonstration Project on Recertification of Certified Nursing Assistants

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

Resolve, To Review the Laws Governing Slaughterhouses

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

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

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

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 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 - May 3, 2011, by Senator **ALFOND** of Cumberland

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.**)

Report **ACCEPTED**, in concurrence.

READ ONCE.

Committee Amendment "A" (H-92) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

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

SENATE REPORTS - from 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

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

Minority - **Ought to Pass as Amended by Committee Amendment "A" (S-65)** (5 members)

Tabled - May 5, 2011, by Senator **McCORMICK** of Kennebec

Pending - motion by same Senator to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report

(In Senate, May 5, 2011, Reports **READ.**)

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

Sent down for concurrence.

Off Record Remarks

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 Replacement of Firearms Carried by Maine State Police"
H.P. 1142 L.D. 1556

Presented by Representative BEAUDOIN of Biddeford.
Cosponsored by Representatives: BRIGGS of Mexico, CHASE of Wells.
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.

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Eliminate the Waiting Period before Insurance Adjusters May Offer Adjustment Services"
H.P. 1141 L.D. 1555

Presented by Representative HASKELL of Portland.
Cosponsored by Senator GERZOFKY of Cumberland and Senator: ALFOND of Cumberland, Representative: STRANG BURGESS of Cumberland.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Comes 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 Paper

Bill "An Act To Update Professional and Occupational Licensing Statutes"

H.P. 1145 L.D. 1560

Presented by Representative PRESCOTT of Topsham.
Cosponsored by Senator RECTOR of Knox and Representatives: DRISCOLL of Westbrook, HUNT of Buxton.
Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.

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.

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Raise the Speed Limit on Interstate 95 between the City of Old Town and the Town of Houlton"
H.P. 1143 L.D. 1557

Presented by Representative WILLETTE of Mapleton.
Cosponsored by Senator SHERMAN of Aroostook and Senator: JACKSON of Aroostook, Representatives: CLARK of Easton, EDGECOMB of Caribou, GIFFORD of Lincoln, LONG of Sherman, MARTIN of Eagle Lake, THERIAULT of Madawaska, WILLETTE of Presque Isle.
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.

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

REPORTS OF COMMITTEES

House

Pursuant to Statute

The Committee on **GOVERNMENT OVERSIGHT COMMITTEE** on Resolve, To Study Allocations of the Fund for a Healthy Maine
H.P. 1144 L.D. 1558

Reported that the same be **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**, pursuant to the Maine Revised Statutes, Title 3, section 997, subsection 2.

On motion by Senator **COURTNEY** of York, **ADJOURNED** to Wednesday, May 11, 2011, at 10:00 in the morning.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**.

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

Resolve and accompanying papers **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**, in concurrence.

Off Record Remarks

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

Senator **JACKSON** of Aroostook was granted unanimous consent to address the Senate off the Record.

Off Record Remarks

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

Senator **SHERMAN** of Aroostook was granted unanimous consent to address the Senate off the Record.

Senator **KATZ** of Kennebec was granted unanimous consent to address the Senate off the Record.

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