

MAINE STATE LEGISLATURE

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Senate Legislative Record
One Hundred and Twenty-Fifth Legislature

State of Maine

Daily Edition

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

Pages 1 - 1494

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

In Senate Chamber
Tuesday
June 7, 2011

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

Prayer by Pastor Glenn Peterson, Hope Baptist Church, Manchester.

PASTOR PETERSON: Dear God, we praise You today that You are a strong God. You have the power to give us what we need, so we praise You today with the word of Psalm 46: God is our refuge and strength, an ever present help in trouble, therefore, we will not fear. Because You are strong, God, we ask You today to give strength to these Senators who are gathered here. The Senators have put in long days and nights for the people of the State of Maine and most of the Senators are tired, so we ask for Your strength today so the Senators can persevere in completing their important work. We ask, Lord, that in their tiredness, they might not be impatient with one another today. We ask this while in their tiredness they might not shut their ears to one another. Help them to listen well. We ask, O' God, that You might give them strength to find fresh solutions for the challenges that our state is facing. Finally, God, we ask that our Senators might have joy in what they are doing today. When we get tired life can seem like no fun at all, so let our Senators have fun in what they do today. Let them enjoy what You have called them to do, and may the joy that You give them give them fresh strength to complete their work. In Your strong and mighty name we pray, Amen.

Pledge of Allegiance led by Senator Lois A. Snowe-Mello of Androscoggin County.

Doctor of the day, Charles Pattavena, MD, FACEP, Winterport.

Reading of the Journal of Monday, June 6, 2011.

Off Record Remarks

PAPERS FROM THE HOUSE

Joint Resolution

On motion by Senator **MASON** of Androscoggin, the following Joint Resolution:

S.P. 517

**JOINT RESOLUTION RECOGNIZING
THE DEDICATION AND RESOLVE OF MEDICAL CARE
PROFESSIONALS IN HOSPITALS**

WHEREAS, emergency medical care providers and medical care professionals in hospitals are committed to providing treatment to any injured or ill person, regardless of the circumstance; and

WHEREAS, studies show an increasing number of assaults against hospital medical care workers resulting in bodily harm; and

WHEREAS, the federal Centers for Disease Control and Prevention issued a 2002 publication entitled Violence: Occupational Hazards in Hospitals explaining that violence in hospitals is often different from violence in other workplaces because it results from patients and families who may feel frustrated, vulnerable and out of control; and

WHEREAS, hospital medical care professionals are particularly vulnerable to workplace assaults because of several unique risk factors such as the open, welcoming environment of hospitals and the resulting continuous stream of patients and visitors, the increase in the number of patients with substance abuse issues and the presence of distraught family members; and

WHEREAS, recent studies report that workplace violence is a significant and widespread public health concern among health care workers, and not only among those workers in emergency or psychiatric departments, and the health care sector in general continues to lead all other industry sectors in the incidence of nonfatal workplace assaults; and

WHEREAS, the United States Bureau of Labor Statistics reported that, in 2000, almost half of all nonfatal injuries from violent acts against workers occurred in the health care sector; and

WHEREAS, a recent survey found that 20% of a hospital's staff reported a physical assault in the last 5 shifts worked and one Florida study reported that 100% of emergency department nurses had experienced verbal threats and 82% had been physically assaulted; and

WHEREAS, although staff in other hospital units also reported unacceptably high levels of verbal threats and physical violence, emergency department staff experienced the highest volume of reported assaults; and

WHEREAS, violence against medical care professionals occurs regardless of the size or location of the hospital or community; and

WHEREAS, the safety of Maine's medical care professionals working in hospitals is essential for Maine's health care system to function properly to provide the best care for residents of the State; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-fifth Legislature now assembled in the First Regular Session, on behalf of the people we represent, take this opportunity to send our deep appreciation to medical care professionals, who work in hospitals under conditions that are not only stressful but may be high-risk, for their dedication and resolve; and be it further

RESOLVED: That We, the Members of the One Hundred and Twenty-fifth Legislature, recognize the serious nature and unacceptably high number of violent acts committed against medical care professionals in hospitals and the need to better ensure a safe working environment for those workers and we express support for exploring future measures designed specifically to enhance safety for medical care professionals in hospitals and in the medical field; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Maine Emergency Nurses Association, the Maine Hospital Association, the Maine Prosecutors Association, the Maine Sheriffs' Association and the Maine Chiefs of Police Association.

READ and ADOPTED.

Sent down for concurrence.

Senate at Ease.

Senate called to order by the President.

Senator **MARTIN** of Kennebec was granted unanimous consent to address the Senate on the Record.

Senator **MARTIN**: Thank you Mr. President. Men and women of the Senate, I would like to take this opportunity to recognize one of our outstanding biologists at the Inland Fisheries and Wildlife Department. Sandy Richie, who is a wildlife biologist with the department, is the recipient of the Wildlife Society's 2011 Meritorious Service Award. Sandy has been very instrumental in helping us develop the deer plan which is one of the committee's biggest goals of the session and it has been quite a success. With that I would just like to extend my thank you to her as well as the Senate congratulations. Thank you, Mr. President.

Senator **TRAHAN** of Lincoln was granted unanimous consent to address the Senate off the Record.

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

THE PRESIDENT: The Chair is pleased to recognize in the rear of the chamber the recipient of the Wildlife Society's 2011 Meritorious Service Award, Sandy Richie of the Department of Inland Fisheries and Wildlife. Would Sandy please rise and accept the greetings and thanks of the Maine Senate.

REPORTS OF COMMITTEES

Senate

Ought to Pass As Amended

Senator McCORMICK for the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Establish Host Homes in Maine as Alternative Emergency Shelters for Homeless Youth" S.P. 142 L.D. 509

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-255)**.

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

READ ONCE.

Committee Amendment "A" (S-255) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**.

Ordered sent down forthwith for concurrence.

Senator McCORMICK for the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Ensure Patient Privacy and Control with Regard to Health Information Exchanges" S.P. 414 L.D. 1337

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-261)**.

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

READ ONCE.

Committee Amendment "A" (S-261) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**.

Ordered sent down forthwith for concurrence.

Senator **MARTIN** for the Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Restore the White-tailed Deer Population and Improve Maine's Wildlife Economy and Heritage" S.P. 502 L.D. 1569

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-256)**.

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

READ ONCE.

Committee Amendment "A" (S-256) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**.

Ordered sent down forthwith for concurrence.

Senator FARNHAM for the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To End Homelessness for Veterans in Maine"

S.P. 212 L.D. 723

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-251)**.

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

READ ONCE.

Committee Amendment "A" (S-251) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**.

Ordered sent down forthwith for concurrence.

Senator FARNHAM for the Committee on **VETERANS AND LEGAL AFFAIRS** on Resolve, To Reduce Funding to Maine Clean Election Act Candidates

S.P. 215 L.D. 726

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-253)**.

Report **READ**.

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

Divided Report

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Increase College Attainment"

S.P. 290 L.D. 944

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-260)**.

Signed:

Senator:

ALFOND of Cumberland

Representatives:

LOVEJOY of Portland

MAKER of Calais

McCLELLAN of Raymond

NELSON of Falmouth

RANKIN of Hiram

WAGNER of Lewiston

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

Signed:

Senators:

LANGLEY of Hancock

MASON of Androscoggin

Representatives:

RICHARDSON of Carmel

EDGECOMB of Caribou

JOHNSON of Greenville

McFADDEN of Dennysville

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

Reports **READ**.

Senator **LANGLEY** of Hancock moved the Senate **ACCEPT** the Minority **OUGHT NOT TO PASS Report**.

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

Senator **ALFOND:** Thank you Mr. President. Ladies and gentlemen of the Senate, I rise today as part of the Majority on L.D. 944 and would ask that people really think about this vote. We talk about a lot of important things in this Body, but there is probably none more important than our economic future. Our economic future truly lays with the foundation on how our K-12 system does and then how those students, approximately 12,000 students every year, move on to some sort of higher ed or certificate program. Currently, right now, in a class of around 12,000, which is in most of in our districts, are graduating right now. There are around 12,000 students that are graduating and of those 12,000 students around 50% will not go for a certificate program and will not go into some sort of higher education. What are the barriers? What is holding them back? Many things are out there, but a couple really stand out. One is the cost of education. Secondly are the barriers, whether it is your parents didn't go, so you don't think you are college material, and others get intimidated by the college application. This bill addresses two of the major barriers. Is it a silver bullet? Will it solve our economic future? No, but it does provide a good tool in the tool kit for our schools going forward. What this bill would do is it would require a student to fill out a college application and fill out

a FASFA form in order to graduate. Now there are plenty of exceptions. There are plenty of ways for a student and parent to opt out and they were crafted very carefully in committee. At the end of the day, I don't think that anyone in this Body or anyone that looks at education in the state of Maine could argue that we need more students, both those that are traditional that are coming thru the K-12 system and those that have started school to go back to school and figure out skills and tools necessary to compete in this environment, in this economy. I think this is a small but very important tool for our K-12 students to understand. When they are in 5th grade they can already be starting to talk about how, in order to graduate, they need to fill out a college application. In 8th grade, with their guidance counselors, that in order to graduate they have to fill out a college application. When they become a sophomore or Junior, they have to fill out a college application to graduate. Now the extra piece is that they fill out the FASFA form and figure out how much money they can get through financial aid. The FASFA form is free, it doesn't cost anyone anything to fill out a FASFA form, and that information is crucial for that student, who might be the first student in their family to go to school, to understand that there is thousands of dollars there waiting for them if they go to school. College applications: currently at both of our systems, the University of Maine system and the Maine Community College system, on their application have a hardship box. It is going to cost the student zero and there are no eligibility requirements for that hardship clause. Essentially the system would work pretty simple. In order to graduate, unless you opted out, you need to fill out a college application, get over that barrier and understand you are college material. Fill out the FASFA form, understand how much money is available to you, and you can now graduate with you classmates. If you have opted out, you have opted out and that's fine, but I would hope that you would still go to college or go after some certificate program. I really urge the Body to think about our economic future. Think about where and what kind of wonderful thresholds we should put to our K-12 students so that they can move on to higher ed or certificate program. Thank you, Mr. President.

THE PRESIDENT: The Chair recognizes the Senator from Hancock, Senator Langley.

Senator **LANGLEY:** Thank you Mr. President. Men and women of the Senate, just to sort of be on the opposite side of this. It is very laudable to do that, but I was actually in the classroom when the resolve was passed in the 123rd Legislature and prior to that. I have to tell you that when you mandate that students fill out applications the product that you get is not something that you would ever want to submit to a college. Then having filled out no less than seven FASFA forms myself, feeling like I had to call on my accounting classes that I had back in college, it is a daunting process as well. There are many, many opt outs here that if the students are enlisting in the military or in an internship, or the parents just don't want to do this. It really is encouraging to do this, but you really have to want to do this and to really want to fill out an application and go to college and to make that all worthwhile, otherwise it becomes another mandate. You have to chase kids around, try to get them to fill the requirement. You don't get quality work out of them. I think there is another way to do that. There was a resolve passed in the 123rd. The Department of Education saw the law to implement methods to encourage school administrative units to encourage secondary

education students to complete at least one application. Believe me, that is done quite a bit. This, to me, this just doesn't seem to be needed. Thank you very much.

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

Senator **ALFOND:** Thank you Mr. President. Ladies and gentlemen of the Senate, just two or three quick things. Clearly, I am very passionate about this as well as the good Senator from Hancock. I think that we both absolutely want to try to figure out the best ways for students to succeed in today's economy. The Senator spoke about what happened in the 123rd. There was a resolve passed. What concerns me, not only about this bill but about many things that are happening in our education system, is that we are creating a two tiered system. We have some schools that are racing ahead. The Senator is right, we have some schools that have opted in to making their students fill out a college application. Some are even asking them to fill out a FASFA form. Then there are many schools that aren't. What I worry about is; does our state continue this divide of those schools that make it a priority, those schools that decide that this is important, and then they usually have better results because of it. As far as getting students to do something they don't want to do, I might argue that there are probably lots of things that students don't want to do during their high school career. I would say for those applications that aren't up to snuff, one of the things that we suggested in the bill, that is part of the amendment, is that if the students fills out the application and has no interest in going to school, that application does not get sent to the college. I worked with the University of Maine system and the Maine Community College system and we don't want to flood their application process with those students that have no interest in going to school now, and that is okay. By doing this two piece process, what you have done is you've got that student over the barrier, over the barrier that, "I can't fill out a college application" and "Oh, the FASFA form is too difficult". Speaking of the FASFA form being too difficult, why wouldn't we want to use all the resources in our schools to help those students fill out the FASFA form? If it is so challenging for parents, why wouldn't we want to use all the resources in our schools to help those students while our schools can help them fill out the FASFA? To me, I think we are missing a great opportunity to use the resources presented to us in our K-12 schools. Again, Mr. President, I urge the Body to reject this motion and go on to the Majority Ought to Pass that was sent forth through the Committee. Thank you.

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

Senator **CRAVEN:** Thank you Mr. President. Men and women of the Senate, I stand to oppose the pending motion because I come from a city that has the highest poverty rates in the state of Maine. We also have a lot of new Mainers that aspire to go to college, but their parents don't have enough cultural experience or English language skills to help our new immigrants or new Mainers apply for college, to know the process, or to know how they might qualify for financial aid. I know I have heard our own counselors at Lewiston High School lament that their students do not fill out financial aid forms or really research how to get to college. I think the Majority Report would make a very big difference in moving forward, at least teaching and training people

and allowing people to know how to do the process. Thank you, Mr. President.

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

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

THE PRESIDENT: The pending question before the Senate is the motion by the Senator from Hancock, Senator Langley to Accept the Minority Ought Not to Pass 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 (#182)

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

NAYS: Senators: ALFOND, BARTLETT, BRANNIGAN, CRAVEN, DILL, GERZOFISKY, HILL, HOBBS, JACKSON, PATRICK, WOODBURY

EXCUSED: Senator: GOODALL

23 Senators having voted in the affirmative and 11 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **LANGLEY** of Hancock to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report, **PREVAILED**.

Sent down for concurrence.

Divided Report

The Majority of the Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Include Teachers in the State Employee Health Insurance Program"

S.P. 261 L.D. 857

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-258)**.

Signed:

Senators:

WHITTEMORE of Somerset
BRANNIGAN of Cumberland
SNOWE-MELLO of Androscoggin

Representatives:

BEAUDOIN of Biddeford
FITZPATRICK of Houlton
GOODE of Bangor
McKANE of Newcastle
MORRISON of South Portland
TREAT of Hallowell

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

Signed:

Representatives:

RICHARDSON of Warren
BECK of Waterville
MORISSETTE of Winslow
PICCHIOTTI of Fairfield

Reports **READ**.

Senator **WHITTEMORE** of Somerset moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

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

THE PRESIDENT: The Chair recognizes the Senator from Hancock, Senator Rosen.

Senator **ROSEN:** Thank you Mr. President. First of all I want to express my support for this bill. I do have a question regarding the fiscal cost and that is, as I read this proposal, it is to form this group to look at the consolidation of health plan coverage for State employees, retirees, and other public employees, yet the obligation of \$315,800. As I understand it, it is a General Fund obligation. The question I wish to pose is; is there an opportunity in the bill for any other public employee entities to participate in the actuarial cost of the bill?

THE PRESIDENT: The Senator from Hancock, Senator Rosen poses a question through the Chair to anyone who may wish to answer. The Chair recognizes the Senator from Cumberland, Senator Brannigan.

Senator **BRANNIGAN:** Thank you Mr. President. Men and women of the Senate, I wish there was. Some powerful people in the Appropriations area, working with the table, might very well find the huge amounts of money involved here. They might find some generous groups to help out. The issue here is that we spend a ton of money on health insurance and yet we spend it in several different silos. One would expect that the more people you have in a plan the cheaper it will be. That is what this is hoping for. There are 70,000 teachers that we pay health insurance for. There are 40,000 state employees and retirees, we pay their health insurance. There are all the people in the

universities that we pay for their health insurance, in different silos, in different ways. You saw a piece yesterday that was sent around, I believe by Senator Snowe-Mello, that tells you about the teachers trust which has built up and built up reserves up to \$90 million. A small amount of that might help to do a study. The issue is that people have wanted to do this for some time. Will it work? Should you have that big a group? How do you manage it? Is it cheaper? We should know. I hope you will vote in favor of this and send it to the table and see if some of the more generous groups will help to fund it. Thank you, Mr. President.

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

Senator **SULLIVAN:** Thank you Mr. President. Men and women of the Senate, I rise in opposition to this for several reasons. The fiscal note is of concern to me. The fact that the teachers fund is an ARISA fund. We have brought down, we being teachers and I am a teacher. Everyone knows that and you would all be disappointed if I didn't say that when I rise each time to speak. The ARISA program is paid by the local municipality and the teachers. It doesn't come out of the General Fund. Being an ARISA program it means it has a federal government spawn to it not public. Also, as part of that trust is used to buy down premiums. When your municipalities were paying lots of money for your double digit rises in insurance costs, maybe 10 years ago, we were buying down millions of dollars of that each year so that it would cost the municipalities less and the teachers less for their insurance. It is not a State plan. Teachers have not been equal at all in the State plans in the 28 years I have been teaching. It is as simple as that. It is not equal and we have had opportunities to do this again and again and it hasn't happened. Opportunities to be part of the system. It didn't happen, but now we think, "Oh well, we will put it with the system". I would ask you not to vote for this. I would ask you to tread very lightly where you have an ARISA program. You need to go back. You need to really look at what ARISA requires you to do and what we have to beat. At this point in time to put this amount of money into a study, I think, is ill conceived. I saw a bumper sticker, I was going to say yesterday but I didn't go anywhere so it must have been Sunday, that said, "If it ain't broken just keep fixing it until it is." Sometimes I feel like the teachers have something going in insurance with the ARISA program. It's working. We're buying down premiums to help the municipalities we work for. Keep fixing it, people, it ain't broken yet, not this part, not this time when we are making so many changes. I ask you to oppose this. Thank you, Mr. President.

THE PRESIDENT: The pending question before the Senate is the motion by the Senator from Somerset, Senator Whittemore 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 (#183)

YEAS: Senators: BARTLETT, BRANNIGAN, COLLINS, DILL, FARNHAM, HASTINGS, HILL, JACKSON, KATZ, LANGLEY, MARTIN, MASON, PLOWMAN, RECTOR, ROSEN, SAVIELLO, SNOWE-MELLO, THIBODEAU, THOMAS, TRAHAN, WHITTEMORE, WOODBURY

NAYS: Senators: ALFOND, COURTNEY, CRAVEN, DIAMOND, GERZOFKY, HOBBSINS, MCCORMICK, PATRICK, SCHNEIDER, SHERMAN, SULLIVAN, THE PRESIDENT - KEVIN L. RAYE

EXCUSED: Senator: GOODALL

22 Senators having voted in the affirmative and 12 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **WHITTEMORE** of Somerset to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, **PREVAILED**.

READ ONCE.

Committee Amendment "A" (S-258) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**.

Ordered sent down forthwith for concurrence.

Divided Report

The Majority of the Committee on **JUDICIARY** on Bill "An Act Concerning Tort Claims and Governmental Entities" S.P. 377 L.D. 1256

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-266)**.

Signed:

Senators:
HASTINGS of Oxford
BARTLETT of Cumberland
WOODBURY of Cumberland

Representatives:
DILL of Cape Elizabeth
MALONEY of Augusta
MOULTON of York
PRIEST of Brunswick
ROCHELO of Biddeford

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

Signed:

Representatives:

- NASS of Acton
- BEAULIEU of Auburn
- FOSTER of Augusta
- SARTY of Denmark
- WATERHOUSE of Bridgton

Reports **READ**.

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

READ ONCE.

Committee Amendment "A" (S-266) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**.

Ordered sent down forthwith for concurrence.

Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act Regarding Labor Contracts for Public Works Projects"

S.P. 378 L.D. 1257

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-254)**.

Signed:

Senators:

- THOMAS of Somerset
- COLLINS of York

Representatives:

- COTTA of China
- CELLI of Brewer
- HARVELL of Farmington
- MOULTON of York
- TURNER of Burlington

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

Signed:

Senator:

- SULLIVAN of York

Representatives:

- BOLAND of Sanford
- BOLDUC of Auburn
- CASAVANT of Biddeford
- GRAHAM of North Yarmouth
- KAENRATH of South Portland

Reports **READ**.

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

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

Off Record Remarks

Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Ensure Accountability in State Contracts"

S.P. 468 L.D. 1492

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

Signed:

Senators:

- THOMAS of Somerset
- COLLINS of York
- SULLIVAN of York

Representatives:

- COTTA of China
- CASAVANT of Biddeford
- CELLI of Brewer
- HARVELL of Farmington
- 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" (S-262)**.

Signed:

Representatives:

- BOLAND of Sanford
- BOLDUC of Auburn
- GRAHAM of North Yarmouth
- KAENRATH of South Portland

Reports **READ**.

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

Divided Report

The Majority of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Amend Seasonal Licenses for the Operation of Beano or Bingo Games"

S.P. 441 L.D. 1427

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-252)**.

Signed:

Senators:

FARNHAM of Penobscot
PATRICK of Oxford
PLOWMAN of Penobscot

Representatives:

CAREY of Lewiston
CHIPMAN of Portland
CROCKETT of Bethel
DAMON of Bangor
LONGSTAFF of Waterville
RUSSELL of Portland
VALENTINO of Saco
WILLETTE of Presque Isle

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

Signed:

Representatives:

BEAULIEU of Auburn
JOHNSON of Eddington

Reports **READ**.

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

READ ONCE.

Committee Amendment "A" (S-252) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**.

Ordered sent down forthwith for concurrence.

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

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 (5/25/11) Assigned matter:

HOUSE REPORTS - from the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Implement the Recommendations of the Working Group Concerning Domestic Violence and Firearms"

H.P. 312 L.D. 386

Majority - **Ought Not to Pass** (9 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (H-330)** (4 members)

Tabled - May 25, 2011, by Senator **WHITTEMORE** of Somerset

Pending - **ACCEPTANCE OF EITHER REPORT**

(In House, May 25, 2011, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.)

(In Senate, May 25, 2011, Reports **READ**.)

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

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

On motion by Senator **COURTNEY** of York, **TABLED** until Later in Today's Session, pending the motion by Senator **WHITTEMORE** of Somerset moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence. (Roll Call Ordered)

The Chair laid before the Senate the following Tabled and Later (6/3/11) Assigned matter:

SENATE REPORTS - from the Committee on **TAXATION** on Bill "An Act To Provide an Internship Employment Tax Credit"
S.P. 413 L.D. 1336

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

Minority - **Ought to Pass as Amended by Committee Amendment "A" (S-229)** (3 members)

Tabled - June 3, 2011, by Senator **WOODBURY** of Cumberland

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

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

On motion by Senator **ALFOND** of Cumberland, **TABLED** until Later in Today's Session, pending the motion by Senator **WOODBURY** of Cumberland to **ACCEPT** the Majority **UGHT NOT TO PASS** Report.

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

Senate at Ease.

Senate called to order by the President.

The Chair laid before the Senate the following Tabled and Later (6/6/11) Assigned matter:

Resolve, To Study Motor Fuel and Fuel Additives and To Explore Alternatives to Ethanol Motor Fuel

H.P. 636 L.D. 839
(C "A" H-277)

Tabled - June 6, 2011, by Senator **SCHNEIDER** of Penobscot

Pending - **FINAL PASSAGE**, in **NON-CONCURRENCE**

(In Senate, June 1, 2011, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-277)**, in concurrence.)

(In House, June 3, 2011, Resolve and accompanying papers **INDEFINITELY POSTPONED**.)

(In Senate, June 6, 2011, motion by Senator **SAVIELLO** of Franklin to **INDEFINITELY POSTPONE** Resolve and accompanying papers, **FAILED**.)

Senator **SAVIELLO** of Franklin moved to **INDEFINITELY POSTPONE** the Resolve and accompanying papers, in concurrence.

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

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

Senator **SCHNEIDER:** Thank you Mr. President. I'll be very brief. I just want to remind you about the people who are very passionately in favor of making sure we make a clear definitive statement about the concerns and responding to those concerns by constituents who's small engines are being deteriorated by ethanol, by the fact that food prices are increasing because of ethanol, and I think that this is sending a message. I would hope that you oppose the pending motion because of that. Thank you

THE PRESIDENT: The pending question before the Senate is the motion by the Senator from Franklin, Senator Saviello to Indefinitely Postpone the Resolve and accompanying papers. 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 (#184)

YEAS: Senators: ALFOND, BARTLETT, COURTNEY, CRAVEN, FARNHAM, GERZOFISKY, HASTINGS, KATZ, LANGLEY, MARTIN, MASON, MCCORMICK, PLOWMAN, RECTOR, ROSEN, SAVIELLO, SHERMAN, THIBODEAU, TRAHAN, WHITTEMORE, THE PRESIDENT - KEVIN L. RAYE

NAYS: Senators: BRANNIGAN, COLLINS, DIAMOND, DILL, HILL, HOBBS, JACKSON, PATRICK, SCHNEIDER, SNOWE-MELLO, SULLIVAN, THOMAS, WOODBURY

EXCUSED: Senator: GOODALL

21 Senators having voted in the affirmative and 13 Senator having voted in the negative, with 1 Senator being excused, the motion by Senator **SAVIELLO** of Franklin to **INDEFINITELY POSTPONE** the Resolve and accompanying papers, in concurrence, **PREVAILED**.

THE PRESIDENT: The last motion on this bill before it was tabled on June 6, 2011 was to Indefinitely Postpone and that motion failed. According to Mason's Section 67, with no intervening business having taken place between the Indefinitely Postpone motion on the 6th and the same motion on the 7th, the Chair would have to treat the motion by the Senator from Franklin, Senator Saviello, as a motion to Reconsider. The Senator from Franklin, Senator Saviello, was not on the prevailing side and is not able to move to Reconsider whereby Indefinite Postponement Failed. The current motion before the Senate will be Final Passage in Non-Concurrence and Roll Call #184 will be voided and removed.

The Chair **RULED** motion to **INDEFINITELY POSTPONE NOT PROPERLY BEFORE THE BODY**.

(See action later today.)

The Chair laid before the Senate the following Tabled and Later (6/6/11) Assigned matter:

Bill "An Act To Protect Consumer Information at the Efficiency Maine Trust"

S.P. 478 L.D. 1516
(C "A" S-198)

Tabled - June 6, 2011, by Senator **ALFOND** of Cumberland

Pending - **PASSAGE TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-198)**

(In Senate, June 2, 2011, **READ A SECOND TIME.**)

On motion by Senator **BARTLETT** of Cumberland, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (S-198).

On further motion by same Senator, Senate Amendment "A" (S-267) to Committee Amendment "A" (S-198) **READ.**

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

Senator **BARTLETT:** Thank you Mr. President. This bill simply provides clarification. This deals with the privacy of certain information with the Efficiency Maine Trust; we had originally indicated folks, I believe, who were seeking to apply for programs who had to also make sure it was extended to those who already were participating as well as those who may already participate in programs. Thank you, Mr. President.

On motion by Senator **BARTLETT** of Cumberland, Senate Amendment "A" (S-267) to Committee Amendment "A" (S-198) **ADOPTED.**

Committee Amendment "A" (S-198) as Amended by Senate Amendment "A" (S-267) thereto, **ADOPTED.**

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-198) AS AMENDED BY SENATE AMENDMENT "A" (S-267) thereto.

Ordered sent down forthwith for concurrence.

The Chair laid before the Senate the following Tabled and Later (6/6/11) Assigned matter:

HOUSE REPORT - from the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Increase Health Care Quality through the Promotion of Health Information Exchange and the Protection of Patient Privacy"
H.P. 977 L.D. 1331

Report - **Ought to Pass as Amended by Committee Amendment "A" (H-458)**

Tabled - June 6, 2011, by Senator **KATZ** of Kennebec

Pending - **ACCEPTANCE OF REPORT**, in concurrence

(In House, June 2, 2011, Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-458).**)

(In Senate, June 2, 2011, Report **READ.**)

Report **ACCEPTED**, in concurrence.

READ ONCE.

Committee Amendment "A" (H-458) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Chair laid before the Senate the following Tabled and Later (6/6/11) Assigned matter:

HOUSE REPORTS - from the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Increase Home Weatherization and Energy Independence"
H.P. 801 L.D. 1066

Majority - **Ought Not to Pass** (7 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (H-438)** (6 members)

Tabled - June 6, 2011, by Senator **RAYE** of Washington

Pending - motion by Senator **BARTLETT** of Cumberland to **INDEFINITELY POSTPONE** the Bill and accompanying papers (Roll Call Ordered)

(In House, June 3, 2011, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED.**)

(In Senate, June 6, 2011, Reports **READ.**)

THE PRESIDENT: The Chair recognizes the Senator from Waldo, Senator Thibodeau.

Senator **THIBODEAU:** Thank you Mr. President. Ladies and gentlemen of the Senate, I rise this morning to tell you that I am in full and complete support of the pending motion. I think it is wonderful that once again the process has worked. The folks have had an opportunity to consider what they proposed and come to the realization that they were adding an increased cost to Maine consumers, whether it is a tax, an increased tax, a new fee, or a brand new tax. That is what L.D. 1066 had proposed; a brand new tax on your home heating oil. It is through the process that the people come to the realization that it is not in the best interest of Maine consumers. I am in full support of the pending motion. Thank you.

THE PRESIDENT: The pending question before the Senate is the motion by the Senator from Cumberland, Senator Bartlett to Indefinitely Postpone the Bill and accompanying papers. 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 (#184)

Off Record Remarks

YEAS: Senators: ALFOND, BARTLETT, BRANNIGAN, COLLINS, COURTNEY, CRAVEN, DIAMOND, DILL, FARNHAM, GERZOFISKY, 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

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

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

NAYS: Senators: None

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

EXCUSED: Senator: GOODALL

34 Senators having voted in the affirmative and No Senator having voted in the negative, with 1 Senator being excused, the motion by Senator **BARTLETT** of Cumberland to **INDEFINITELY POSTPONE** the Bill and accompanying papers, **PREVAILED**.

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

Senate at Ease.

Senate called to order by the President.

RECESSED until 1:00 in the afternoon.

After Recess

Senate called to order by the President.

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

HOUSE REPORTS - from the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Implement the Recommendations of the Working Group Concerning Domestic Violence and Firearms"

H.P. 312 L.D. 386

Off Record Remarks

Senator **SNOWE-MELLO** of Androscoggin requested and received leave of the Senate that members and staff be allowed to remove their jackets for the remainder of this Session.

Majority - **Ought Not to Pass** (9 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (H-330)** (4 members)

HELD MATTER

Tabled - June 7, 2011, by Senator **COURTNEY** of York

Pending - motion by Senator **WHITTEMORE** of Somerset moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence (Roll Call Ordered)

(In House, May 25, 2011, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.)

(In Senate, May 25, 2011, Reports **READ**.)

Senator **GERZOFISKY** of Cumberland requested and received leave of the Senate to withdraw his request for a Roll Call.

THE PRESIDENT: The Chair calls your attention to a matter previously before the Senate, L.D. 839, Resolve, To Study Motor Fuel and Fuel Additives and To Explore Alternatives to Ethanol Motor Fuel. The last motion on this bill before it was tabled on June 6, 2011 was to Indefinitely Postpone and that motion failed. According to Mason's Section 67, with no intervening business having taken place between the Indefinitely Postpone motion on the 6th and the same motion on the 7th, the Chair would have to treat the motion by the Senator from Franklin, Senator Saviello, as a motion to Reconsider. The Senator from Franklin, Senator Saviello, was not on the prevailing side and is not able to move to Reconsider whereby Indefinite Postponement Failed. The current motion before the Senate will be Final Passage in Non-Concurrence and Roll Call #184 will be voided and removed.

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

Resolve, To Study Motor Fuel and Fuel Additives and To Explore Alternatives to Ethanol Motor Fuel

H.P. 636 L.D. 839
(C "A" H-277)

(In Senate, June 1, 2011, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-277)**, in concurrence.)

(In House, June 3, 2011, Resolve and accompanying papers **INDEFINITELY POSTPONED**.)

(In Senate, June 6, 2011, motion by Senator **SAVIELLO** of Franklin to **INDEFINITELY POSTPONE** Resolve and accompanying papers, **FAILED**.)

(In Senate, June 7, 2011, Senator **SAVIELLO** of Franklin moved to **INDEFINITELY POSTPONE** the Resolve and accompanying papers, in concurrence. On motion by Senator **SCHNEIDER** of Penobscot, Roll Call ordered. 21 Senators having voted in the affirmative and 13 Senator having voted in the negative, with 1 Senator being excused, the motion by Senator **SAVIELLO** of Franklin to **INDEFINITELY POSTPONE** the Resolve and accompanying papers, in concurrence, **PREVAILED**. The Chair **RULED** motion to **INDEFINITELY POSTPONE NOT PROPERLY BEFORE THE BODY**.)

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

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

Senator **SCHNEIDER:** Thank you Mr. President. I will be extraordinary brief. I just want to remind those in favor of getting rid of ethanol and those calling and asking us for help on this issue to vote for the pending motion which is enactment. Thank you very much.

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

Senator **COURTNEY:** Thank you Mr. President. I just want to reiterate if you are not in favor of this, you will be voting no. This bill was killed by the sponsors and there is another vehicle to address this concern.

THE PRESIDENT: The pending question before the Senate is Final Passage. 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 (#185)

YEAS: Senators: **DIAMOND, DILL, GERZOFISKY, HOBBS, JACKSON, PATRICK, SCHNEIDER, SULLIVAN, WOODBURY**

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

EXCUSED: Senator: **GOODALL**

9 Senators having voted in the affirmative and 25 Senators having voted in the negative, with 1 Senator being excused, **FAILED FINAL PASSAGE**.

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

SENATE REPORTS - from the Committee on TAXATION on Bill "An Act To Provide an Internship Employment Tax Credit" S.P. 413 L.D. 1336

Majority - Ought Not to Pass (8 members)

Minority - Ought to Pass as Amended by Committee Amendment "A" (S-229) (3 members)

Tabled - June 7, 2011, by Senator **ALFOND** of Cumberland

Pending - motion by Senator **WOODBURY** of Cumberland to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report

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

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

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

Senator **MASON:** Thank you Mr. President. Men and the women of the Senate, I will be very brief. I have been the recipient of two jobs after completing internships from a couple companies I worked for. Usually when you have an intern work at your business, it is kind of a way to get work out of a college student who is trying to get ahead in their career. What you don't always understand sometimes is that these guys will work really hard and they will show you they have value beyond what you thought they had as in intern and often times it will lead to a job that wasn't planned on. I would encourage everybody to vote for this because I think it does create jobs because it created a job for me. Thank you.

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

Senator **ALFOND:** Thank you Mr. President. Ladies and gentlemen of the Senate, I stand here also in opposition of the current motion pending before the Body. I would like to share a couple of things that the Senator from Sagadahoc wanted me to

share. This is Senator Goodall's bill and he thought it was a very smart small business bill that would provide opportunities for many young people coming out of college and high school and providing an internship that is very small. As many college students and young people can attest, that small stipend is meaningful. This bill would sunset in 2015 so that we could look at how the program is doing. We are talking about a credit for those employers who do give internships to students. I think this is a great pipeline to improve our economy and to get young people into jobs across the state of Maine that they might not otherwise afford to do. I encourage the Body to vote against the pending motion so that we can get to the minority position. Thank you, Mr. President.

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

Senator **SCHNEIDER:** Thank you Mr. President. I just want to concur with the previous two speakers to vote against the pending motion. We have supported other tax credits. This is a great carrot for business leaders to incent them to take on some interns. I think this is a great way to do it. We talk a lot about these kinds of things and I hope we will vote against the pending motion. Thank you very much.

THE PRESIDENT: The pending question before the Senate is the motion by the Senator from Cumberland, Senator Woodbury to Accept the Majority Ought Not to Pass 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 (#186)

YEAS: Senators: COLLINS, COURTNEY, FARNHAM, HASTINGS, KATZ, LANGLEY, MARTIN, MCCORMICK, RECTOR, ROSEN, SAVIELLO, THIBODEAU, THOMAS, TRAHAN, WOODBURY

NAYS: Senators: ALFOND, BARTLETT, BRANNIGAN, CRAVEN, DIAMOND, DILL, GERZOFKY, HILL, HOBBS, JACKSON, MASON, PATRICK, PLOWMAN, SCHNEIDER, SHERMAN, SNOWE-MELLO, SULLIVAN, WHITTEMORE, THE PRESIDENT - KEVIN L. RAYE

EXCUSED: Senator: GOODALL

15 Senators having voted in the affirmative and 19 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **WOODBURY** of Cumberland to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, **FAILED**.

Senator **TRAHAN** of Lincoln moved the Senate **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#187)

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

NAYS: Senators: COURTNEY, HASTINGS, ROSEN, WOODBURY

EXCUSED: Senator: GOODALL

30 Senators having voted in the affirmative and 4 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **TRAHAN** of Lincoln to **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report, **PREVAILED**.

READ ONCE.

Committee Amendment "A" (S-229) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**.

Ordered sent down forthwith for concurrence.

The Chair laid before the Senate the following Tabled and Later (6/3/11) Assigned matter:

SENATE REPORTS - from the Committee on **TAXATION** on Bill "An Act To Promote Plug-in Electric Vehicle Sales" S.P. 319 L.D. 1086

Majority - **Ought Not to Pass** (9 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (S-235)** (4 members)

Tabled - June 3, 2011, by Senator **ALFOND** of Cumberland

Pending - motion by Senator **TRAHAN** of Lincoln to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report

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

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

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (6/3/11) Assigned matter:

Emergency Measure

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

H.P. 1125 L.D. 1533
(C "A" H-480)

Tabled - June 3, 2011, by Senator **ALFOND** of Cumberland

Pending - **PASSAGE TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-480)**, in concurrence

(In House, June 3, 2011, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-480)**.)

(In Senate, June 3, 2011, **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence. On motion by Senator **ALFOND** of Cumberland, **RECONSIDERED**.)

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

Senate at Ease.

Senate called to order by the President.

On motion by Senator **DILL** of Cumberland, Senate Amendment "A" (S-264) **READ**.

Senator **PLOWMAN** of Penobscot rose to a **POINT OF ORDER** as to whether Senate Amendment "A" (S-264) was **PROPERLY BEFORE THE BODY** and **GERMANE TO THE BILL**.

THE CHAIR MADE THE FOLLOWING RULING:

"The ruling of the Chair is that the original title of L.D. 1533 is "An Act to Provide for a Method to Remove an Elected Municipal Official." By its title its purpose was to address misconduct by local officials. The bill was referred to the Committee on State and Local Government, which reported Ought to Pass. When considering whether an amendment is Germane to the original bill the threshold question is the subject matter of the original bill. The L.D. before us deals specifically with ways to remove an elected municipal official under Title 30A of the Maine Statutes. This is what the committee considered and held public hearings about and what the public reasonably expected the bill to address. Senate Amendment "A" (S-264) addresses a far broader question, namely the recall of all elected officials, including the Governor, Senators, Representatives, and county officials under a different Title of Maine Statute, Title 21A."

The Chair **RULED THAT SENATE AMENDMENT "A" (S-264) WAS NOT GERMANE AND WAS NOT PROPERLY BEFORE THE BODY**.

Senator **DILL** of Cumberland moved to **APPEAL** the Ruling of the Chair.

Same Senator requested a Roll Call. Less than one-fifth of the Members responding, a Roll Call was not in order.

The Ruling of the Chair was **SUSTAINED**.

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

Senator **SCHNEIDER:** Thank you Mr. President. I wish to pose a question through the Chair.

THE PRESIDENT: The Senator may pose her question.

Senator **SCHNEIDER:** Thank you Mr. President. Is this going to be a mandate for municipalities? Will they be required to have an official process for recall?

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

Senator **TRAHAN:** Thank you Mr. President. Ladies and gentlemen of the Senate, I will do my best to respond to that. It has been my experience over 11 years that these bills are reviewed by the Fiscal Office. If they determine that a mandate is required, they put a mandate preamble on. Unless the mandate is on an amendment to this bill, then the answer to that question, I believe, is no.

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

Senator **SULLIVAN:** Thank you Mr. President. Men and women of the Senate, I see my Chair and I am not sure if I should continue. He said it is okay. It was designed for those municipalities that do not have a process now to have a process if they needed to. The MMA really wanted to be able to keep it in local control. There are many of us that come from communities that already have a process to remove somebody from office if need be, for creating a felony, I believe is what it finally ended up with. It is not a mandate. It gives a method for those communities that do not have in their ordinances what they need to do. Thank you.

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

Senator **SCHNEIDER:** Thank you Mr. President. I notice there is an Emergency preamble. I cannot find the book for this particular legislative document and that is why I am asking these questions. I, personally, am very concerned about another State mandate. In fact, there was a bill earlier today that I was very reluctant to vote in opposition to, but it had a State mandate on it. This looks

like to me that it has a mandate. I am not positive about that. I cannot find the L.D. in the book. Thank you.

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

Senator **DILL:** Thank you Mr. President. Men and women of the Senate, I do have the amendment in front of me. It is my belief that if we are telling municipalities that they have to have this procedure if they don't already have it in their charter then that is a mandate. If you are a resident of a town or city and you don't have a recall process in your charter then you will now. You will have to abide by it. If it is not a mandate, then I don't know what is. Thank you, Mr. President.

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

Senator **THOMAS:** Thank you Mr. President. Maybe I need to catch my breath from running up and down stairs. This bill is not a mandate. This bill allows a procedure that towns can exercise or not exercise, for towns that do not have a charter now to have a method to remove an official that commits a felony against a town. If you have a town without a charter, and they have an elected official that commits a felony, that does not want to resign or that does not want to step down, there is no procedure to remove them if they do not want to be removed. What this does is it allows a process for those towns that do not have a charter so if they find themselves in that situation there is a remedy and there is a method to remove this official if they choose. I don't see how that is a mandate, because a town could choose not to. They could choose to keep a bookkeeper or a town clerk that stole hundreds of thousands of dollars I suppose. For those towns that don't have any method to remove those officials, this now provides them with an option. It was very carefully crafted, very narrowly crafted, by the committee. This was a unanimous vote by the committee, as I remember it, and it just provides an opportunity, Mr. President, to remove those people who have committed crimes against their municipality.

At the request of Senator **TRAHAN** of Lincoln, Reports **READ**.

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

THE PRESIDENT: The pending question before the Senate is Passage to be Engrossed. 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 (#188)

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

NAYS: Senators: BARTLETT, CRAVEN, DILL, HILL, JACKSON, SCHNEIDER

EXCUSED: Senator: GOODALL

28 Senators having voted in the affirmative and 6 Senators having voted in the negative, with 1 Senator being excused, the Bill was **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Chair laid before the Senate the following Tabled and Later (6/3/11) Assigned matter:

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

H.P. 841 L.D. 1129
(C "A" H-421)

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

Pending - **ENACTMENT**, in concurrence

(In Senate, June 1, 2011, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-421)**, in concurrence.)

(In House, June 3, 2011, **PASSED TO BE ENACTED**.)

On motion by Senator **SAVIELLO** of Franklin, 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 Franklin, Senator Saviello.

Senator **SAVIELLO:** Thank you Mr. President. Men and women of the Senate, my good friend, the Senator from Sagadahoc, Senator Goodall, is not here today, but I need to talk about him and the great work that he did with my good friend Representative Hamper, and my good friends Ben Gillman and Mike Bellevue. As you know, this bill came to us a couple years ago. Those of us who have been here before remember. It passed very significantly at the very end of the legislative session. Of course no one wanted to go home to tell people, the voters, they voted against kids and protecting children. However, the bill was very broad very, very broad. In fact, it was so broad that we identified 1,400 chemicals, including birth control pills and a number of

other pills, and other things such as gasoline and cocaine that children shouldn't be exposed to. The bill needed to be reworked. The Senator from Sagadahoc, Senator Goodall, my good friend, put in a bill that would help narrow that down. My good friend, Representative Hamper, put in a similar bill to narrow it down. We had a hearing and the room was packed. At the end of the hearing I looked at the two of them and I said, "Okay guys, you have to solve this problem. It is not my problem it's yours."

This also goes back to what we used to deal with as the chemical of the day. We always had chemicals we were dealing with, whether it would be flame retardants, or this term it's cadmium. We always had something in there. This act was put into place to stop that. We had a procedure. Those two gentlemen, along with my good friends Mr. Gilman and Mr. Bellevue, got together. As I used to joke, I put them in a room, gave them a lot of coffee, and locked the door. I said, "Solve the problem" and they did. They got in and got various groups that were representing the chemical companies. Then they got in the various groups representing the environmental organizations. Then they asked them to leave and they worked the bill out. What you have in front of you is a true bi-partisan effort that protects children. When the Senator from Sagadahoc, Senator Goodall, gets back I hope we all congratulate him. When you see Representative Hamper and the other two individuals I speak of thank them. We have done the job. The committee voted unanimously. This is a good bill and I thank them for their efforts. Thank you, Mr. President.

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

Senator **ALFOND:** Thank you Mr. President. Ladies and gentlemen of the Senate, I want to thank the good Senator from Franklin for making those very nice comments around the Senator from Sagadahoc, Senator Goodall. I know that he is very, very touched by the Senator from Franklin holding these bills and for the words that he knew were going to be said today was a very classy action. The whole Body thanks you.

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

THE PRESIDENT: The pending question before the Senate is Enactment. 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 (#189)

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

NAYS: Senators: None

EXCUSED: Senator: GOODALL

34 Senators having voted in the affirmative and No Senator having voted in the negative, with 1 Senator being excused, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Off Record Remarks

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

SENATE REPORT - from the Committee on **VETERANS AND LEGAL AFFAIRS** on Resolve, To Reduce Funding to Maine Clean Election Act Candidates

S.P. 215 L.D. 726

Reported - **Ought to Pass as Amended by Committee Amendment "A" (S-253)**

Tabled - June 7, 2011, by Senator **ALFOND** of Cumberland

Pending - **ACCEPTANCE OF REPORT**

(In Senate, June 7, 2011, Report **READ**.)

Report **ACCEPTED**.

READ ONCE.

Committee Amendment "A" (S-253) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**.

Ordered sent down forthwith for concurrence.

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

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

REPORTS OF COMMITTEES

House

Divided Report

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Establish Positive Reentry Parole"

H.P. 1101 L.D. 1500

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

Signed:

Senators:

MASON of Androscoggin
GERZOFKY of Cumberland

Representatives:

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

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-512)**.

Signed:

Senator:

WHITTEMORE of Somerset

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 **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Limit the Use of Smart Meters"
H.P. 563 L.D. 756

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-521)**.

Signed:

Senators:

THIBODEAU of Waldo
BARTLETT of Cumberland
RECTOR of Knox

Representatives:

FITTS of Pittsfield
CORNELL du HOUX of Brunswick
CRAY of Palmyra
DION of Portland
DUNPHY of Embden
HAMPER of Oxford
HINCK of Portland
LIBBY of Waterboro
LUCHINI of Ellsworth

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

Signed:

Representative:

BEAVERS of South Berwick

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-521)**.

Reports **READ**.

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

READ ONCE.

Committee Amendment "A" (H-521) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

Divided Report

The Majority of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Strengthen Maine's Election Laws by Requiring Photograph Identification for the Purpose of Voting"
H.P. 176 L.D. 199

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-385)**.

Signed:

Senators:
FARNHAM of Penobscot
PLOWMAN of Penobscot

RUSSELL of Portland
VALENTINO of Saco

Representatives:
BEAULIEU of Auburn
CROCKETT of Bethel
DAMON of Bangor
JOHNSON of Eddington
WILLETTE of Presque Isle

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-436)**.

Signed:

Representatives:
DAMON of Bangor
WILLETTE of Presque Isle

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

Signed:

Senator:
PATRICK of Oxford

Comes from the House with the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-436)**.

Reports **READ**.

Representatives:
CAREY of Lewiston
CHIPMAN of Portland
LONGSTAFF of Waterville
RUSSELL of Portland
VALENTINO of Saco

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

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-385)**.

Divided Report

Reports **READ**.

The Majority of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Amend the Laws Governing the Deadline and Conditions for Municipal Approval of a Second Racino and To Allow a Tribal Racino in Washington County" I.B. 2 L.D. 1203

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

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

Signed:

Divided Report

The Majority of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act Regarding Establishing a Slot Machine Facility"

I.B. 1 L.D. 985

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

Senators:
FARNHAM of Penobscot
PATRICK of Oxford
PLOWMAN of Penobscot

Signed:

Senators:
FARNHAM of Penobscot
PATRICK of Oxford
PLOWMAN of Penobscot

Representatives:
BEAULIEU of Auburn
CAREY of Lewiston
CHIPMAN of Portland
CROCKETT of Bethel
JOHNSON of Eddington
LONGSTAFF of Waterville
RUSSELL of Portland
VALENTINO of Saco

Representatives:
BEAULIEU of Auburn
CAREY of Lewiston
CHIPMAN of Portland
CROCKETT of Bethel
JOHNSON of Eddington
LONGSTAFF of Waterville

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-400)**.

Signed:

Representatives:
DAMON of Bangor
WILLETTE of Presque Isle

(Representative MITCHELL of the Penobscot Nation - of the House - supports the Minority **Ought To Pass as Amended Report**.)

Comes from the House with the Minority **OUGHT TO PASS AS AMENDED Report READ and ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-400)**.

Reports **READ**.

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

Divided Report

The Majority of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Preserve the Integrity of the Voter Registration and Election Process"

H.P. 1015 L.D. 1376

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

Signed:

Senators:

FARNHAM of Penobscot
PLOWMAN of Penobscot

Representatives:

BEAULIEU of Auburn
CROCKETT of Bethel
DAMON of Bangor
JOHNSON of Eddington
WILLETTE of Presque Isle

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-352)**.

Signed:

Senator:

PATRICK of Oxford

Representatives:

CAREY of Lewiston
CHIPMAN of Portland
LONGSTAFF of Waterville
RUSSELL of Portland
VALENTINO of Saco

(Representative MITCHELL of the Penobscot Nation - of the House - supports the Minority **Ought To Pass as Amended Report**.)

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

Reports **READ**.

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

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

REPORTS OF COMMITTEES

House

Divided Report

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Find Cost Savings and Efficiencies in the Fingerprinting System for Criminal History Background Checks"

H.P. 240 L.D. 296

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-528)**.

Signed:

Senators:

MASON of Androscoggin
GERZOFISKY of Cumberland
WHITTEMORE of Somerset

Representatives:

BLODGETT of Augusta
BURNS of Whiting
CLARKE of Bath
HASKELL of Portland
LAJOIE of Lewiston
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 "B" (H-529)**.

Signed:

Representatives:

PLUMMER of Windham
HANLEY of Gardiner
LONG of Sherman
MORISSETTE of Winslow

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-528) Report READ and ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-528)**.

Reports **READ**.

On motion by Senator **MASON** of Androscoggin, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-528)** Report **ACCEPTED**, in concurrence.

READ ONCE.

Committee Amendment "A" (H-528) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

Divided Report

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act Relating to Locations where Concealed Weapons May Be Carried"

H.P. 988 L.D. 1347

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-530)**.

Signed:

Senators:

MASON of Androscoggin
WHITTEMORE of Somerset

Representatives:

PLUMMER of Windham
BURNS of Whiting
HANLEY of Gardiner
LONG of Sherman
MORISSETTE of Winslow
SANDERSON of Chelsea

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

Signed:

Senator:

GERZOFISKY of Cumberland

Representatives:

BLODGETT of Augusta
CLARKE of Bath
HASKELL of Portland
LAJOIE of Lewiston

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-530)**.

Reports **READ**.

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

Divided Report

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Eliminate the Penalty for Schools That Did Not Reorganize"

H.P. 121 L.D. 139

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-548)**.

Signed:

Senators:

LANGLEY of Hancock
ALFOND of Cumberland
MASON of Androscoggin

Representatives:

RICHARDSON of Carmel
EDGECOMB of Caribou
LOVEJOY of Portland
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 "B" (H-549)**.

Signed:

Representative:

JOHNSON of Greenville

(Representative **SOCTOMAH** of the Passamaquoddy Tribe - of the House - supports the Majority **Ought To Pass as Amended by Committee Amendment "A" (H-548)** Report.)

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-548)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-548)**.

Reports **READ**.

On motion by Senator **LANGLEY** of Hancock, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-548)** Report **ACCEPTED**, in concurrence.

READ ONCE.

Committee Amendment "A" (H-548) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

Divided Report

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Create a Unified Board of Higher Education"

H.P. 726 L.D. 982

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
LOVEJOY of Portland
MAKER of Calais
McCLELLAN of Raymond
McFADDEN of Dennysville
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-550)**.

Signed:

Representatives:

NELSON of Falmouth
WAGNER of Lewiston

(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 **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Amend the Law Relating to Training Dogs during Bear Hunting Season"

H.P. 732 L.D. 996

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

Signed:

Senators:

MARTIN of Kennebec
PATRICK of Oxford
TRAHAN of Lincoln

Representatives:

BRIGGS of Mexico
CLARK of Millinocket
EBERLE of South Portland
ESPLING of New Gloucester
SARTY of Denmark
SHAW of Standish
WOOD of Sabattus

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

Signed:

Representatives:

DAVIS of Sangerville
CRAFTS of Lisbon
GUERIN of Glenburn

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

Reports **READ**.

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

Divided Report

The Majority of the Committee on **INLAND FISHERIES AND WILDLIFE** on Resolve, To Create a Mitigation Fund for Damage Caused by Unauthorized All-terrain Vehicle Use on Private Land
H.P. 793 L.D. 1058

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

Signed:

Senators:

MARTIN of Kennebec
PATRICK of Oxford
TRAHAN of Lincoln

Representatives:

DAVIS of Sangerville
BRIGGS of Mexico
CLARK of Millinocket
CRAFTS of Lisbon
EBERLE of South Portland
ESPLING of New Gloucester
GUERIN of Glenburn
SARTY of Denmark
WOOD of Sabattus

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-523)**.

Signed:

Representative:

SHAW of Standish

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

Reports **READ**.

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

Divided Report

The Majority of the Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Require a Boating Safety Course for New Boat Registrants"

H.P. 1014 L.D. 1375

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

Signed:

Senators:

MARTIN of Kennebec
TRAHAN of Lincoln

Representatives:

DAVIS of Sangerville
CLARK of Millinocket
CRAFTS of Lisbon
ESPLING of New Gloucester
GUERIN of Glenburn
WOOD of Sabattus

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-551)**.

Signed:

Senator:

PATRICK of Oxford

Representatives:

BRIGGS of Mexico
EBERLE of South Portland
SARTY of Denmark
SHAW of Standish

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

Reports **READ**.

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

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

RECALLED FROM GOVERNOR'S DESK

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

H.P. 1130 L.D. 1538
(C "A" H-354)

(In Senate, June 1, 2011, **PASSED TO BE ENACTED**, in concurrence.)

(**RECALLED** from the Governor's Desk, pursuant to Joint Order (S.P. 516).)

On motion by Senator **COLLINS** of York, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENACTED**, in concurrence.

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-354)**, in concurrence.

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (H-354), in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-271) to Committee Amendment "A" (H-354) **READ** and **ADOPTED**.

Committee Amendment "A" (H-354) as Amended by Senate Amendment "A" (S-271) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-354) AS AMENDED BY SENATE AMENDMENT "A" (S-271) thereto, in NON-CONCURRENCE.

Sent down for 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 Provide Oversight in Certain Negotiations"
H.P. 1168 L.D. 1583

Presented by Representative RICHARDSON of Warren.
(GOVERNOR'S BILL)
Cosponsored by Senator: WHITTEMORE of Somerset.

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

Joint Orders

The following Joint Order:

H.P. 1166

ORDERED, the Senate concurring, that Bill, "An Act To Limit Interest Assessed against Municipalities," H.P. 984, L.D. 1343, and all its accompanying papers, be recalled from the Governor's desk to the House.

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

READ and **PASSED**, in concurrence.

The following Joint Order:

H.P. 1167

ORDERED, the Senate concurring, that Bill, "An Act To Amend the Laws Concerning the Child Care Advisory Council and the Maine Children's Growth Council," H.P. 1093, L.D. 1486, and all its accompanying papers, be recalled from the Governor's desk to the House.

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

READ and **PASSED**, in concurrence.

The following Joint Order:

H.P. 1169

ORDERED, the Senate concurring, that Bill, "An Act To Establish the Maine Wild Mushroom Harvesting Certification Program," S.P. 436, L.D. 1407, and all its accompanying papers, be recalled from the Governor's desk to the House.

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

READ and **PASSED**, in concurrence.

The following Joint Order:

H.P. 1170

ORDERED, the Senate concurring, that Bill, "An Act To Provide a Temporary License To Operate a Public Dance Establishment," H.P. 645, L.D. 878, and all its accompanying papers, be recalled from the Governor's desk to the House.

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

READ and **PASSED**, in concurrence.

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

REPORTS OF COMMITTEES

House

Ought to Pass Pursuant to Joint Order

The Committee on **INSURANCE AND FINANCIAL SERVICES** on Resolve, Creating the Advisory Committee on Maine's Health Insurance Exchange (EMERGENCY)

H.P. 1165 L.D. 1582

Reported that the same **Ought to Pass**, pursuant to Joint Order, H.P. 1162.

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

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

Under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, in concurrence.

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

PAPERS FROM THE HOUSE

Non-Concurrent Matter

HOUSE REPORTS - from the Committee on **TRANSPORTATION** on Bill "An Act To Protect the Privacy of Persons Involved in Reportable Motor Vehicle Accidents"
H.P. 865 L.D. 1167
(C "B" H-406)

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-405)** (8 members)

Minority - **Ought to Pass as Amended by Committee Amendment "B" (H-406)** (5 members)

In House, June 2, 2011, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-405)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-405)**.

In Senate, June 6, 2011, the Minority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "B" (H-406)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-406)**, in **NON-CONCURRENCE**.

Comes from the House, that Body **INSISTED** and **ASKED FOR A COMMITTEE OF CONFERENCE**.

On motion by Senator **COLLINS** of York, the Senate **INSISTED** and **JOINED IN A COMMITTEE OF CONFERENCE**.

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

COMMUNICATIONS

The Following Communication: H.C. 193

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

June 7, 2011

The Honorable Joseph G. Carleton, Jr.
Secretary of the Senate
125th Maine Legislature
Augusta, Maine 04333

Dear Secretary Carleton:

The House voted today to insist on its previous action whereby it accepted the Majority Ought Not to Pass Report of the Committee on State and Local Government on **RESOLUTION**, Proposing an Amendment to the Constitution of Maine To Provide for the Popular Election of the Secretary of State, Attorney General, Treasurer of State and State Auditor (S.P. 504) (L.D. 1572)

Sincerely,

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

READ and **ORDERED PLACED ON FILE**.

Senate at Ease.

Senate called to order by the President.

The President requested the Sergeant-At-Arms escort the Senator from Kennebec, Senator **MARTIN** to the rostrum where he assumed the duties as President Pro Tem.

The President took a seat on the floor.

The Senate called to order by President Pro Tem **THOMAS H. MARTIN** of Kennebec County.

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

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Resolve, To Enhance Agriculture and Farming
H.P. 1058 L.D. 1444

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-533)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-533)**.

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

READ ONCE.

Committee Amendment "A" (H-533) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Amend the Maine Juvenile Code"
H.P. 774 L.D. 1040

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-532)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-532)**.

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

READ ONCE.

Committee Amendment "A" (H-532) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Address Certain Aspects of Bail"
H.P. 1029 L.D. 1400

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-534)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-534)**.

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

READ ONCE.

Committee Amendment "A" (H-534) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Improve the Coordination of State and County Correctional Services"
H.P. 1045 L.D. 1419

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-531)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-531)**.

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

READ ONCE.

Committee Amendment "A" (H-531) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Strengthen the Laws against Driving under the Influence of Drugs"
H.P. 1096 L.D. 1491

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-535)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-535)**.

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

READ ONCE.

Committee Amendment "A" (H-535) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Require That School Administrative Units Establish a Mission Statement for Each of the Public Schools Operated by the School Administrative Unit"
H.P. 321 L.D. 403

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-538)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-538)**.

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

READ ONCE.

Committee Amendment "A" (H-538) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Permit Public School Online Learning Programs To Accept Nonresident Tuition Students" (EMERGENCY)
H.P. 698 L.D. 938

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-537)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-537)**.

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

READ ONCE.

Committee Amendment "A" (H-537) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Align Maine Special Education Statutes with Federal Requirements"
H.P. 986 L.D. 1345

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-536)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-536)**.

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

READ ONCE.

Committee Amendment "A" (H-536) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Amend the Laws Governing Licensure Compliance Methods for Camping Areas, Recreational Camps, Youth Camps and Eating Establishments"
H.P. 533 L.D. 703

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-539)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-539)**.

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

READ ONCE.

Committee Amendment "A" (H-539) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **HEALTH AND HUMAN SERVICES** on Resolve, To Create a Working Group To Make Recommendations To Improve the Efficiency, Accountability and Proper Administration of Municipal General Assistance Programs
H.P. 773 L.D. 1039

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-540)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-540)**.

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

READ ONCE.

Committee Amendment "A" (H-540) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Amend the Identification Requirements under the Maine Medical Use of Marijuana Act"
H.P. 857 L.D. 1159

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-541)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-541)**.

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

READ ONCE.

Committee Amendment "A" (H-541) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Reduce Opioid Overprescription, Overuse and Abuse"
H.P. 1102 L.D. 1501

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-542)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-542)**.

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

READ ONCE.

Committee Amendment "A" (H-542) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Implement the Requirements of the Federal Nonadmitted and Reinsurance Reform Act of 2010" (EMERGENCY)
H.P. 993 L.D. 1352

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-543)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-543)**.

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

READ ONCE.

Committee Amendment "A" (H-543) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act Regarding Service Contracts"
H.P. 1109 L.D. 1507

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-544)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-544)**.

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

READ ONCE.

Committee Amendment "A" (H-544) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Implement the Requirements of the Federal Patient Protection and Affordable Care Act"
H.P. 1140 L.D. 1554

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-545)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-545)**.

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

READ ONCE.

Committee Amendment "A" (H-545) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Protect Heating Oil Consumers"
H.P. 1128 L.D. 1536

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-526)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-526)**.

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

READ ONCE.

Committee Amendment "A" (H-526) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Protect Legislative Intent in Rulemaking" H.P. 426 L.D. 543

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-546)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-546)**.

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

READ ONCE.

Committee Amendment "A" (H-546) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Protect Public Safety in the Operation of the Oxford County Casino" H.P. 473 L.D. 643

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-547)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-547)**.

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

READ ONCE.

Committee Amendment "A" (H-547) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

Divided Report

The Majority of the Committee on **JUDICIARY** on Bill "An Act To Prohibit Enforcement of Federal Laws in Violation of the Constitution of the United States" H.P. 870 L.D. 1172

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

Signed:

Senators:
HASTINGS of Oxford
BARTLETT of Cumberland
WOODBURY of Cumberland

Representatives:

BEAULIEU of Auburn
MOULTON of York
MALONEY of Augusta
PRIEST of Brunswick
DILL of Cape Elizabeth
ROCHELO of Biddeford

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-516)**.

Signed:

Representatives:

NASS of Acton
FOSTER of Augusta
SARTY of Denmark
WATERHOUSE of Bridgton

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

Reports **READ**.

Senator **HASTINGS** of Oxford moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

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

Divided Report

The Majority of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Improve Ballot Access for Gubernatorial Candidates" H.P. 428 L.D. 545

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-554)**.

Signed:

Representatives:

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

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

Signed:

Senators:

FARNHAM of Penobscot
PATRICK of Oxford
PLOWMAN of Penobscot

Representative:

CAREY of Lewiston

(Representative MITCHELL of the Penobscot Nation - of the House - supports the Majority **Ought To Pass as Amended** Report.)

Comes from the House with the Majority **UGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-554)**.

Reports **READ**.

On motion by Senator **FARNHAM** of Penobscot, the Minority **UGHT NOT TO PASS** Report **ACCEPTED**, in **NON-CONCURRENCE**.

Sent down for concurrence.

Divided Report

The Majority of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Fund Commuter and Passenger Rail Transportation in Maine"

H.P. 985 L.D. 1344

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

Signed:

Senators:

FARNHAM of Penobscot
PATRICK of Oxford
PLOWMAN of Penobscot

Representatives:

BEAULIEU of Auburn
CAREY of Lewiston
CROCKETT of Bethel
DAMON of Bangor
JOHNSON of Eddington
LONGSTAFF of Waterville
VALENTINO of Saco
WILLETTE of Presque Isle

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-555)**.

Signed:

Representatives:

CHIPMAN of Portland
RUSSELL of Portland

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

Reports **READ**.

On motion by Senator **FARNHAM** of Penobscot, the Majority **UGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

Senate

Ought to Pass As Amended

Senator THIBODEAU for the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Reduce Energy Prices for Maine Consumers"

S.P. 501 L.D. 1570

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-272)**.

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

READ ONCE.

Committee Amendment "A" (S-272) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**.

Ordered sent down forthwith for concurrence.

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

Senate at Ease.

Senate called to order by President Pro Tem **THOMAS H. MARTIN** of Kennebec County.

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

REPORTS OF COMMITTEES

House

Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Restore the Historical Town Boundary between Harpswell and Brunswick"
H.P. 57 L.D. 69

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

Signed:

Senators:

THOMAS of Somerset
COLLINS of York

Representatives:

COTTA of China
BOLDUC of Auburn
CASAVANT of Biddeford
CELLI of Brewer
GRAHAM of North Yarmouth
HARVELL of Farmington
KAENRATH of South Portland
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-552)**.

Signed:

Senator:

SULLIVAN of York

Representative:

BOLAND of Sanford

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

Reports **READ**.

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

ENACTORS

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

Constitutional Amendment

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Use a Portion of the Sales and Use Tax for the Protection of Maine's Fish and Wildlife

S.P. 155 L.D. 563
(S "B" S-237 to C "A" S-154)

Comes From the House, **FAILED FINAL PASSAGE**.

On motion by Senator **ROSEN** of Hancock, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **FINAL PASSAGE**, in **NON-CONCURRENCE**.

RECESSED until the sound of the bell.

After Recess

Senate called to order by President Pro Tem
THOMAS H. MARTIN of Kennebec County.

ORDERS OF THE DAY

The Chair laid before the Senate the following Tabled and Later (6/6/11) Assigned matter:

Emergency Measure

An Act To Ensure Regulatory Fairness and Reform
S.P. 10 L.D. 1
(C "A" S-87)

Tabled - June 6, 2011, by Senator **ROSEN** of Hancock

Pending - **ENACTMENT**, in concurrence

(In Senate, May 12, 2011, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-87)**.)

(In House, May 18, 2011, **PASSED TO BE ENACTED**.)

THE PRESIDENT PRO TEM: The Chair recognizes the Senator from York, Senator Courtney.

Senator **COURTNEY:** Thank you Mr. President. The bill before us is "An Act to Ensure Regulatory Fairness and Reform," L.D. 1, the most famous bill this session, probably. It was a creation of the Speaker and the President and the belief that we felt the best solutions come from mainstream, not just Augusta. We took a little tour around the state. We went from Aroostook County to the Mid Coast, down to Southern Maine, and finally we ended up back in Augusta. It was quite an experience because the people on Main Street told us loud and clear that they wanted to have a strong environment and they wanted to protect our natural resources. They also didn't want that to hinder job creation. What L.D. 1 does is it takes a step in that direction. L.D. 1 is the beginning of changing the culture of state government where you can have the opportunity to create jobs, the opportunity that many other people that have already had with good financial opportunities. They move to Maine and it's created an opportunity to do that. Also, it recognizes the valuable importance of the environment. I would like to thank our committee clerk, Darlene Simoneau and our analyst Pat Norton, who spent hours and hours working on this, cataloguing every suggestion that we received from many people. We had hundreds and hundreds of suggestions. L.D. 1 wasn't just about the Regulatory Reform Committee; it was about all of your committees because what we did was we went through the

issues. Where we felt it would be better handled by the committee of jurisdiction, we did that. Many of your committees worked very hard on that and improved on that. I know we passed bills this week that came from suggestions that people had. The people said that we could never do it. I remember going to the second public hearing in Belfast. Everybody said, "There is no way you are going to get a unanimous report for that, on that bill." It really is to the credit of the committee. It was an honor to serve with people like Senator Alfond and Senator Rector. I have to tell you the work that Senator Saviello and Senator Goodall did on the environmental pieces of this bill will have lasting impacts on this day. It really shows that you can do better when you work together than when one side tries to ram things through. We have really tried to do that and we were very successful with this piece of legislation. I want to thank the presiding officers for the opportunity to be part of this process and I want to thank the leaders on the other side for their help as well with this, including Senator Patrick. I know that Senator Alfond, it was very difficult on the committee because they all had other committees and as we got into session and it got busier, it was very difficult to get everyone together. Senator Alfond would come into the room and be very supportive and offer constructive ideas. Some of his ideas are actually in this bill and they are going to reduce the red tape in the state today. With that I am very appreciative and, Mr. President, I would request a roll call.

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

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

Senator **ALFOND:** Thank you Mr. President. I stand and rise, ladies and gentlemen of the Senate, to offer a couple comments of my own. I want to thank the good Senator from York, Senator Courtney, for the very nice remarks about my small input but more importantly the major input that many people in this Body made, including the good Senator from Franklin, the good Senator from Sagadahoc, and others. Truly, what the Chairs, both Senator Courtney and Representative McKane, did was create a process for us to be successful, for us to be heard, for us to listen to the people of Maine, and I think the result is a strong indication of that work. It was all a culmination of hours and hours and hours that we worked through, listened to, had great staff helping us, and traveled across this great state. Senator Courtney mentioned that what we heard from the people was that for 30 years we have put a wonderful balance between our environmental priorities, our quality of place, and jobs. People didn't feel like they had to be at odds. I think that was very smart for us to hear and I think the reflection of the final report indicates that this is not a Legislature that said it's one or the other. Both can work in harmony. I really want to thank the Chair for pushing through when at times it looked like we were going to stop and be caught between one or the other. I think truly the end result is not jobs or the environment; it is us working in harmony like I think we have done for a long time. I want to again thank Senator Courtney. I know that we both sat on this committee thinking that we were going to talk a lot about business and talk a lot about regulations, but in fact we learned a lot about the environment and also about regulations. With that, I am very glad to put my full support behind L.D. 1. Thank you, Mr. President.

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

Senator **SAVIELLO:** Thank you Mr. President. This must be the day of kumbaya, because I am going to stand up again and thank those people on the committee for working together. I particularly want to thank my little sub committee as we worked together. That, again, included my good friend, Senator Goodall. I hope you are listening. Representative Parker, Representative Duchesne, and myself and later Representative Carey. He decided he wanted to learn about the environment, we tried to train him. It didn't work, but we tried. In fact, I will point out to you at the end, when we were trying to pull the pieces together, there were three Democrats and two Republicans. We still came out with the unanimous report in relation to what we were trying to do. What we did is we kept asking the question; why? What was the problem? What could we do to solve it? That took a long time. Sometimes it was painful. Sometimes it was late working, but we did it. I think, having worked in this arena for 32 years of my life, there is no doubt in my mind that we have made a difference with L.D. 1. We kept the balance. We protected the environment. I believe we have made it so that businesses will have a friendlier place to go and a better understanding of what is required. Again, I thank my friend, Senator Goodall.

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

Senator **RECTOR:** Thank you Mr. President. Men and women of the Senate, I just want to add my small voice to the process in moving forward with L.D.1. I especially want to thank the Committee Chairs and all the other members of the committee. I think that one of the things that we demonstrated was both the ability to take some issues and bring them under the umbrella of our committee and also to recognize that there were other issues that needed to go out to the committees of jurisdiction individually. I think we differentiated well and provided an opportunity for those committees of jurisdiction to do their work in a way that was terrifically important. I would like to thank Senator Courtney, the Senator from York, and Representative McKane and all those who worked so very hard. I feel a little like Senator Alfond. I was often not there. Great work was going on and we were able to come in and sort of receive the benefit of the hard work of others. I think it was with the best of intentions that we all moved forward. I think this was an unusual case where a big idea was able to be captured well, but at the same time allowed the individual committees to do their work. I really appreciate that on the part of the Chairs. Thank you, Mr. President.

THE PRESIDENT PRO TEM: The Chair recognizes the Senator from Washington, Senator Raye.

Senator **RAYE:** Thank you Mr. President. I am very pleased to rise today as the primary sponsor of L.D.1 to thank the committee for the extraordinary work that brings us to this historic moment. It was an incredible process that this committee engaged in, traveling far and wide across this state to hold seven field hearings; not to mention the hearing here and multiple work sessions to hammer out this bill, to work through legitimate and heart felt differences, to come to consensus. It resulted in a unanimous report and a broad bill that will have profound positive

impacts for this state. I want to particularly compliment Senate Courtney, the Senator from York, whose patient, tireless, and brilliant leadership of this committee helped to bring us here today. Along with Senators Rector, Saviello, Goodall, and Alfond and members from the other Body who served on this committee, they worked long hard hours, with patience, and with determination and with a bi-partisan spirit that will serve Maine's business community and the people of Maine well going forward. Among the most important provisions of this new law we are about to pass are provisions that authorize agencies to conduct a benefit cost analysis of proposed rules; creating a business ombudsman program within DEDC; creating a special advocate within the Office of the Secretary of State; directing the BEP to adopt rules to encourage the beneficial reuse of hazardous and solid waste; the positive constructive changes to the Board of Environmental Protection; and the elimination of state and municipal licenses in health inspections of eating establishments, just to name a few. The kinds of frustrations that all of us have heard from our struggling small business community over the past years have been addressed in this bill. Certainly it is not a cure all. It's not the end all be all, but in combination with other reforms that have already been passed and are currently working their way through the legislature, this is an important, in fact, a giant step forward for Maine. We all have participated in a shared effort to make Maine more conducive to job creation and to successful businesses. It strikes a thoughtful balance, reflects, I believe, the very best that the Maine Legislature has to offer when we work together in shared determination. We are moving Maine forward today in a very positive and constructive way to signal that Maine truly is open for business. I just want to urge everyone here to join together in making this a unanimous and powerful vote of the Maine Senate and again to thank the great bi-partisan work of this terrific committee. Thank you very much.

The Chair noted the presence of the Senator from Aroostook, Senator **JACKSON**.

THE PRESIDENT PRO TEM: The pending question before the Senate is Passage to be Enacted. 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 (#190)

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

NAYS: Senators: None

EXCUSED: Senator: GOODALL

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

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

ENACTORS

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

Constitutional Amendment

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Require Approval by a 2/3 Vote of Each Branch of the Legislature in Order To Raise a Tax or Impose a New Tax
S.P. 183 L.D. 603
(C "A" S-230)

Comes From the House, **FAILED FINAL PASSAGE**.

On motion by Senator **ROSEN** of Hancock, **TABLED** until Later in Today's Session, pending **FINAL PASSAGE**, in **NON-CONCURRENCE**.

Emergency Measure

An Act Regarding the Saltwater Recreational Fishing Registry
S.P. 60 L.D. 210
(S "B" S-147 to C "A" S-136)

Senator **ROSEN** of Hancock moved the Bill and accompanying papers be placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **ENACTMENT**, in concurrence.

Senator **TRAHAN** of Lincoln was granted unanimous consent to address the Senate off the Record.

Senate at Ease.

Senate called to order by President Pro Tem **THOMAS H. MARTIN** of Kennebec County.

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

Emergency Measure

An Act To Improve the Circuitbreaker Program
H.P. 367 L.D. 474
(C "A" H-475)

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

Emergency Measure

An Act To Amend Certain Provisions of Maine Fish and Wildlife Laws
S.P. 317 L.D. 1084
(C "A" S-245)

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 Pro Tem, was presented by the Secretary to the Governor for his approval.

Emergency Measure

An Act To Amend the Motor Vehicle Laws
S.P. 410 L.D. 1313
(S "A" S-218 to C "A" S-192)

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 Pro Tem, was presented by the Secretary to the Governor for his approval.

Emergency Resolve

Resolve, Directing the Commissioner of Education To Adopt a Policy Regarding Management of Head Injuries in Youth Sports
H.P. 84 L.D. 98
(C "A" H-519)

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

Emergency Resolve

Resolve, To Establish the Blue Ribbon Commission on Affordable Housing

H.P. 638 L.D. 841
(C "A" H-511)

Comes From the House, **FAILED FINAL PASSAGE**.

On motion by Senator **PLOWMAN** of Penobscot, placed on the **SPECIAL STUDY TABLE**, pending **FINAL PASSAGE**, in **NON-CONCURRENCE**.

Acts

An Act To Implement the Recommendations Regarding the Legislative Review of the Allocation of Slot Machine Revenue
H.P. 319 L.D. 393
(C "A" H-482)

An Act To Specify Qualifications for the Director of the Office of Adult Mental Health Services within the Department of Health and Human Services
H.P. 414 L.D. 531

An Act To Amend the Occupational Disease Reporting Laws
H.P. 484 L.D. 654

An Act To Amend the Definition of "Service Animal" To Conform with Federal Law
H.P. 551 L.D. 744
(C "A" H-506)

An Act To Make Allocations from Maine Turnpike Authority Funds for the Maine Turnpike Authority for the Calendar Year Ending December 31, 2012
H.P. 573 L.D. 766
(C "A" H-383)

An Act To Improve the Protection of Animals
S.P. 253 L.D. 850
(C "A" S-243)

An Act To Improve Transparency in Political Campaigns by Providing Quicker Access to Reports
S.P. 309 L.D. 989
(C "A" S-232)

An Act To Amend the Laws Governing the Sex Offender Registry
S.P. 313 L.D. 1025
(S "A" S-242 to C "A" S-180)

An Act To Promote Visual and Digital Media Productions, Tourism and Job Creation in the State
H.P. 804 L.D. 1069
(C "A" H-517)

An Act To Increase Transparency in Funding of Campaign Advertisements

S.P. 333 L.D. 1100
(C "A" S-234)

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

H.P. 826 L.D. 1114
(C "A" H-501)

An Act To Repeal Inactive Boards and Commissions

H.P. 850 L.D. 1144
(C "A" H-472)

An Act To Allow the Unclaimed Remains of a Veteran To Have Proper Burial

S.P. 386 L.D. 1265
(C "A" S-231)

An Act Concerning Sex Offender Registry Information

H.P. 963 L.D. 1317
(H "A" H-497 to C "A" H-466)

An Act To Amend the Maine Condominium Act

H.P. 978 L.D. 1332
(C "B" H-454)

An Act To Provide Tax Relief to Residents Deployed for Military Duty or Stationed outside of Maine

H.P. 1018 L.D. 1385
(C "A" H-510)

An Act Regarding Permits To Carry Concealed Firearms

H.P. 1070 L.D. 1439
(C "A" H-485)

An Act To Amend the Beano Laws

H.P. 1083 L.D. 1474
(C "A" H-509)

An Act To Remove Obstacles to the Use of Technological Advances for Heating in Multifamily Structures

H.P. 1107 L.D. 1506
(C "A" H-493)

An Act To Clarify the Maine State Lottery Agent Licensing Process

H.P. 1116 L.D. 1513
(C "A" H-481)

An Act To Amend the Election Laws and Other Related Laws

H.P. 1122 L.D. 1528
(C "A" H-474)

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

An Act To Amend the Gift Card Laws

H.P. 200 L.D. 247
(C "A" H-442)

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

An Act To Reform Telecommunications Taxation

H.P. 334 L.D. 441
(C "A" H-477)

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

An Act To Require Certain Changes to Sales and Use Tax Policy Application or Practice

H.P. 448 L.D. 590
(H "A" H-496 to C "A" H-434)

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

An Act To Enhance Long-term Care Services for Maine Citizens

H.P. 510 L.D. 683
(C "A" H-502)

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

An Act To Clarify the Collection Process for the Commercial Forestry Excise Tax

H.P. 681 L.D. 921
(C "A" H-484)

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

An Act To Provide Limited Reciprocity for Nonresidents Operating Snowmobiles in This State

H.P. 729 L.D. 993
(H "A" H-426 to C "A" H-364)

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

An Act To Provide a Property Tax Exemption for Family Burying Grounds

H.P. 816 L.D. 1081
(C "A" H-476)

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

An Act To Improve the Energy Efficiency of Public Buildings and Create Jobs

S.P. 385 L.D. 1264
(C "A" S-244)

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

Resolves

Resolve, To Study the Feasibility of Transferring Administration of the Liquor Laws to the Bureau of Alcoholic Beverages and Lottery Operations

H.P. 617 L.D. 821
(C "A" H-483)

Resolve, To Require the Department of Education To Submit a Plan for the Implementation of Standards-based Education

S.P. 295 L.D. 949
(C "A" S-236)

Resolve, Directing the Secretary of State To Examine Centralization of the Petition Signature Verification Process

H.P. 736 L.D. 1000
(C "A" H-507)

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

S.P. 338 L.D. 1105
(C "A" S-238)

Resolve, To Review Oversight and Advisory Responsibilities Related to Services for Adults with Intellectual Disabilities or Autism Spectrum Disorders

H.P. 827 L.D. 1115
(C "A" H-520)

Resolve, Directing the Executive Director of the Commission on Governmental Ethics and Election Practices To Review the Law Governing Push Polling

S.P. 375 L.D. 1254
(C "A" S-233)

Resolve, To Develop and Implement a Farm and Fish to School Pilot Program

H.P. 1060 L.D. 1446
(C "A" H-488)

Resolve, Authorizing the Commissioner of Administrative and Financial Services To Sell or Lease the Interests of the State in Certain Real Property Located in Rockwood and Sinclair in the Unorganized Territory and To Extend the Dates To Sell Real Property in Bangor, Augusta, Skowhegan, Frenchville and Hallowell

H.P. 1139 L.D. 1552
(C "A" H-473)

Senate at Ease.

Senate called to order by President Pro Tem **THOMAS H. MARTIN** of Kennebec County.

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

Resolve, To Study Allocations of the Fund for a Healthy Maine

H.P. 1144 L.D. 1558
(C "A" H-417)

On motion by Senator **PLOWMAN** of Penobscot, **TABLED** until Later in Today's Session, pending **FINAL PASSAGE**, in concurrence.

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

PAPERS FROM THE HOUSE

Joint Order

The following Joint Order:

H.P. 1171

ORDERED, the Senate concurring, that Bill, "An Act To Amend the Laws Governing Comprehensive Planning To Encourage the Development of Affordable Housing," H.P. 743, L.D. 1007, and all its accompanying papers, be recalled from the Governor's desk to the House.

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

READ and **PASSED**, in concurrence.

Senator **RAYE** of Washington was granted unanimous consent to address the Senate off the Record.

Senate at Ease.

Senate called to order by President Pro Tem
THOMAS H. MARTIN of Kennebec County.

All matters thus acted upon, with exception of those matters being held, were ordered sent down forthwith for concurrence.

On motion by Senator **COURTNEY** of York, **ADJOURNED** to Wednesday, June 8, 2011, at 10:00 in the morning.