

MAINE STATE LEGISLATURE

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Senate Legislative Record
One Hundred and Twenty-Fifth Legislature
State of Maine

Daily Edition

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

In Senate Chamber
Tuesday
January 17, 2012

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

Prayer by Senator Christopher W. Rector of Knox County.

SENATOR RECTOR: Thank you Mr. President. Men and women of the Senate, I know I join all of you in that sense of privilege that we have in serving here in the Legislature. I never once come over the hill from the coast, but I see the dome of the capitol building and have a little flutter in my heart. I have to say that I've had the privilege of serving the folks in Knox County. It's a privilege to be here. With that, let me offer this prayer.

Life is short and we do not have much time to gladden the hearts of those who make the journey with us, so be swift to love and make haste to be kind. May the blessing of God who made us, God who loves us, and God who travels with us be with you now and forever. Amen.

Pledge of Allegiance led by Senator Thomas H. Martin, Jr. of Kennebec County.

Reading of the Journal of Wednesday, January 11, 2012.

Doctor of the day, Dr. William Atlee, MD of Augusta.

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Enforce Prompt Payment to Career and Technical Education Regions"

H.P. 1304 L.D. 1772

Presented by Representative GIFFORD of Lincoln.
Cosponsored by Representative: TURNER of Burlington.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Comes from the House, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.

REFERRED to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed, in concurrence.

Bill "An Act Regarding Insurance Adjusters and Reporting Requirements for Insurance Companies"

H.P. 1305 L.D. 1773

Presented by Representative CUSHING of Hampden.
Cosponsored by Senator WHITTEMORE of Somerset and Senator: PLOWMAN of Penobscot, Representatives: FITZPATRICK of Houlton, FOSSEL of Alna, KNIGHT of Livermore Falls, Speaker NUTTING of Oakland, WINSOR of Norway.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

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.

COMMUNICATIONS

The Following Communication: S.C. 655

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

January 5, 2012

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

Dear President Raye and Speaker Nutting:

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

L.D. 1408 An Act To Amend Water Quality Standards for Fish Hatcheries

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

Sincerely,

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

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

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

The Following Communication: S.C. 656

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

January 10, 2012

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

Dear President Raye and Speaker Nutting:

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

- L.D. 324 An Act To Authorize Parents with Power of Attorney To Make Decisions Regarding the Education of Their Adult Children
- L.D. 419 An Act To Ensure the Payment of Survivor Benefits to Certain Children

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

Sincerely,

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

S/Rep. Joan M. Nass
House Chair

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

The Following Communication: S.C. 657

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

January 5, 2012

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

Dear President Raye and Speaker Nutting:

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

- L.D. 305 RESOLUTION, Proposing an Amendment to the Constitution of Maine To Allow Land and Buildings To Be Assessed Differently

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

Sincerely,

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

S/Rep. L. Gary Knight
House Chair

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

The Following Communication: S.C. 659

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

January 9, 2012

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

Dear President Raye and Speaker Nutting,

Pursuant to Joint Rule 310, we are writing to notify you that we have approved the request by the bill sponsor Sen. Hill of York, to report the following bill Leave to Withdraw:

- L.D. 1661 Resolve, To Allow Signs along Interstate 95 for the Town of Kittery and Its Businesses and Other Establishments

Sincerely,

S/Sen. Ronald F. Collins
Senate Chair

S/Rep. Richard M. Cebra
House Chair

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

The Following Communication: S.C. 658

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

January 9, 2012

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

Dear President Raye and Speaker Nutting:

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

L.D. 120 An Act To End Taxpayer-funded Campaigns for
Gubernatorial Candidates

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

Sincerely,

S/Sen. Nichi S. Farnham
Senate Chair

S/Rep. Michael G. Beaulieu
House Chair

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

REPORTS OF COMMITTEES

House

Change of Committee

The Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act To Provide Funding To Operate the Dolby Landfill in the Town of East Millinocket"
H.P. 1235 L.D. 1683

Reported that the same be **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES.**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES.**

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

REFERRED to the Committee on **ENVIRONMENT AND NATURAL RESOURCES**, in concurrence.

The Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Improve Maine's Capacity To Produce Low-cost Renewable Energy through Hydroelectric Power"
H.P. 1271 L.D. 1718

Reported that the same be **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES.**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES.**

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

REFERRED to the Committee on **ENVIRONMENT AND NATURAL RESOURCES**, in concurrence.

Senate

Change of Committee

Senator FARNHAM for the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Increase the Membership of the Homeland Security Advisory Council"
S.P. 585 L.D. 1720

Reported that the same be **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY.**

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

REFERRED to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY.**

Sent down for concurrence.

Ought to Pass

Senator FARNHAM for the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Improve the Administration of the Legislative Ethics Laws"
S.P. 350 L.D. 1150

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

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

Off Record Remarks

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

Off Record Remarks

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

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

Senator **MASON** of Androscoggin was granted unanimous consent to address the Senate off the Record.

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

On motion by Senator **COURTNEY** of York, **ADJOURNED** to Thursday, January 19, 2012, at 10:00 in the morning.