

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
Wednesday
March 7, 2012

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

Prayer by Pastor Richard Dorian of Centenary United Methodist Church in Skowhegan.

PASTOR DORIAN: All through this day, O Lord, by the power of thy quickening spirit, let us touch the lives of others for good, whether through the word we speak, the prayer we speak, or the lives we live. Loving Heavenly Father, we come to You this hour asking for Your blessing and help for the members of the Maine Senate, the full Maine Legislature, our Governor, our President, and all servant leaders across this great country. We pray for guidance in the matters at hand and ask that You would clearly show our leaders how to conduct their work with a spirit of joy and enthusiasm. Imbue them with a desire to find ways to be bridge builders and to excel in their work for today and tomorrow. Aid them to work together and encourage each other to excellence for all the people of Maine. We ask that You guide each member to seek justice, work for love and greater understanding, while promoting a safer and more productive world for all citizens. We ask all this in the name of the Lord. Amen.

Pledge of Allegiance led by Senator Michael D. Thibodeau of Waldo County.

Reading of the Journal of Tuesday, March 6, 2012.

Doctor of the day, Kenneth Christian, MD of Holden.

Out of order and under suspension of the Rules, on motion by Senator **COURTNEY** of York, the following Senate Order:
S.O. 27

Ordered, that a message be sent to the House of Representatives proposing a Convention of the two branches of the Legislature be held at 10:30 this morning in the Hall of the House for the purpose of extending to the Adjutant General of the Maine National Guard, an invitation to make such communication as pleases him.

READ and PASSED.

The Chair appointed the Senator from York, Senator **COURTNEY** to deliver the message to the House of Representatives. The Senator was escorted to the House of Representatives.

Senate at Ease.

Senate called to order by the President.

Subsequently, the Senator from York, Senator **COURTNEY** reported that he had delivered the message with which he was charged.

Off Record Remarks

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Ensure Funding for the Victims' Compensation Fund"

H.P. 1362 L.D. 1841

Presented by Representative FREDETTE of Newport.
(GOVERNOR'S BILL)

Cosponsored by Senator KATZ of Kennebec and Senators: HILL of York, ROSEN of Hancock, Representatives: CHASE of Wells, CLARK of Easton, KESCHL of Belgrade, MALONEY of Augusta, STEVENS of Bangor, WINSOR of Norway.

Comes from the House, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed.

REFERRED to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed, in concurrence.

Bill "An Act To Amend the Charter of the Bingham Water District"
(EMERGENCY)

H.P. 1363 L.D. 1842

Presented by Representative DUNPHY of Embden.

Cosponsored by Representatives: ESPLING of New Gloucester, McCLELLAN of Raymond.

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

Comes from the House, **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed.

REFERRED to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed, in concurrence.

Bill "An Act To Limit MaineCare Reimbursement for Methadone Treatment"

H.P. 1361 L.D. 1840

Presented by Representative BURNS of Whiting.
Cosponsored by Senator THIBODEAU of Waldo and Senator: SHERMAN of Aroostook, Representatives: DOW of Waldoboro, ESPLING of New Gloucester, GIFFORD of Lincoln, HANLEY of Gardiner, STRANG BURGESS of Cumberland, TILTON of Harrington, TURNER of Burlington.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Comes from the House, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

REFERRED to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed, in concurrence.

Joint Resolution

The following Joint Resolution:

H.P. 1365

JOINT RESOLUTION RECOGNIZING MULTIPLE SCLEROSIS AWARENESS WEEK, MARCH 12 TO MARCH 18, 2012

WHEREAS, multiple sclerosis is a chronic, often disabling disease of the central nervous system that typically strikes in young adulthood and for which there is no cure at present; and

WHEREAS, multiple sclerosis affects 400,000 people nationwide, including 8,000 to 10,000 children and teens; over 3,000 individuals in Maine have the disease, which is one of the highest per capita rates in the nation; and

WHEREAS, there is conclusive evidence of an increased incidence of multiple sclerosis in veterans of the Gulf War; and

WHEREAS, the National Multiple Sclerosis Society is a driving force of multiple sclerosis research, pursuing prevention, treatment and cure, and the Greater New England Chapter of the National Multiple Sclerosis Society educates, supports and advocates for people with multiple sclerosis and their families to help them maintain the highest possible quality of life; and

WHEREAS, the Greater New England Chapter of the National Multiple Sclerosis Society encourages individuals with multiple sclerosis and their families, health professionals and other concerned citizens to join the movement to advocate for policy change in the priority areas of high-quality health care, health care coverage, long-term care and disability rights; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-fifth Legislature now assembled in the Second Regular Session, on behalf of the people we represent, take this opportunity to declare that the week of March 12 to March 18,

2012 is designated as Multiple Sclerosis Awareness Week; and be it further

RESOLVED: That a suitable copy of this resolution, duly authenticated by the Secretary of State, be transmitted to the Greater New England Chapter of the National Multiple Sclerosis Society.

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

READ and **ADOPTED**, in concurrence.

COMMUNICATIONS

The Following Communication: S.C. 739

**DEPARTMENT OF DEFENSE, VETERANS AND EMERGENCY MANAGEMENT
OFFICE OF THE COMMISSIONER AND THE ADJUTANT GENERAL
33 STATE HOUSE STATION
CAMP KEYES, AUGUSTA, MAINE 04333-0033**

February 28, 2012

Honorable Kevin L. Raye
President of the Senate
3 State House Station
Augusta, Maine 04333-0003

Dear President Raye:

As the Commissioner of the Maine Department of Defense, Veterans and Emergency Management and the Adjutant General of the Maine National Guard, I accept your invitation to address the Joint Session of the 125th Maine Legislature on Wednesday, March 7, 2012 at 11:00 a.m.

Sincerely,

S/Major General (Retired) John W. Libby
Commissioner and The Adjutant General

READ and **ORDERED PLACED ON FILE**.

The Following Communication: S.C. 740

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

March 1, 2012

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

Dear Mr. President and Mr. Speaker:

Pursuant to Title 3 Maine Revised Statutes, chapter 35, we are pleased to submit the findings of the Joint Standing Committee on Criminal Justice and Public Safety from the review and evaluation of the Department of Corrections under the State Government Evaluation Act. In its review, the Committee found that the Department of Corrections is operating within its statutory authority.

Sincerely,

S/Senator Garrett Mason
Senate Chair

S/Representative Gary Plummer
House Chair

READ and ORDERED PLACED ON FILE.

Off Record Remarks

SENATE PAPERS

Bill "An Act To Define Cost Responsibility for Transporting Deaf and Hard-of-hearing Students to the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf"

S.P. 637 L.D. 1839

Presented by Senator ALFOND of Cumberland.
Cosponsored by Representative WAGNER of Lewiston and Senators: BRANNIGAN of Cumberland, WOODBURY of Cumberland, Representatives: LOVEJOY of Portland, RANKIN of Hiram, RICHARDSON of Carmel.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

Sent down for concurrence.

At this point a message was received from the House of Representatives, borne by Representative CURTIS of Madison informing the Senate that the House concurred with the proposition for a Convention of the two branches of the Legislature to be held in the Hall of the House at 10:30 this morning for the purpose of extending to the Adjutant General of the Maine National Guard, an invitation to make such communication as pleases him.

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

ORDERS

Joint Orders

Expressions of Legislative Sentiment recognizing:

The members of the Bangor High School Girls Swim Team, on their winning the 2012 Class A State Swimming Championship: Lindsay Diehl, Arwen Joseph, Alexis Lower, Jules Mogul, Taylor Olmstead, Gabby Sekera, Tamara Snyder, Abbie Symonds, Lilli Wiseman, Mary Bourque, Madeleine Coffey, Jessica Correale, Emily Daub, Jennifer Dickison, Kendra Hart, Alice Hwang, Juliana McDonald, Carli Poisson, Keely Shorette, Jazmine Stevens, Emma Waddell, Maggie Wagner, Dominique Comeau, Ashley Davis, Courtney Dixon, Kayla Elliott, Lacey Hernandez, Elizabeth Huber, Jamie Hunsaker, Leah Jones, Anneka Ortiz, Elizabeth Owens, Alyssa Reardon, Megan Shuman, Kylie Smith, Chely Thibodeau and Mariah Reading; captains Taylor Rogers, Allie Rowe and Meri Wicks; head coach Cindi Howard, assistant swim coach Ritchie Palmer and head diving coach Jaret Lizotte. We send the members of the team our congratulations and best wishes on their achievement;

SLS 586

Sponsored by Senator FARNHAM of Penobscot.
Cosponsored by Representatives: DAMON of Bangor, GOODE of Bangor, PARKER of Veazie, STEVENS of Bangor.

READ.

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

Senator **FARNHAM:** Thank you Mr. President. I just wanted to congratulate the members of the Bangor High Girls Swim Team on winning the 2012 State Class A Championship.

PASSED.

Sent down for concurrence.

The members of the Bangor High School Boys Swim Team, on their winning the 2012 Class A State Swimming Championship: Eli Beauchamp, Stephen Comeau, John Emery, Ezra Frost, Jacob Grant, Toby Jones, Grant Lufkin, Tyler Mallory-MacDonald, Jack Marcotte, Dominic Mooney, Liam Reading, Andrew Ye, Louis Booyesen, Mike Dow, Leif Grosswiler, Joey Kacer, Tanner LaCrosse, Mike Levasseur, Colton Markevich, Jacob McKay, Alex Pulley, Damian Robinson, David Smallwood, Dylan Wood, Pedro Barros, Lucas Dumond, Fletcher Hand, Zach Kreitzer, Steven Leighton, John Peterson, Caleb Savoy, Tommy Townley, Braden Camargo, Gordon Carroll, Matthew England, Matthew Fuller, Connor Giles, Nic Kenney, Erik Koren, John Livingstone, Blake Lufkin, Nick Montemurro, Ryan Robinson, Jeff Rogers, William Symonds, Welles Tisdale and Jake Worcester; head coach Phil Emery and assistant coaches Dave Barnett and Jaret Lizotte. This is the 6th consecutive State Championship for the team. We send the members of the team our congratulations and best wishes on their achievement;

SLS 587

Sponsored by Senator FARNHAM of Penobscot.
Cosponsored by Representatives: DAMON of Bangor, GOODE of Bangor, PARKER of Veazie, STEVENS of Bangor.

READ.

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

Senator **FARNHAM:** Thank you Mr. President. I have the pleasure of congratulating the members of the Boys Bangor High School Swim Team on their winning of the 2012 State Class A Championship. This is the sixth consecutive State Championship for the Boys Swim Team. Congratulations to the coach and the swimmers and the families for both the boys and the girls swim teams in Bangor.

PASSED.

Sent down for concurrence.

Senate at Ease.

Senate called to order by the President.

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

PAPERS FROM THE HOUSE

Joint Resolution

The following Joint Resolution:

H.P. 1366

**JOINT RESOLUTION IN HONOR OF ADJUTANT GENERAL
JOHN W. LIBBY ON HIS RETIREMENT**

WHEREAS, Major General John W. Libby, of Sidney, Adjutant General of the Maine National Guard, is retiring after many years of dedicated service to the military and to the State of Maine; and

WHEREAS, Major General Libby assumed his duties as the Adjutant General of the Maine National Guard on January 15, 2004 and was employed as Commissioner of Defense, Veterans and Emergency Management; and

WHEREAS, as Commissioner of Defense, Veterans and Emergency Management, Major General Libby coordinated and administered Maine's responsibilities relating to military matters, veterans and civil emergency preparedness and was also responsible for the overall readiness of the Maine National Guard, and in that capacity has served with great distinction; and

WHEREAS, Major General Libby began his military career upon commission from the Army ROTC program at the University of Maine in 1966 and held active duty command and staff positions in both Vietnam and the Federal Republic of Germany before joining the Maine Army National Guard in 1975; and

WHEREAS, Major General Libby was awarded the Legion of Merit, the Bronze Star Medal, the Army Commendation Medal, the National Defense Service Medal and many other significant awards and decorations throughout his long career; and

WHEREAS, Major General Libby is a recipient of the Heart of Gold Award from Community Counseling Center for his commitment and dedication to the well-being of those serving in the Maine National Guard and their families; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-fifth Legislature now assembled in the Second Regular Session, on behalf of the people we represent, take this opportunity to send our appreciation to Major General Libby for his exemplary commitment, dedication and work for the people of the State of Maine and the Nation, and we send him our congratulations and best wishes on his retirement; and be it further

RESOLVED: That a suitable copy of this resolution, duly authenticated by the Secretary of State, be transmitted to Major General John W. Libby.

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

READ and **ADOPTED**, in concurrence.

REPORTS OF COMMITTEES

House

Pursuant to Statute

The Committee on **GOVERNMENT OVERSIGHT COMMITTEE** on Bill "An Act To Implement the Recommendations of the Office of Program Evaluation and Government Accountability and the Government Oversight Committee Regarding Quasi-independent State Entities"

H.P. 1364 L.D. 1843

Reported that the same be **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**, pursuant to the Maine Revised Statutes, Title 3, section 997, subsection 2.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**.

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

Bill and accompanying papers **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**, in concurrence.

Ought to Pass As Amended

The Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Conform Maine Law to Federal Law Regarding Payment of Overtime to Truck Drivers and Driver's Helpers"

H.P. 1237 L.D. 1685

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-732)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-732) AS AMENDED BY HOUSE AMENDMENT "A" (H-744)** thereto.

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

READ ONCE.

Committee Amendment "A" (H-732) **READ**.

House Amendment "A" (H-744) to Committee Amendment "A" (H-732) **READ** and **ADOPTED**, in concurrence.

Committee Amendment "A" (H-732) as Amended by House Amendment "A" (H-744) thereto, **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Reduce Costs for Small Businesses"

H.P. 764 L.D. 1030

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

Signed:

Senators:

WHITTEMORE of Somerset
SNOWE-MELLO of Androscoggin
BRANNIGAN of Cumberland

Representatives:

RICHARDSON of Warren
BEAUDOIN of Biddeford
BECK of Waterville
FITZPATRICK of Houlton
GOODE of Bangor
McKANE of Newcastle
MORISSETTE of Winslow
PICCHIOTTI of Fairfield
TREAT of Hallowell

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-736)**.

Signed:

Representative:

MORRISON of South Portland

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

Reports **READ**.

On motion by Senator **WHITTEMORE** of Somerset, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, 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 "B" (H-733)**.

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 Not To Pass**.

Signed:

Senator:
PATRICK of Oxford

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

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 "B" (H-733)**.

Reports **READ**.

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

Senator **PATRICK** of Oxford moved to **INDEFINITELY POSTPONED** the Bill and accompanying papers, in **NON-CONCURRENCE**.

Same Senator requested a Roll Call.

On motion by Senator **COURTNEY** of York, **TABLED** until Later in Today's Session, pending the motion by Senator **PATRICK** of Oxford to **INDEFINITELY POSTPONE** the Bill and accompanying papers, in **NON-CONCURRENCE**. (Roll Call Requested)

Senate

Ought to Pass As Amended

Senator **ROSEN** for the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act To Clarify Authorization for a Court Facilities Bond"

S.P. 566 L.D. 1667

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-417)**.

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

READ ONCE.

Committee Amendment "A" (S-417) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator **LANGLEY** for the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Update the Career and Technical Education Laws" (EMERGENCY)

S.P. 616 L.D. 1779

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-416)**.

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

READ ONCE.

Committee Amendment "A" (S-416) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

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

SECOND READERS

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

House

Bill "An Act Regarding the Interception of Oral or Wire Communications of Residents of State Correctional Facilities and Jails"

H.P. 1282 L.D. 1737

Resolve, Regarding Legislative Review of Portions of Chapter 375: No Adverse Environmental Effect Standard of the Site Location Law, a Major Substantive Rule of the Department of Environmental Protection (EMERGENCY)

H.P. 1318 L.D. 1793

Resolve, To Promote the Expansion of the Maine Maple Sugar Industry (EMERGENCY)

H.P. 1338 L.D. 1814

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

House As Amended

Bill "An Act Regarding Inmates on Public Works Projects" (EMERGENCY)

H.P. 1225 L.D. 1635
(C "A" H-731)

Bill "An Act To Authorize the Commissioner of Education To Allow Access to Criminal History Record Information to Entities Providing Document Management and To Remove Applicants' Fingerprints from the Fingerprint File"

H.P. 1301 L.D. 1767
(C "A" H-730)

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

Senate

Resolve, Directing the Maine Turnpike Authority To Place Signs on Interstate 95 Directing Motorists to the Southern Maine Veterans Memorial Cemetery in Springvale

S.P. 625 L.D. 1807

Bill "An Act To Implement the Recommendations of the Department of Health and Human Services and the Maine Developmental Disabilities Council Regarding Respectful Language" (EMERGENCY)

S.P. 640 L.D. 1845

READ A SECOND TIME and PASSED TO BE ENGROSSED.

Sent down for concurrence.

Senate As Amended

Bill "An Act Regarding the Writing of Bad Checks"

S.P. 321 L.D. 1088
(C "A" S-408)

Bill "An Act To Amend the Charter of the Ogunquit Sewer District"

S.P. 530 L.D. 1620
(C "A" S-414)

Bill "An Act To Clarify Health Insurance Benefits for Disabled Participants in the Maine Public Employees Retirement System" (EMERGENCY)

S.P. 550 L.D. 1651
(C "A" S-411)

Bill "An Act To Protect Gasoline Marketers from Liability for Selling Federally Mandated Gasoline"

S.P. 557 L.D. 1658
(C "A" S-413)

Resolve, To Establish the Task Force To Facilitate the Development of Unoccupied Mills (EMERGENCY)

S.P. 574 L.D. 1675
(C "A" S-412)

Bill "An Act To Improve the Method of Classifying Shellfish Harvesting Areas and Providing Notification of Changes"

S.P. 586 L.D. 1721
(C "A" S-415)

Bill "An Act To Streamline the Paperwork Requirements of the State's Forest Practices Laws"

S.P. 598 L.D. 1741
(C "A" S-409)

Bill "An Act To Enhance Career Pathways for Adult Learners"

S.P. 617 L.D. 1780
(C "A" S-410)

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

Sent down for concurrence.

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

ENACTORS

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

Emergency Measure

An Act To Provide for the 2012 and 2013 Allocations of the State Ceiling on Private Activity Bonds

S.P. 593 L.D. 1733
(C "A" S-388)

This being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with no Senators having voted in the negative, and 32 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

Emergency Resolve

Resolve, Regarding Legislative Review of Portions of Chapter 270: Uniform Reporting System for Quality Data Sets, a Major Substantive Rule of the Maine Health Data Organization

H.P. 1285 L.D. 1743

This being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with no Senators having voted in the negative, and 32 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

Emergency Resolve

Resolve, Regarding Legislative Review of Portions of Chapter 115: Certification, Authorization and Approval of Education Personnel, Parts I and II, a Major Substantive Rule of the Department of Education and the State Board of Education
H.P. 1306 L.D. 1775
(C "A" H-713)

This being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with no Senators having voted in the negative, and 32 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

Acts

An Act To Amend the Application Process for the Progressive Treatment Program

S.P. 285 L.D. 897
(C "A" S-389)

An Act To Clarify the Laws Governing Pharmacy Interns

H.P. 1217 L.D. 1608
(C "A" H-715)

An Act To Amend the Organization of the Quality Assurance Review Committee

S.P. 535 L.D. 1625

An Act Regarding the Oversight and Safety of Certain Commercial Vessels Operating in Maine Waters

H.P. 1321 L.D. 1795

An Act To Increase the Amount of Time an Employer May Employ an Employee without Being Charged for Unemployment Benefits

H.P. 1352 L.D. 1832

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

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

An Act To Dedicate a Percentage of the Sales and Use Tax on Automobiles and Motorcycles to the Highway Fund

H.P. 45 L.D. 52
(C "A" H-694)

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

Resolve

Resolve, To Revise Requirements of the Maine Land Use Regulation Commission Pertaining to Maple Sugarhouses
H.P. 1241 L.D. 1689
(C "A" H-716)

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

Ordered sent down forthwith.

Senate at Ease.

Senate called to order by the President.

Off Record Remarks

Senate at Ease.

Senate called to order by the President.

Off Record Remarks

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

Off Record Remarks

Senator **PLOWMAN** of Penobscot 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.

Senator **KATZ** of Kennebec 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.

Off Record Remarks

At this point, the Senate retired to the Hall of the House, where a Joint Convention was formed.

After Convention

In Senate Chamber

Senate called to order by the President

On motion by Senator **COURTNEY** of York, **ADJOURNED** to Thursday, March 8, 2012, at 10:00 in the morning.