

MAINE STATE LEGISLATURE

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

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

In Senate Chamber
Wednesday
April 4, 2012

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

Prayer by Rev. Francis Morin of St. Michael's Parish of Augusta.

REVEREND MORIN: Good morning. Let us pray. Gracious and loving God, we come to You in humble prayer today for our nation and for our state. We ask that You bless our nation's President and our state Governor. Give them wisdom and strength to serve the American people and the citizens of our state and to lead us in ways that are pleasing to You. Bless the members of our Congress and of this Legislature. Instill in them knowledge and understanding to enact laws for the common good of all our citizens. Bless the people of this nation and especially of the state of Maine. Make us aware of our responsibilities as citizens to uphold the principles of life, liberty, justice, and equality. Send Your spirit upon our beloved country. Make us people of faith in times of uncertainty. Make us people of hope in times of trouble. Make us people of compassion with those who are less fortunate. Make us people of peace and justice in our homes, our communities, our country, and our world. We pray in the name of our Lord and God. Amen.

Pledge of Allegiance led by Senator Joseph C. Brannigan of Cumberland County.

Reading of the Journal of Tuesday, April 3, 2012.

Doctor of the day, Russell DeJong, MD of Belgrade.

Off Record Remarks

COMMUNICATIONS

The Following Communication: S.C. 826

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

April 3, 2012

The Honorable Kevin L. Raye
President of the Senate of Maine
125th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Agriculture, Conservation and Forestry has had under consideration the nomination of James W. Gorman, Jr. of Freeport, for appointment to the Land For Maine's Future Board.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	3	Sherman of Aroostook, Schneider of Penobscot, Thibodeau of Waldo
	Representatives	5	Cray of Palmyra, Dill of Old Town, Foster of Augusta, Gifford of Lincoln, Timberlake of Turner
NAYS		0	
ABSENT		5	Rep. Edgecomb of Caribou, Rep. Black of Wilton, Rep. Kent of Woolwich, Rep. McCabe of Skowhegan, Rep. O'Brien of Lincolnville

Eight members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of James W. Gorman, Jr. of Freeport, for appointment to the Land For Maine's Future Board be confirmed.

Signed,

S/Roger L. Sherman
Senate Chair

S/Peter E. Edgecomb
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** be overridden?"

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#432)

YEAS: Senators: None

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

ABSENT: Senator: GERZOFISKY

No Senator having voted in the affirmative and 34 Senators having voted in the negative, with 1 Senator being absent, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **James W. Gorman, Jr.** of Freeport for appointment to the Land For Maine's Future Board was **CONFIRMED**.

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

The Following Communication: S.C. 827

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

April 3, 2012

The Honorable Kevin L. Raye
President of the Senate of Maine
125th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Agriculture, Conservation and Forestry has had under consideration the nomination of William J. Vail of Saco, for appointment to the Land For Maine's Future Board.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	3	Sherman of Aroostook, Schneider of Penobscot, Thibodeau of Waldo
	Representatives	5	Cray of Palmyra, Dill of Old Town, Foster of Augusta, Gifford of Lincoln, Timberlake of Turner
NAYS		0	
ABSENT		5	Rep. Edgecomb of Caribou, Rep. Black of Wilton, Rep. Kent of Woolwich, Rep. McCabe of Skowhegan, Rep. O'Brien of Lincolnville

Eight members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of William J. Vail of Saco, for appointment to the Land For Maine's Future Board be confirmed.

Signed,

S/Roger L. Sherman
Senate Chair

S/Peter E. Edgecomb
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** be overridden?"

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#433)

YEAS: Senators: None

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

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **William J. Vail** of Saco for appointment to the Land For Maine's Future Board was **CONFIRMED**.

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

The Following Communication: S.C. 828

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

April 3, 2012

The Honorable Kevin L. Raye
President of the Senate of Maine
125th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Agriculture, Conservation and Forestry has had under consideration the nomination of Honorable Donald G. Marean of Hollis, for reappointment to the Land For Maine's Future Board.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	2	Sherman of Aroostook, Schneider of Penobscot
	Representatives	6	Edgecomb of Caribou, Cray of Palmyra, Dill of Old Town, Foster of Augusta, Gifford of Lincoln, Timberlake of Turner
NAYS		0	
ABSENT		5	Rep. Black of Wilton, Rep. Kent of Woolwich, Rep. McCabe of Skowhegan, Rep. O'Brien of Lincolnville, Sen. Thibodeau of Waldo

Eight members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Honorable Donald G. Marean of Hollis, for reappointment to the Land For Maine's Future Board be confirmed.

Signed,

S/Roger L. Sherman
Senate Chair

S/Peter E. Edgecomb
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** be overridden?"

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#434)

YEAS: Senators: None

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

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **William J. Vail** of Saco for appointment to the Land For Maine's Future Board was **CONFIRMED**.

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

Senate at Ease.

Senate called to order by the President.

Off Record Remarks

The Following Communication: S.C. 824

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

April 3, 2012

The Honorable Kevin L. Raye
President of the Senate of Maine
125th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Agriculture, Conservation and Forestry has had under consideration the nomination of James R. May of Mapleton, for appointment to the Land Use Regulation Commission.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	3	Sherman of Aroostook, Schneider of Penobscot, Thibodeau of Waldo
	Representatives	6	Black of Wilton, Cray of Palmyra, Dill of Old Town, Foster of Augusta, Gifford of Lincoln, Timberlake of Turner
NAYS		0	
ABSENT		4	Rep. Edgecomb of Caribou, Rep. Kent of Woolwich, Rep. McCabe of Skowhegan, Rep. O'Brien of Lincolnville

Nine members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of James R. May of Mapleton, for appointment to the Land Use Regulation Commission be confirmed.

Signed,

S/Roger L. Sherman
Senate Chair

S/Peter E. Edgecomb
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** be overridden?"

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#435)

YEAS: Senators: None

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

ABSENT: Senator: BRANNIGAN

No Senator having voted in the affirmative and 34 Senators having voted in the negative, with 1 Senator being absent, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **James R. May** of Mapleton for appointment to the Land Use Regulation Commission was **CONFIRMED**.

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

The Following Communication: S.C. 825

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

April 3, 2012

The Honorable Kevin L. Raye
President of the Senate of Maine
125th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Agriculture, Conservation and Forestry has had under consideration the nomination of Durward L. Humphrey of Benedicta, for appointment to the Land Use Regulation Commission.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	3	Sherman of Aroostook, Schneider of Penobscot, Thibodeau of Waldo
	Representatives	6	Black of Wilton, Cray of Palmyra, Dill of Old Town, Foster of Augusta, Gifford of Lincoln, Timberlake of Turner
NAYS		0	
ABSENT		4	Rep. Edgecomb of Caribou, Rep. Kent of Woolwich, Rep. McCabe of Skowhegan, Rep. O'Brien of Lincolnville

Nine members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Durward L. Humphrey of Benedicta, for appointment to the Land Use Regulation Commission be confirmed.

Signed,

S/Roger L. Sherman
Senate Chair

S/Peter E. Edgecomb
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** be overridden?"

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#436)

YEAS: Senators: None

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

ABSENT: Senator: BRANNIGAN

No Senator having voted in the affirmative and 34 Senators having voted in the negative, with 1 Senator being absent, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Durward L. Humphrey** of Benedicta for appointment to the Land Use Regulation Commission was **CONFIRMED**.

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

The Following Communication: S.C. 821

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

April 3, 2012

The Honorable Kevin L. Raye
President of the Senate of Maine
125th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Education and Cultural Affairs has had under consideration the nomination of Kaitlyn Kinsey of Fort Fairfield, for appointment to the Maine Community College System, Board of Trustees.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS Senators 1 Langley of Hancock
 Representatives 9 Richardson of Carmel,
 Johnson of Greenville,
 Lovejoy of Portland, Maker of
 Calais, McClellan of
 Raymond, McFadden of
 Dennysville, Nelson of
 Falmouth, Rankin of Hiram,
 Wagner of Lewiston

No Senator having voted in the affirmative and 34 Senators having voted in the negative, with 1 Senator being absent, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Kaitlyn Kinsey** of Fort Fairfield for appointment to the Maine Community College System, Board of Trustees was **CONFIRMED**.

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

NAYS 0

ABSENT 3 Sen. Alfond of Cumberland,
 Rep. Edgecomb of Caribou,
 Sen. Mason of Androscoggin

The Following Communication: S.C. 823

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

April 3, 2012

The Honorable Kevin L. Raye
 President of the Senate of Maine
 125th Maine Legislature
 State House
 Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Education and Cultural Affairs has had under consideration the nomination of Honorable Jean Ginn Marvin of Cape Elizabeth, for appointment to the Maine Community College System, Board of Trustees.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS Senators 1 Langley of Hancock
 Representatives 8 Richardson of Carmel,
 Johnson of Greenville,
 Lovejoy of Portland, Maker of
 Calais, McClellan of
 Raymond, McFadden of
 Dennysville, Rankin of Hiram,
 Wagner of Lewiston

NAYS 0

ABSENT 4 Sen. Alfond of Cumberland,
 Rep. Edgecomb of Caribou,
 Sen. Mason of Androscoggin,
 Rep. Nelson of Falmouth

Ten members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Kaitlyn Kinsey of Fort Fairfield, for appointment to the Maine Community College System, Board of Trustees be confirmed.

Signed,

S/Brian D. Langley
 Senate Chair

S/David E. Richardson
 House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **EDUCATION AND CULTURAL AFFAIRS** be overridden?"

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#437)

YEAS: Senators: None

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

ABSENT: Senator: BRANNIGAN

Nine members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Honorable Jean Ginn Marvin of Cape Elizabeth, for appointment to the Maine Community College System, Board of Trustees be confirmed.

Signed,

S/Brian D. Langley
Senate Chair

S/David E. Richardson
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **EDUCATION AND CULTURAL AFFAIRS** be overridden?"

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#438)

YEAS: Senators: None

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

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of the Honorable **Jean Ginn Marvin** of Cape Elizabeth for appointment to the Maine Community College System, Board of Trustees was **CONFIRMED**.

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

The Following Communication: S.C. 822

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

April 3, 2012

The Honorable Kevin L. Raye
President of the Senate of Maine
125th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Education and Cultural Affairs has had under consideration the nomination of Tyler C. Hadyniak of Freedom, for appointment to the University of Maine System, Board of Trustees.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	1	Langley of Hancock
	Representatives	8	Richardson of Carmel, Johnson of Greenville, Lovejoy of Portland, Maker of Calais, McClellan of Raymond, McFadden of Dennysville, Rankin of Hiram, Wagner of Lewiston

NAYS 0

ABSENT 4 Sen. Alfond of Cumberland, Rep. Edgecomb of Caribou, Sen. Mason of Androscoggin, Rep. Nelson of Falmouth

Nine members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Tyler C. Hadyniak of Freedom, for appointment to the University of Maine System, Board of Trustees be confirmed.

Signed,

S/Brian D. Langley
Senate Chair

S/David E. Richardson
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **EDUCATION AND CULTURAL AFFAIRS** be overridden?"

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

Representatives 7 Chapman of Brooksville, Knapp of Gorham, Kruger of Thomaston, Kumiega of Deer Isle, MacDonald of Boothbay, Olsen of Phippsburg, Parry of Arundel

ROLL CALL (#439)

YEAS: Senators: None
NAYS: Senators: ALFOND, BARTLETT, BRANNIGAN, COLLINS, COURTNEY, CRAVEN, DIAMOND, DILL, FARNHAM, GERZOFKY, GOODALL, HASTINGS, HILL, HOBBS, JACKSON, JOHNSON, KATZ, LANGLEY, MARTIN, MASON, MCCORMICK, PATRICK, PLOWMAN, RECTOR, ROSEN, SAVIELLO, SCHNEIDER, SHERMAN, SNOWE-MELLO, SULLIVAN, THIBODEAU, THOMAS, WHITTEMORE, WOODBURY, THE PRESIDENT - KEVIN L. RAYE

NAYS 0
ABSENT 4 Rep. Weaver of York, Rep. Beliveau of Kittery, Sen. Langley of Hancock, Rep. Tilton of Harrington

Nine members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Christopher Weiner of Portland, for appointment to the Marine Resources Advisory Council be confirmed.

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Tyler C. Hadyniak** of Freedom for appointment to the University of Maine System, Board of Trustees was **CONFIRMED**.

Signed,
S/Lois A. Snowe-Mello
Senate Chair
S/Windol C. Weaver
House Chair

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

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **MARINE RESOURCES** be overridden?"

The Following Communication: S.C. 829

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

March 30, 2012

The Honorable Kevin L. Raye
President of the Senate of Maine
125th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Marine Resources has had under consideration the nomination of Christopher Weiner of Portland, for appointment to the Marine Resources Advisory Council.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS Senators 2 Snowe-Mello of Androscoggin, Johnson of Lincoln

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#440)

YEAS: Senators: None
NAYS: Senators: ALFOND, BARTLETT, BRANNIGAN, COLLINS, COURTNEY, CRAVEN, DIAMOND, DILL, FARNHAM, GERZOFKY, GOODALL, HASTINGS, HILL, HOBBS, JACKSON, JOHNSON, KATZ, LANGLEY, MARTIN, MASON, MCCORMICK, PATRICK, PLOWMAN, RECTOR, ROSEN, SAVIELLO, SCHNEIDER, SHERMAN, SNOWE-MELLO, SULLIVAN, THIBODEAU, THOMAS, WHITTEMORE, WOODBURY, THE PRESIDENT - KEVIN L. RAYE

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Christopher Weiner** of Portland for appointment to the Marine Resources Advisory Council was **CONFIRMED**.

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

The Following Communication: S.C. 830

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

March 30, 2012

The Honorable Kevin L. Raye
President of the Senate of Maine
125th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Marine Resources has had under consideration the nomination of Angelo Ciocca of Cape Elizabeth, for appointment to the Marine Resources Advisory Council.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	2	Snowe-Mello of Androscoggin, Johnson of Lincoln
	Representatives	8	Chapman of Brooksville, Knapp of Gorham, Kruger of Thomaston, Kumiega of Deer Isle, MacDonald of Boothbay, Olsen of Phippsburg, Parry of Arundel, Tilton of Harrington
NAYS		0	
ABSENT		3	Rep. Weaver of York, Rep. Beliveau of Kittery, Sen. Langley of Hancock

Ten members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Angelo Ciocca of Cape Elizabeth, for appointment to the Marine Resources Advisory Council be confirmed.

Signed,

S/Lois A. Snowe-Mello
Senate Chair

S/Windol C. Weaver
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **MARINE RESOURCES** be overridden?"

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#441)

YEAS: Senators: None

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

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Angelo Ciocca** of Cape Elizabeth for appointment to the Marine Resources Advisory Council was **CONFIRMED**.

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

The Following Communication: S.C. 831

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

March 30, 2012

The Honorable Kevin L. Raye
President of the Senate of Maine
125th Maine Legislature
State House
Augusta, Maine 04333-0003

ROLL CALL (#442)

YEAS: Senators: None

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Marine Resources has had under consideration the nomination of Albert C. Carver of Beals, for appointment to the Marine Resources Advisory Council.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	2	Snowe-Mello of Androscoggin, Johnson of Lincoln
	Representatives	8	Chapman of Brooksville, Knapp of Gorham, Kruger of Thomaston, Kumiega of Deer Isle, MacDonald of Boothbay, Olsen of Phippsburg, Parry of Arundel, Tilton of Harrington
NAYS		0	
ABSENT		3	Rep. Weaver of York, Rep. Beliveau of Kittery, Sen. Langley of Hancock

Ten members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Albert C. Carver of Beals, for appointment to the Marine Resources Advisory Council be confirmed.

Signed,

S/Lois A. Snowe-Mello
Senate Chair

S/Windol C. Weaver
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **MARINE RESOURCES** be overridden?"

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Albert C. Carver** of Beals for appointment to the Marine Resources Advisory Council was **CONFIRMED**.

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

The Following Communication: H.C. 353

**STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0001**

April 2, 2012

The 125th Legislature of the State of Maine
State House
Augusta, Maine

Dear Honorable Members of the 125th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 1003, "Resolve, To Assist Maine Schools To Obtain Federal Funds for Medically Necessary Services."

As members of the Legislature know, the Department of Health and Human Services is under constant pressure trying to fix the large number of problems found in the MaineCare benefit program. This Resolve would simply be a distraction from their other important duties. I have strong objections to the Legislature directing efforts of the Executive branch without providing funding for that purpose, especially when my departments are already working tirelessly on these issues. Further, Maine law already requires stakeholder input on such MaineCare changes, making this Resolve unnecessary.

Another problem with this Resolve is that it attempts to force action before we have all the facts. The Federal Inspector General is currently undertaking an audit of our school-based

MaineCare service program and it is unclear what their findings will be. It is possible that we will be required to repay the Federal Government for past misuses of funds. We need the facts before we can make informed decisions on programmatic changes.

Lastly, we are currently dealing with problems created by years of reliance on Federal funds. Those problems were made worse by playing loose with the rules. If we are going to enter into Federal-State partnerships in the future, we need to understand all the details up front and make sure we do not leave future taxpayers with huge bills to pay from audit findings. We cannot lose our sense simply because there is a promise of a big check.

For these reasons, I am returning LD 1003 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The accompanying Bill:

Resolve, To Assist Maine Schools To Obtain Federal Funds for Medically Necessary Services (EMERGENCY)
H.P. 739 L.D. 1003

In House, April 3, 2012, this Resolve, having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

124 voted in favor and 16 against, and accordingly it was the vote of the House that the Resolve become a law notwithstanding the objections of the Governor, since two-thirds of the members of the House so voted.

The President laid before the Senate the following: "Shall this Bill become a law notwithstanding the objections of the Governor?"

In accordance with Article 4, Part 3, Section 2, of the Constitution, the vote was taken by the Yeas and Nays.

A vote of yes was in favor of the Bill.

A vote of no was in favor of sustaining the veto of the Governor.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#443)

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

NAYS: Senators: None

35 Senators having voted in the affirmative and no Senator having voted in the negative, and 35 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

Senate at Ease.

Senate called to order by the President.

Off Record Remarks

ORDERS

Joint Order

Expressions of Legislative Sentiment recognizing:

The cast and crew members of Lincoln Academy's "Antigone," which won the Class B One-Act Title at the 2012 Maine Drama Festival State Finals, facing 7 other high school regional winners. A state adjudicator gave the production a rare perfect score in the finals. The cast includes Kara Mullin, Rowan Carroll-Christopher, McKenzie Kinney, Abbey Hutchins, Karie Carrothers, Claire Dumont, Nate Friant, Elias Daiute, Michael McCormick, Jonah Vesery and Ed Franconis. The entire cast received an award for Ensemble Acting, Timm Gormley was recognized for Music Composition and Rowan Carroll-Christopher, Kara Mullin, Abbey Hutchins and Jonah Vesery were selected to the All Festival Cast. We congratulate the drama students on their winning this honor and send them our best wishes;

SLS 640

Sponsored by Senator JOHNSON of Lincoln.
Cosponsored by Senator: GOODALL of Sagadahoc,
Representatives: DOW of Waldoboro, FOSSEL of Alna,
MacDONALD of Boothbay, McKANE of Newcastle, SANDERSON of Chelsea.

READ.

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

Senator **JOHNSON:** Thank you Mr. President. Ladies and gentlemen of the Senate, we often have the opportunity to recognize great achievements by students in the field of sports. Today we have an opportunity to recognize a rare level of achievement in the arts, a field that all too often goes unnoticed, yet the arts contribute so much to our understanding and enjoyment of life. I wish to commend the drama students of Lincoln Academy for winning the Maine Class B One Act Title at the Maine Drama Festival State Finals with their play "Antigone." In doing so, they earned for one state adjudicator a rare perfect score for their fine performance. Thank you.

PASSED.

Sent down for concurrence.

Off Record Remarks

THE PRESIDENT: The Chair is pleased to welcome to the Senate Chamber the recipients of the 2011-2012 Legislative Memorial Scholarship. The recipients are: Sidney Bradshaw of Ludlow with Senator Sherman of Aroostook. Abigail Campbell of Lewiston with Senator Craven of Androscoggin. Tony DiAngelo of Greenville with Senator Thomas of Somerset. Christopher Gilman of Old Town with Senator Schneider of Penobscot. Brooke Lancaster of Richmond, her mother, Cheryl Lancaster will be accepting the award on her behalf, with Senator Goodall from Sagadahoc. Kody Price of Winslow with Senator Martin of Kennebec. Melanie Small of Dennysville. Jeffrey Vigue of Whitefield with Senator Johnson of Lincoln. Sarah Henry of Rockland with Senator Rector of Knox. Molly Hodgkins of Trenton with Senator Langley of Hancock. The Chair is also pleased to extend congratulations to the following recipients who were unable to attend today's session: Jennifer Lee Campbell of East Parsonfield, Lucas Fortier of Skowhegan, Laura Nusen of Scarborough, Jillian Perron of New Vineyard, Heather Hayden of Otisfield, and Macy Saucier of Freedom.

REPORTS OF COMMITTEES

Senate

Ought to Pass Pursuant to Resolve

Senator **LANGLEY** for the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Implement the Recommendations of the Stakeholder Group To Review the Maine State Grant Program"

S.P. 680 L.D. 1908

Reported that the same **Ought to Pass**, pursuant to Resolve 2011, chapter 14, section 4.

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

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

Ordered sent down forthwith for concurrence.

Divided Report

The Majority of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Establish a Presidential Primary in the State"

S.P. 659 L.D. 1882

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-517)**.

Signed:

Senators:

FARNHAM of Penobscot
PLOWMAN of Penobscot

Representatives:

BEAULIEU of Auburn
CAREY of Lewiston
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:

Senator:

PATRICK of Oxford

Representative:

CHIPMAN of Portland

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

Reports **READ**.

Senator **FARNHAM** of Penobscot 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 Penobscot, Senator Farnham.

Senator **FARNHAM**: Thank you Mr. President. The committee amendment to L.D. 1882 turns the bill into a Resolve directing the Committee on Veterans and Legal Affairs to develop legislation establishing a Presidential Primary. This directs the committee to meet before October 15, 2012 and work with the Secretary of State to develop a timeline that would be needed for the Presidential Primary, to ensure compliance with existing State and federal law, and to bring the representatives of the state political parties to the table. The committee is to complete the options and develop necessary legislation ready for the First Regular Session of the 126th. All members of the committee, except for two, supported this option.

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

Senator **PATRICK**: Thank you Mr. President. Ladies and gentlemen of the Senate, colleagues and friends, everything the good Senator said was true. The reason I rise in opposition to this is how this bill got here. This bill is ill-timed if anything. The bill is not an Emergency because we have two elections cycles before we have to take up this issue. We did have one public hearing on the issue. That was a little contentious. It was handled very well by the sponsor and they did a great job. This bill actually, I think, is ill-conceived at least from the timing standpoint. I firmly believe that this issue was brought forward because of what happened in the Republican caucus of this year. We just got rid of the primary election process to choose a Presidential candidate in 2003 because it was nonbinding. Here we go. We had actually two snafus because actually the D's had a problem in 2008 and the R's had a problem this time around. I feel that this bill was actually put in to correct the national embarrassment felt by our entire state.

THE PRESIDENT: The Chair would interrupt. It is not appropriate to suggest the motives of another member.

Senator **PATRICK**: Thank you Mr. President. I believe this bill is here because of the national embarrassment felt by our entire state.

THE PRESIDENT: The Chair would remind the Senator that it is not appropriate to suggest the motives of another member.

Senator **PATRICK**: Mr. President, I am not suggesting the motives of the sponsor. I am suggesting the reason why. The issue which happened within the state, which is a compelling state interest that it should at least be on the record.

Senate at Ease.

Senate called to order by the President.

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

Senator **PATRICK**: Thank you Mr. President. Ladies and gentlemen of the Senate, my apologies for looking at the issues of why. If I was running for Congress I would probably put this bill in because it would be beneficial to me from a political standpoint because I would be able to try to cure a problem.

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

Senator **COURTNEY**: Thank you Mr. President. I reluctantly get up and interrupt my colleague, but it is very clear to me that he is questioning the motives of the sponsor.

THE PRESIDENT: If the Senator could simply address the issues related to the bill, the issues contained in the Resolve, without straying into questioning the motives of other members the Senator may proceed.

Senator **PATRICK**: Thank you Mr. President. I'm running for reelection to the Maine State Senate. One of the things I'm running on is the fact that we don't need a Presidential Primary. I know my constituents understand that there are all kinds of issues, good, bad, and indifferent, as to why we want a Presidential Primary or to continue with the caucus. I know it's extremely ironic how these issues come forward at a time when this is the supposed emergency session of the Legislature. I don't think there is any monetary issue that compels this to be of state interest. If anything, if the committee would have reported out a bill it would have cost the taxpayers of the state of Maine \$1 million to have a Presidential Primary. In fact, the discussion we had in committee was that it was a bad idea. Thirty percent of the state of Maine is Republican. Thirty percent of the state of Maine is Democrat. Forty percent of the state of Maine are on their own. The cost of a Presidential Primary would be borne by 40% of the people that don't have a say. Wow, that's a good use of state taxpayer's dollars. They don't have a say on who they are going to choose for a Presidential candidate, yet they are going to have to pay 40% of the freight. That was brought up in committee. As a matter of fact, I think because of the nature of this bill being controversial and being a non-Emergency bill, in order to save face, I think at least some of the members, at least the ones I talked to, wanted to get it off the table. From my standpoint, that in itself is political enough to want to kill this bill. If anything, what I would have really liked to have seen, if I was actually going to support it, is that I would actually want to do a study to find out what the heck went wrong. That would have been the interesting thing. I think we could have probably realized that both parties have to get their own houses in order and not worry about spending \$1 million to have another Presidential Primary or to waste more time in the committee, meeting sometime between July and October so we can possibly report out a bill. I can assure you that it probably won't be a unanimous report and probably a lot more than 11-2. It would probably be close to party lines, I would assume. That's being a freshman legislator and having spent my whole time in the Senate in the Minority. I really don't have that much experience on those issues. Basically, this bill is one of the entrees on a plate full of bad bills brought forth this session. You may add a little mayo or a little relish, but I think you will agree this bill does not cut the mustard. This is the silly season. It is a silly bill. It's ill-conceived, ill-timed, and I wish we would stop wasting the taxpayer's money and the taxpayer's time and vote this down. Thank you, Mr. President.

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

Senator **PLOWMAN:** Thank you Mr. President. Men and women of the Senate, it's never the silly season in the Maine State Senate. I've been here for eight years and I've spent eight years in the House. I hate to say this, but this seems more reminiscent of a House debate than a Senate debate. I greatly enjoyed my days in the House, believe me. We are expected to be less than silly as we deliberate the people's business. We are expected to do more than talk about condiments. Ten members of the Legislative Council signed onto this bill, in Council or on a ballot. Not one leader objected to this bill going before this committee. This bill was referred through this Body to the committee and put before the committee for consideration. The end. Now let's talk about the issue. The issue before us is whether we should have a Presidential Primary. Presidential Primary's do not just pop up the year that a new election is expected. There is a lot of back and forth that has to go on between the parties, one of which, by 2016, might be an Independent party of some nature, but not un-enrolled voters. The difference between an "I" and a "U" is, in fact, a real difference. We have an Independent party. We have people who choose not to be in a party. In their minds they are fully independent and I totally respect that. They choose vote in a system that does not include them and they do it knowingly to remain un-enrolled. Eleven members of this committee voted this Resolve out, Democrats and Republicans. The two people who voted Ought Not to Pass were the Independent and the good Senator from Oxford. Whether you like the bill or not, you get to vote green or red. We gave the bill its due. We came to a decision. If you disagree with it, I am fine with that, but to try to make the bill something that it's not, to try to smear the bill with something that it isn't, and to continue to need to be chastised and reminded that we are the representatives of the people and they expect you to show your best. I'd like to just proceed with a vote on the merits of the bill. There is a door; there are two sets of them. The rules out there are different than the rules in here for a reason. If you wish to participate in the rules out there, please do. The minute you walk into here, if you do not accept the rules, you can vote to change them or you can learn to live with them, but you must make a choice. Thank you, Mr. President.

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

Senator **SCHNEIDER:** Thank you Mr. President. Men and women of the Senate, I have to say that I'm quite disturbed with the tone and the debate thus far. I'm sorry that it has gotten to this level and I'm ashamed of it. I want to say that with regards to this piece of legislation, I think it's an issue that we had quite a few weeks before. It's not like it's coming out at the tail end of session. It's an issue that needs some resolution. I'm, for one, glad that it was brought forward. I plan on supporting it. Thank you very much.

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

Senator **PATRICK:** Thank you Mr. President. Ladies and gentlemen of the Senate, colleagues and friends, this bill did have

the proper procedure. We had a public hearing and we had the bill sit and sit and sit until we could figure out what we could do with the bill to basically get rid of it through the process. Several times this session we have had debates about what we would do and what we wouldn't do. I'd like to say my recollection of the sponsor's reason for bringing the bill, but I don't want to get gaveled down, even though it is music to my ears. I'm not going to, but there was a reason to bringing the bill forward. The bill was brought forward. We did have a public hearing. It was testy one at that. To say we did due diligence and to say we're going to be able to do due diligence by having one more meeting on this issue, I think not. Did it go through the proper channels? Absolutely, it sure did. Made sure we crossed the "I" and dotted the "T". The one thing that I'm a little bit disturbed at is, and not all of us have a college education and not all of us are eloquent speakers, I can tell the citizens of the state of Maine that you can come to the Maine Senate and not have your right to say what you want to say heard. That kind of disturbs me. I never want to speak to anyone in my papermaking verbiage because I don't even like it myself. I do the best I can with what the issues are and what comes before us. The reasons behind some of the things that come before us are ridiculous. If you have to have a press conference to discuss all the things of importance, I guess I'm just going to have to sit down and try to be a little more careful in the future. I'm not going to apologize for anything. I'm doing the best I can with what I have to work with. I will continue to always do what I have to. I may get chastised a little from here and there, but my voice is going to be heard if it takes me 100 gavels. Thank you, Mr. President.

THE PRESIDENT: The pending question before the Senate is the motion by the Senator from Penobscot, Senator Farnham 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 (#444)

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

NAYS: Senators: BRANNIGAN, GERZOFSKY, JACKSON, PATRICK

31 Senators having voted in the affirmative and 4 Senators having voted in the negative, the motion by Senator **FARNHAM** of Penobscot to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **PREVAILED**.

READ ONCE.

Committee Amendment "A" (S-517) **READ** and **ADOPTED**.

Senator **PATRICK** of Oxford **OBJECTED** to **SUSPENSION OF THE RULES** for the purpose of giving this Bill its **SECOND READING** at this time.

Off Record Remarks

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senate at Ease.

Senate called to order by the President.

Divided Report

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Enhance Career and Technical Education"

S.P. 650 L.D. 1865

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-518).**

Signed:

Senators:

LANGLEY of Hancock
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
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" (S-519).**

Signed:

Senator:

ALFOND of Cumberland

(Representative SOCTOMAH of the Passamaquoddy Tribe - of the House - supports the Majority **Ought To Pass as Amended by Committee Amendment "A" (S-518)** Report.)

Reports **READ.**

Senator **LANGLEY** of Hancock moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-518)** 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 BY COMMITTEE AMENDMENT "A" (S-518)** Report.

Committee of Conference

The Committee of Conference on the disagreeing action of the two branches of the Legislature, on Bill "An Act To Amend the Law Regarding the Sale of Wood Pellets" (EMERGENCY)
H.P. 1219 L.D. 1610

Had the same under consideration, and asked leave to report:

That the Senate **Recede** from **Passage to be Engrossed as Amended by Committee Amendment "A" (H-727) as Amended by House Amendment "A" (H-755) and Senate Amendment "A" (S-450)** thereto. **Recede** from **Adoption** of Committee Amendment "A" (H-727) as Amended by House Amendment "A" (H-755) and Senate Amendment "A" (S-450) thereto and **Indefinitely Postpone** same. **Read** and **Adopt** Committee of Conference Amendment "A" (S-510). **Pass the Bill to be Engrossed as Amended by Committee of Conference Amendment "A" (S-510)**, in **Non-Concurrence** and send down forthwith for concurrence.

That the House **Recede** and **Concur** with the Senate.

On the Part of the Senate:

Senator COURTNEY of York
Senator SAVIELLO of Franklin
Senator JACKSON of Aroostook

On the Part of the House:

Representative WEAVER of York
Representative HARMON of Palermo
Representative PILON of Saco

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

On motion by Senator **COURTNEY** of York, the Senate **RECEDED** from whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-727) AS AMENDED BY HOUSE AMENDMENT "A" (H-755) AND SENATE AMENDMENT "A" (S-450)** thereto.

On further motion by same Senator, the Senate **RECEDED** from whereby it **ADOPTED COMMITTEE AMENDMENT "A" (H-727) AS AMENDED BY HOUSE AMENDMENT "A" (H-755) AND SENATE AMENDMENT "A" (S-450)** thereto and **INDEFINITELY POSTPONED** same.

Off Record Remarks

Committee of Conference Amendment "A" (S-510) **READ** and **ADOPTED**.

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE OF CONFERENCE AMENDMENT "A" (S-510), in NON-CONCURRENCE.

Ordered sent down forthwith for concurrence.

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

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

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 (3/30/12) Assigned matter:

Emergency Measure

An Act To Improve and Ensure Adequate Funding for E-9-1-1 Services

H.P. 1296 L.D. 1761
(C "A" H-826)

Tabled - March 30, 2012, by Senator **THIBODEAU** of Waldo

Pending - **ENACTMENT**, in concurrence

(In Senate, March 28, 2012, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-826)**, in concurrence.)

(In House, March 29, 2012, **PASSED TO BE ENACTED**.)

This being an Emergency Measure and having received the affirmative vote of 34 Members of the Senate, with 1 Senator having voted in the negative, and 34 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

The Chair laid before the Senate the following Tabled and Later (4/3/12) Assigned matter:

Bill "An Act To Facilitate Rapid Response by Out-of-state Businesses to State Disasters" (EMERGENCY)
H.P. 1357 L.D. 1836

Tabled - April 3, 2012, by Senator **ALFOND** of Cumberland

Pending - **ADOPTION OF COMMITTEE AMENDMENT "A" (H-868)**, in concurrence

(In House, April 3, 2012, 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-868)**.)

(In Senate, April 3, 2012, on motion by Senator **RECTOR** of Knox, the Majority **OUGHT TO PASS AS AMENDED** Report, **READ** and **ACCEPTED. READ ONCE. COMMITTEE AMENDMENT "A" (H-868) READ**.)

Committee Amendment "A" (H-868) **ADOPTED**, in concurrence.

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

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.

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

Senator **ROSEN** of Hancock was granted unanimous consent to address the Senate off the Record.

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

Senator **HILL** of York 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.

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

RECESSED until 3:00 in the afternoon.

After Recess

Senate called to order by the President.

Off Record Remarks

The President requested the Sergeant-At-Arms escort the Senator from Penobscot, Senator **PLOWMAN** to the rostrum where she assumed the duties as President Pro Tem.

The President took a seat on the floor.

The Senate called to order by President Pro Tem **DEBRA D. PLOWMAN** of Penobscot 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 **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Mandate the Use of Standardized Risk Assessment in the Management of Domestic Violence Crimes" H.P. 1263 L.D. 1711

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-890)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-890)**.

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

READ ONCE.

Committee Amendment "A" (H-890) **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 Create Efficiencies in the Administration and Enforcement of the Maine Uniform Building and Energy Code"

H.P. 1312 L.D. 1787

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-892)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-892)**.

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

READ ONCE.

Committee Amendment "A" (H-892) **READ** and **ADOPTED**, in concurrence.

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

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 Ensure Notification to Victims of Domestic Violence, Sexual Assault and Stalking When Defendants Are Released on Bail" (EMERGENCY)

H.P. 1295 L.D. 1760

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-884)**.

Signed:

Senators:

MASON of Androscoggin
GERZOFISKY of Cumberland
WHITTEMORE of Somerset

Representatives:

PLUMMER of Windham
BLODGETT of Augusta
CLARKE of Bath
HANLEY of Gardiner
HASKELL of Portland
LAJOIE of Lewiston
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:

Representatives:

BURNS of Whiting
LONG of Sherman

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-884)**.

Reports **READ**.

On motion by Senator **MASON** of Androscoggin, the Majority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**, in concurrence.
READ ONCE.

Committee Amendment "A" (H-884) **READ** and **ADOPTED**, in concurrence.

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

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 **TAXATION** on Bill "An Act To Review and Repeal Income Tax Return Checkoffs"
H.P. 1347 L.D. 1826

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-880)**.

Signed:

Senators:

COURTNEY of York
HASTINGS of Oxford
WOODBURY of Cumberland

Representatives:

KNIGHT of Livermore Falls
BERRY of Bowdoinham
BICKFORD of Auburn
BRYANT of Windham
HARMON of Palermo
PILON of Saco
WEAVER of York

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "B" (H-881)**.

Signed:

Representatives:

BENNETT of Kennebunk
WATERHOUSE of Bridgton

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-880)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-880)**.

Reports **READ**.

On motion by Senator **COURTNEY** of York, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-880)** Report **ACCEPTED**, in concurrence.

READ ONCE.

Committee Amendment "A" (H-880) **READ** and **ADOPTED**, in concurrence.

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

Senate at Ease.

Senate called to order by President Pro Tem **DEBRA D. PLOWMAN** of Penobscot County.

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

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 **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Ensure Effective Teaching and School Leadership" H.P. 1376 L.D. 1858

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-900)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-900)**.

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

READ ONCE.

Committee Amendment "A" (H-900) **READ** and **ADOPTED**, in concurrence.

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

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:

Emergency Measure

An Act To Amend the Charter of the Bingham Water District and To Direct That Certain Issues Be Studied
H.P. 1363 L.D. 1842
(C "A" H-879)

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.

Ordered sent down forthwith.

Emergency Measure

An Act To Establish the Dairy Improvement Fund
S.P. 653 L.D. 1869
(C "A" S-512)

This being an Emergency Measure and having received the affirmative vote of 35 Members of the Senate, with no Senators having voted in the negative, and 35 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.

Ordered sent down forthwith.

Emergency Measure

An Act To Ensure the State's Authority over the Operation of Gambling Activities
S.P. 657 L.D. 1880
(C "A" S-507)

This being an Emergency Measure and having received the affirmative vote of 35 Members of the Senate, with no Senators having voted in the negative, and 35 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.

Ordered sent down forthwith.

Acts

An Act To Promote a Qualified Logging Workforce and Ensure an Adequate Wood Supply for Maine Mills
S.P. 428 L.D. 1383
(C "A" S-509)

An Act Regarding the Fee for Amusement Ride Inspections and the Development of Options To Move the Responsibility of the Inspections from the Office of the State Fire Marshal
H.P. 1287 L.D. 1745
(C "A" H-874)

An Act To Reform Telecommunications Regulation
H.P. 1309 L.D. 1784
(C "A" H-869)

An Act To Implement Certain Recommendations of the Criminal Law Advisory Commission
H.P. 1374 L.D. 1856
(C "A" H-872)

An Act To Improve Efficiency Maine Trust Programs To Reduce Heating Costs and Provide Energy Efficient Heating Options for Maine's Consumers
S.P. 649 L.D. 1864
(C "A" S-508)

An Act To Rename the Maine Jobs Council as the State Workforce Investment Board and Make Changes to Its Structure
S.P. 655 L.D. 1874
(C "A" S-511)

An Act To Amend the Charter of the Lewiston-Auburn Water Pollution Control Authority
H.P. 1403 L.D. 1901

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

Ordered sent down forthwith.

An Act To Amend the Sex Offender Registration Laws
H.P. 1117 L.D. 1514
(C "A" H-873)

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

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

COMMUNICATIONS

The Following Communication: S.C. 833

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

April 3, 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 Environment and Natural Resources has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 1458 An Act To Transfer Recycling Technical Assistance and Solid Waste Policy Responsibilities from the State Planning Office to the Department of Environmental Protection (EMERGENCY)

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

Sincerely,

S/Sen. Thomas B. Saviello
Senate Chair

S/Rep. James M. Hamper
House Chair

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

The Following Communication: S.C. 834

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

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

L.D. 227 An Act Relating to the Establishment of Casinos

L.D. 1539 An Act To Improve Laws on Gaming

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

Sincerely,

S/Sen. Nichi S. Farnham
Senate Chair

S/Rep. Michael G. Beaulieu
House Chair

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

The Following Communication: S.C. 835

**STATE OF MAINE
DEPARTMENT OF AUDIT
LETTER OF TRANSMITTAL**

Senator Kevin L. Raye
President of the Senate

Representative Robert W. Nutting
Speaker of the House of Representatives

The Honorable Paul R. LePage
Governor of Maine

I am pleased to submit the Single Audit of the State of Maine for the fiscal year ended June 30, 2011. This audit was conducted in accordance with *Government Auditing Standards*, issued by the Comptroller General of the United States; the requirements of the Single Audit Act Amendments of 1996; and the Office of Management and Budget Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*. Our audit complies with 5 M.R.S.A. §243 and is a prerequisite for the receipt of federal financial assistance, which was \$3.6 billion during fiscal year 2011.

This document contains the following reports and schedules:

- Independent Auditor's Report
- Basic Financial Statements, Management's Discussion and Analysis, Notes to Financial Statements, and Required Supplementary Information
- Independent Auditor's Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance With Government Auditing Standards
- Independent Auditor's Report on Compliance With Requirements That Could Have a Direct and Material Effect on Each Major Program and on Internal Control Over Compliance in Accordance With OMB Circular A-133
- Schedule of Expenditures of Federal Awards
- Schedule of Findings and Questioned Costs
- Financial Statement Findings
- Indexes to Federal Program Findings
- Federal Findings, Questioned Costs and Corrective Action Plan
- Summary Schedule of Prior Audit Findings

On behalf of the Maine Department of Audit, I thank employees throughout Maine government who have assisted us during our audit. I know that we all work to improve financial reporting and accountability for our citizens and our State.

Please contact me if you have questions or comments about the 2011 Single Audit of the State of Maine.

Respectfully submitted,

S/Neria R. Douglass, JD, CIA
State Auditor

March 30, 2012

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

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 **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Encourage Enrollment in High School Electrical Education Programs"

H.P. 1353 L.D. 1833

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-836).**

Signed:

Senator:
JACKSON of Aroostook

Representatives:
DOW of Waldoboro
DRISCOLL of Westbrook
GILBERT of Jay
HERBIG of Belfast
HUNT of Buxton
TUTTLE of Sanford

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "B" (H-837).**

Signed:

Senators:
RECTOR of Knox
MARTIN of Kennebec

Representatives:
PRESCOTT of Topsham
NEWENDYKE of Litchfield
VOLK of Scarborough
WALLACE of Dexter

Comes from the House with the Minority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "B" (H-837)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-837) AS AMENDED BY HOUSE AMENDMENT "A" (H-871)** thereto.

Reports **READ**.

Senator **RECTOR** of Knox moved the Senate **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "B" (H-837)** Report, in concurrence.

On motion by Senator **ALFOND** of Cumberland, **TABLED** until Later in Today's Session, pending the motion by Senator **RECTOR** of Knox to **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "B" (H-837)** Report, in concurrence.

Senate at Ease.

Senate called to order by President Pro Tem
DEBRA D. PLOWMAN of Penobscot County.

ORDERS OF THE DAY

The Chair laid before the Senate the following Tabled and Later (4/3/12) Assigned matter:

SENATE REPORTS - from the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Establish the St. John Valley Regional Planning Commission"

H.P. 578 L.D. 771

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-864)** (9 members)

Minority - **Ought to Pass as Amended by Committee Amendment "B" (H-865)** (3 members)

Tabled - April 3, 2012, by Senator **RECTOR** of Knox

Pending - motion by same Senator to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-864)** Report, in **NON-CONCURRENCE**

(In House, April 3, 2012, the Minority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "B" (H-865)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-865)**.)

(In Senate, April 3, 2012, 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 PRO TEM: The Chair recognizes the Senator from Cumberland, Senator Woodbury.

Senator **WOODBURY:** Thank you Madame President. Point of Order, Madame President. Is what 's been moved the Majority Ought to Pass as Amended by Committee Amendment "A" Report?

THE PRESIDENT PRO TEM: The pending question before the Senate is the motion by the Senator from Knox, Senator Rector to Accept the Majority Ought to Pass as Amended by Committee Amendment "A" (H-864) 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 (#445)

YEAS: Senators: **ALFOND, BARTLETT, COLLINS, COURTNEY, CRAVEN, DIAMOND, DILL, FARNHAM, GERZOFKY, GOODALL, HASTINGS, HILL, HOBBS, JOHNSON, KATZ, LANGLEY, MARTIN, MASON, MCCORMICK, PATRICK, RECTOR, ROSEN, SAVIELLO, SCHNEIDER, SNOWE-MELLO, SULLIVAN, THIBODEAU, THOMAS, WHITTEMORE, WOODBURY, THE PRESIDENT PRO TEM - DEBRA D. PLOWMAN**

NAYS: Senators: **BRANNIGAN, JACKSON, RAYE, SHERMAN**

31 Senators having voted in the affirmative and 4 Senators having voted in the negative, the motion by Senator **RECTOR** of Knox to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-864)** Report, in **NON-CONCURRENCE, PREVAILED**.

READ ONCE.

Committee Amendment "A" (H-864) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-864)**, in **NON-CONCURRENCE**.

Ordered sent down forthwith for concurrence.

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

Senate at Ease.

Senate called to order by President Pro Tem
DEBRA D. PLOWMAN of Penobscot County.

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

On motion by Senator **COURTNEY** of York, **ADJOURNED** to Thursday, April 5, 2012, at 10:00 in the morning.