

MAINE STATE LEGISLATURE

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Senate Legislative Record
One Hundred and Twenty-Fourth Legislature

State of Maine

Daily Edition

Second Regular Session
January 6, 2010 to April 12, 2010

Pages 1209 - 1846

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

In Senate Chamber
Wednesday
January 6, 2010

ROLL CALL (#250)

PRESENT: Senators: ALFOND, BARTLETT, BLISS, BOWMAN, BRANNIGAN, BRYANT, COURTNEY, CRAVEN, DAMON, DAVIS, DIAMOND, GERZOFISKY, GOODALL, GOOLEY, HASTINGS, HOBBS, MARRACHE, MCCORMICK, NASS, NUTTING, PERRY, PLOWMAN, RAYE, RECTOR, ROSEN, SCHNEIDER, SHERMAN, SIMPSON, SMITH, SULLIVAN, TRAHAN, WESTON, THE PRESIDENT - ELIZABETH H. MITCHELL

Pursuant to the provisions of Article 5, Part 1, Section 1 of the Constitution and the laws of the State of Maine, the Senate convened in the Senate Chamber at Ten O'clock in the morning and was called to order by President **ELIZABETH H. MITCHELL** of Kennebec County.

33 Senators having answered the Roll, the Chair declared a quorum present.

Prayer by Paul B. Cates, Vassalboro Friends Meeting.

MR. CATES: Let us join together in prayer. Dear God, as we begin a new session of the Maine State Senate we face many severe challenges, some of which defy solutions. Presenting to You a list of difficult problems demanding resolution would be of little value and would take most of this morning session. Still there are some things that simply demand to be included in this morning prayer. First, we are deeply grateful for the gifts of intelligence, imagination, and commonsense which we, as citizens and legislators, must use in analyzing and working toward solving the problems facing the state of Maine. Secondly, we want to express our heartfelt thanks for Your presence and for Your inspiration in each day of this legislative session. Thirdly, we, the common and the uncommon citizens of Maine, are deeply grateful that all persons in this chamber are motivated to work to achieve the best for all the citizens of this great state. We know that You play an essential role in supporting this motivation. Finally, we can only say thank You. Thank You for the hard work of our legislators and thank you for Your presence and support. Spoken for Maine and all its people. Amen.

Out of order and under suspension of the Rules, on motion by Senator **BARTLETT** of Cumberland, the following Senate Order:
S.O. 18

Ordered, that a message be sent to Governor John E. Baldacci, informing him that a quorum of Senators is assembled in the Senate Chamber for the consideration of such business as may come before the Senate.

READ and PASSED.

The Chair appointed the Senator from Cumberland, Senator **BARTLETT** to deliver the message to the Governor. The Sergeant-At-Arms escorted the Senator to the Governor's Office.

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

Pledge of Allegiance led by Senator Deborah L. Simpson of Androscoggin County.

Out of order and under suspension of the Rules, on motion by Senator **MARRACHÉ** of Kennebec, the following Senate Order:
S.O. 19

Doctor of the day, Dr. Joel Kase, DO of Lewiston and Dr. David McDermott, MD of Dover-Foxcroft.

Ordered, that a message be sent to the House of Representatives informing that Body that a quorum of Senators is present for the consideration of such business as may come before the Senate.

READ and PASSED.

The Chair appointed the Senator from Kennebec, Senator **MARRACHÉ** to deliver the message to the House. The Sergeant-At-Arms escorted the Senator to the House of Representatives.

QUORUM CALL

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

Subsequently, the Senator from Kennebec, Senator **MARRACHÉ** reported that she had delivered the message with which she was charged.

Off Record Remarks

Senate at Ease.

Senate called to order by the President.

Off Record Remarks

COMMUNICATIONS

The Following Communication: S.P. 583

**STATE OF MAINE
124th LEGISLATURE
OFFICE OF THE SECRETARY**

December 8, 2009

Hon. Elizabeth H. Mitchell
President of the Senate
124th Legislature

Hon. Hannah M. Pingree
Speaker of the House
124th Legislature

Dear Madam President and Madam Speaker:

On December 8, 2009, 8 bills were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 308.2, these bills were referred to the Joint Standing Committees on December 8, 2009, as follows:

Criminal Justice and Public Safety

Bill "An Act To Amend the Law Pertaining to Smoke Detectors and Carbon Monoxide Detectors" (EMERGENCY) (S.P. 575) (L.D. 1497) (Sponsored by Senator DIAMOND of Cumberland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Insurance and Financial Services

Bill "An Act To Adopt a Drug Benefit Equity Law" (S.P. 576) (L.D. 1498) (Sponsored by Senator MILLS of Somerset) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Judiciary

Bill "An Act To Protect Confidential Consumer Records in Self-service Storage Facilities" (S.P. 577) (L.D. 1499) (Sponsored by Senator BOWMAN of York) (Cosponsored by Representative WHEELER of Kittery) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Taxation

Bill "An Act To Conform the Maine Tax Laws for 2009 to the United States Internal Revenue Code" (EMERGENCY) (S.P. 578) (L.D. 1500) (Sponsored by Senator PERRY of Penobscot) (Cosponsored by Representative WATSON of Bath) (Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.)

Transportation

Bill "An Act To Dedicate Surplus Transportation Funds to Highway Maintenance and Paving" (EMERGENCY) (S.P. 579) (L.D. 1501) (Sponsored by Senator COURTNEY of York) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Resolve, To Name Route 16/27 in the Town of Stratton the Caleb Dalton Stevens Memorial Highway (S.P. 580) (L.D. 1502) (Sponsored by Senator GOOLEY of Franklin) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Establish Emergency Zones on Public Ways To Minimize Accidents" (S.P. 581) (L.D. 1503) (Sponsored by Senator TRAHAN of Lincoln) (Cosponsored by Senators: NASS of York, SIMPSON of Androscoggin, McCORMICK of Kennebec, Representatives: BICKFORD of Auburn, BURNS of Whiting, McLEOD of Lee, HILL of York) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Utilities and Energy

Bill "An Act To Require That Expedited Wind Energy Development Projects Provide a Tangible Benefit to Maine Ratepayers in the Form of Discounts to Future Electric Rates" (S.P. 582) (L.D. 1504) (Sponsored by Senator MILLS of Somerset) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Sincerely,

S/Joy J. O'Brien
Secretary of the Senate

S/Millicent M. MacFarland
Clerk of the House

READ and ORDERED PLACED ON FILE.

Sent down for concurrence.

The Following Communication: S.P. 585

**STATE OF MAINE
124th LEGISLATURE
OFFICE OF THE SECRETARY**

December 16, 2009

Hon. Elizabeth H. Mitchell
President of the Senate
124th Legislature

Hon. Hannah M. Pingree
Speaker of the House
124th Legislature

Dear Madam President and Madam Speaker:

On December 16, 2009, 1 bill was received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 308.2, this bill was referred to a Joint Standing Committee on December 16, 2009, as follows:

Inland Fisheries and Wildlife

Bill "An Act To Ensure That Search and Rescue Dogs Are Afforded the Same Access to Public Accommodations as Service Animals" (S.P. 584) (L.D. 1519) (Sponsored by Senator GERZOFKY of Cumberland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Sincerely,

S/Joy J. O'Brien
Secretary of the Senate

S/Millicent M. MacFarland
Clerk of the House

READ and ORDERED PLACED ON FILE.

Sent down for concurrence.

The Following Communication: S.P. 594

**STATE OF MAINE
124th LEGISLATURE
OFFICE OF THE SECRETARY**

December 17, 2009

Hon. Elizabeth H. Mitchell
President of the Senate
124th Legislature

Hon. Hannah M. Pingree
Speaker of the House
124th Legislature

Dear Madam President and Madam Speaker:

On December 17, 2009, 8 bills were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 308.2, these bills were referred to the Joint Standing Committees on December 17, 2009, as follows:

Business, Research and Economic Development

Bill "An Act To Facilitate Recovery Zone Facility Bonds" (EMERGENCY) (S.P. 590) (L.D. 1530) (Sponsored by President MITCHELL of Kennebec) (Cosponsored by Speaker PINGREE of North Haven and Senators: BARTLETT of Cumberland, RECTOR of Knox, SCHNEIDER of Penobscot, Representatives: SMITH of Monmouth, SIROIS of Turner, PIOTTI of Unity) (Submitted by the Finance Authority of Maine pursuant to Joint Rule 204.)

Criminal Justice and Public Safety

Bill "An Act To Update Laws Regulating the Maine Emergency Management Agency" (S.P. 589) (L.D. 1531) (Sponsored by Senator GERZOFKY of Cumberland) (Cosponsored by Representative LAJOIE of Lewiston and Representative: SYKES of Harrison) (Submitted by the Department of Defense, Veterans and Emergency Management pursuant to Joint Rule 204.)

Education and Cultural Affairs

Bill "An Act To Align Education Laws with Certain Federal Laws" (S.P. 588) (L.D. 1532) (Sponsored by Senator DIAMOND of Cumberland) (Cosponsored by Representative SUTHERLAND of Chapman and Senators: CRAVEN of Androscoggin, DAVIS of Cumberland, Representatives: LOVEJOY of Portland, NELSON of Falmouth, PENDLETON of Scarborough, STRANG BURGESS of Cumberland, CAMPBELL of Newfield) (Submitted by the Department of Education pursuant to Joint Rule 204.)

Labor

Bill "An Act To Enhance Cooperation between the Workers' Compensation Board's Abuse Investigation Unit and Other State Agencies and To Ensure Equal Application of the Requirement To Obtain Coverage" (S.P. 586) (L.D. 1528) (Submitted by the Workers' Compensation Board pursuant to the Maine Revised Statutes, Title 39-A, section 152, subsection 11.)

Bill "An Act To Amend the Maine Workers' Compensation Act of 1992 Regarding Coordination of Benefits" (S.P. 587) (L.D. 1529) (Submitted by the Workers' Compensation Board pursuant to the Maine Revised Statutes, Title 39-A, section 152, subsection 11.)

Bill "An Act To Protect Maine Workers" (S.P. 593) (L.D. 1545) (Sponsored by Senator JACKSON of Aroostook) (Cosponsored by Representative MARTIN of Eagle Lake and Senator: GERZOFKY of Cumberland, Representative: Speaker PINGREE of North Haven) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Legal and Veterans Affairs

Bill "An Act To Improve Disclosure of Campaign Finance Information and the Operation of the Maine Clean Election Act" (S.P. 592) (L.D. 1546) (Submitted by the Commission on Governmental Ethics and Election Practices pursuant to the Maine Revised Statutes, Title 1, section 1009.)

Taxation

Resolve, Authorizing the State Tax Assessor To Convey the Interest of the State in Certain Real Estate in the Unorganized Territory (S.P. 591) (L.D. 1533) (Sponsored by Senator PERRY of Penobscot) (Cosponsored by Representative WATSON of Bath) (Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.)

Sincerely,

S/Joy J. O'Brien
Secretary of the Senate

S/Millicent M. MacFarland
Clerk of the House

READ and ORDERED PLACED ON FILE.

Sent down for concurrence.

The Following Communication: S.P. 600

**STATE OF MAINE
124th LEGISLATURE
OFFICE OF THE SECRETARY**

December 17, 2009

Hon. Elizabeth H. Mitchell
President of the Senate
124th Legislature

Hon. Hannah M. Pingree
Speaker of the House
124th Legislature

Dear Madam President and Madam Speaker:

On December 17, 2009, 5 bills were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 308.2, these bills were referred to the Joint Standing Committees on December 17, 2009, as follows:

Labor

Bill "An Act Regarding Accidental Death Benefits for Beneficiaries of Deceased Firefighters" (S.P. 595) (L.D. 1558) (Sponsored by Senator JACKSON of Aroostook) (Cosponsored by Representative MARTIN of Eagle Lake and Senator: GERZOFSKY of Cumberland, Representative: Speaker PINGREE of North Haven) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Legal and Veterans Affairs

Bill "An Act Regarding Liquor Licenses for Qualified Catering Services" (EMERGENCY) (S.P. 596) (L.D. 1559) (Sponsored by Senator BLISS of Cumberland) (Cosponsored by Representative EBERLE of South Portland and Senators: GOODALL of Sagadahoc, McCORMICK of Kennebec, Representatives: MORRISON of South Portland, DILL of Cape Elizabeth) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Marine Resources

Bill "An Act To Eliminate the 3-trap Limit in the Waters off Hancock County" (S.P. 597) (L.D. 1560) (Sponsored by Senator DAMON of Hancock) (Cosponsored by Representative SCHATZ of Blue Hill and Representatives: PERCY of Phippsburg, Speaker PINGREE of North Haven) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Transportation

Bill "An Act To Regulate the Use of Traffic Surveillance Cameras" (S.P. 598) (L.D. 1561) (Sponsored by Senator DAMON of Hancock) (Cosponsored by Representative CEBRA of Naples and Senator: BLISS of Cumberland, Representatives: PERCY of Phippsburg, FITTS of Pittsfield, CAREY of Lewiston, MAZUREK of Rockland, Speaker PINGREE of North Haven, MARTIN of Eagle Lake, SCHATZ of Blue Hill) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Amend the Motor Vehicle Laws" (S.P. 599) (L.D. 1562) (Sponsored by Senator DAMON of Hancock) (Cosponsored by Representative MAZUREK of Rockland and Representatives: CAREY of Lewiston, MacDONALD of Boothbay) (Submitted by the Secretary of State pursuant to Joint Rule 204.)

Sincerely,

S/Joy J. O'Brien
Secretary of the Senate

S/Millicent M. MacFarland
Clerk of the House

READ and ORDERED PLACED ON FILE.

Sent down for concurrence.

The Following Communication: S.P. 612

**STATE OF MAINE
124th LEGISLATURE
OFFICE OF THE SECRETARY**

December 18, 2009

Honorable Elizabeth H. Mitchell
President of the Senate
124th Legislature

Honorable Hannah M. Pingree
Speaker of the House
124th Legislature

Dear Madam President and Madam Speaker:

On December 18, 2009, 11 bills were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 308.2, these bills were referred to the Joint Standing Committees on December 18, 2009, as follows:

Appropriations and Financial Affairs

Bill "An Act To Restore Longevity Pay" (EMERGENCY) (S.P. 601) (L.D. 1594) (Sponsored by President MITCHELL of Kennebec) (Cosponsored by Representative BUTTERFIELD of Bangor and Senators: MARRACHÉ of Kennebec, JACKSON of Aroostook, McCORMICK of Kennebec, DAVIS of Cumberland, Representatives: SMITH of Monmouth, BLODGETT of Augusta, CROCKETT of Augusta, TREAT of Hallowell) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Business, Research and Economic Development

Bill "An Act To Clarify the Educational Requirements for Eligibility for Examination for Licensure as a Certified Public Accountant" (S.P. 604) (L.D. 1597) (Sponsored by Senator MARRACHÉ of Kennebec) (Cosponsored by Representatives: SMITH of Monmouth, MacDONALD of Boothbay) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Criminal Justice and Public Safety

Bill "An Act To Strengthen the Laws against Illegal 'Puppy Mill' Operators" (S.P. 605) (L.D. 1598) (Sponsored by Senator SIMPSON of Androscoggin) (Cosponsored by Representative SHAW of Standish and Senator: HOBBS of York, Representatives: HUNT of Buxton, KNIGHT of Livermore Falls) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Health and Human Services

Bill "An Act Regarding the Maternal and Infant Death Review Panel" (EMERGENCY) (S.P. 606) (L.D. 1599) (Sponsored by Senator MARRACHÉ of Kennebec) (Cosponsored by Representative SAVIELLO of Wilton, Representative CAMPBELL of Newfield and Representatives: STUCKEY of Portland, STRANG BURGESS of Cumberland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Resolve, To Allow for the Proper Disposal of Medical Supplies (S.P. 608) (L.D. 1600) (Sponsored by Senator MARRACHÉ of Kennebec) (Cosponsored by Representatives: STUCKEY of Portland, STRANG BURGESS of Cumberland, CAMPBELL of Newfield) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Clarify the Child Abuse or Neglect Substantiation Process" (S.P. 609) (L.D. 1602) (Sponsored by Senator HASTINGS of Oxford) (Submitted by the Department of Health and Human Services pursuant to Joint Rule 204.)

Labor

Bill "An Act To Provide Continued Protection of Benefits for Retirees of the Maine Public Employees Retirement System" (S.P. 602) (L.D. 1595) (Sponsored by President MITCHELL of Kennebec) (Cosponsored by Speaker PINGREE of North Haven and Senators: JACKSON of Aroostook, DIAMOND of Cumberland, Representatives: BLODGETT of Augusta, BUTTERFIELD of Bangor, CAIN of Orono, CROCKETT of Augusta, MILLETT of Waterford, MARTIN of Eagle Lake) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Legal and Veterans Affairs

Bill "An Act Regarding Mobile Service Bars at Municipal Golf Courses" (S.P. 603) (L.D. 1596) (Sponsored by Senator PERRY of Penobscot) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Marine Resources

Bill "An Act To Clarify the Marine Resources Laws To Provide for the Protection of Public Safety and Welfare" (S.P. 611) (L.D. 1604) (Sponsored by Senator DAMON of Hancock) (Submitted by the Department of Marine Resources pursuant to Joint Rule 204.)

Natural Resources

Bill "An Act To Amend Laws Administered by the Department of Environmental Protection" (S.P. 610) (L.D. 1603) (Sponsored by Senator GOODALL of Sagadahoc) (Cosponsored by Senator: DAMON of Hancock, Representatives: DUCHESNE of Hudson, BUTTERFIELD of Bangor, BERRY of Bowdoinham, HASKELL of Portland, HINCK of Portland) (Submitted by the Department of Environmental Protection pursuant to Joint Rule 204.)

Utilities and Energy

Bill "An Act To Create the Lincolnville Sewer District" (S.P. 607) (L.D. 1601) (Sponsored by Senator WESTON of Waldo) (Cosponsored by Representative THIBODEAU of Winterport) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Sincerely,

S/Joy J. O'Brien
Secretary of the Senate

S/Millicent M. MacFarland
Clerk of the House

READ and ORDERED PLACED ON FILE.

Sent down for concurrence.

The Following Communication: S.P. 633

**STATE OF MAINE
124th LEGISLATURE
OFFICE OF THE SECRETARY**

December 21, 2009

Hon. Elizabeth H. Mitchell
President of the Senate
124th Legislature

Hon. Hannah M. Pingree
Speaker of the House
124th Legislature

Dear Madam President and Madam Speaker:

On December 21, 2009, 20 bills were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 308.2, these bills were referred to the Joint Standing Committees on December 21, 2009, as follows:

Business, Research and Economic Development

Bill "An Act To Enhance the Small Enterprise Growth Fund" (S.P. 624) (L.D. 1659) (Sponsored by Senator RECTOR of Knox) (Cosponsored by Representative SMITH of Monmouth and Senators: NASS of York, MILLS of Somerset, GOODALL of Sagadahoc, COURTNEY of York, Representatives: RICHARDSON of Warren, PRESCOTT of Topsham)

Bill "An Act To Enhance the Redevelopment of the Brunswick Naval Air Station" (EMERGENCY) (S.P. 629) (L.D. 1664) (Sponsored by Senator GERZOFKY of Cumberland) (Cosponsored by Representative PRIEST of Brunswick and Senators: GOODALL of Sagadahoc, SIMPSON of Androscoggin, Representatives: KENT of Woolwich, MORRISON of South Portland, STUCKEY of Portland, WATSON of Bath, WEBSTER of Freeport, BERRY of Bowdoinham) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Education and Cultural Affairs

Bill "An Act To Improve the Availability, Efficiency and Cost of Services for Infants, Young Children and Their Families" (S.P. 619) (L.D. 1654) (Sponsored by Senator ALFOND of Cumberland) (Cosponsored by Representative BERRY of Bowdoinham and Senators: BOWMAN of York, BRANNIGAN of Cumberland, Representatives: STUCKEY of Portland, STRANG BURGESS of Cumberland, CONNOR of Kennebunk, SUTHERLAND of Chapman, WAGNER of Lewiston) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Increase Maine's High School Graduation Rates" (S.P. 623) (L.D. 1658) (Sponsored by Senator ALFOND of Cumberland) (Cosponsored by Representative SUTHERLAND of Chapman and Senators: President MITCHELL of Kennebec, BARTLETT of Cumberland, PERRY of Penobscot, SCHNEIDER of Penobscot, Representatives: Speaker PINGREE of North Haven, BERRY of Bowdoinham, STRANG BURGESS of Cumberland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Health and Human Services

Resolve, To Repeal the Fee Increase for Copies of Vital Records (EMERGENCY) (S.P. 613) (L.D. 1648) (Sponsored by Senator RAYE of Washington) (Cosponsored by Representative LANGLEY of Ellsworth and Senators: MARRACHÉ of Kennebec, NASS of York, President MITCHELL of Kennebec, COURTNEY of York, Representatives: CURTIS of Madison, LEWIN of Eliot, STRANG BURGESS of Cumberland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Inland Fisheries and Wildlife

Bill "An Act To Amend Certain Provisions of Fish and Wildlife Laws" (S.P. 615) (L.D. 1650) (Sponsored by Senator BRYANT of Oxford) (Cosponsored by Representative CLARK of Millinocket and Senator: JACKSON of Aroostook, Representatives: DAVIS of Sangerville, SARTY of Denmark, CRAFTS of Lisbon, WHEELER of Kittery) (Submitted by the Department of Inland Fisheries and Wildlife pursuant to Joint Rule 204.)

Bill "An Act To Clarify and Amend Laws Pertaining to Licenses Issued by the Department of Inland Fisheries and Wildlife" (S.P. 616) (L.D. 1651) (Sponsored by Senator BRYANT of Oxford) (Cosponsored by Representative WHEELER of Kittery and Senator: TRAHAN of Lincoln, Representatives: DAVIS of Sangerville, BRIGGS of Mexico, SARTY of Denmark, SHAW of Standish, CLARK of Millinocket, EBERLE of South Portland) (Submitted by the Department of Inland Fisheries and Wildlife pursuant to Joint Rule 204.)

Insurance and Financial Services

Resolve, To Increase the Financial Stability of Low-income Families in Maine (S.P. 614) (L.D. 1649) (Sponsored by Senator SIMPSON of Androscoggin) (Cosponsored by Representative STUCKEY of Portland and Senators: CRAVEN of Androscoggin, SULLIVAN of York, ALFOND of Cumberland, McCORMICK of Kennebec, Representatives: BECK of Waterville, FLEMINGS of Bar Harbor, PILON of Saco, TREAT of Hallowell) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Improve Health Insurance Security" (S.P. 618) (L.D. 1653) (Sponsored by Senator SCHNEIDER of Penobscot) (Cosponsored by Senator: ALFOND of Cumberland, Representatives: SMITH of Monmouth, GOODE of Bangor, RUSSELL of Portland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Labor

Bill "An Act Regarding Maine Public Employees Retirement System Life Insurance Policies" (S.P. 622) (L.D. 1657) (Sponsored by Senator HOBBS of York) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Prevent the Spread of H1N1" (EMERGENCY) (S.P. 630) (L.D. 1665) (Sponsored by President MITCHELL of Kennebec) (Cosponsored by Speaker PINGREE of North Haven and Senators: HOBBS of York, GERZOFKY of Cumberland, JACKSON of Aroostook, DAMON of Hancock, Representatives: BUTTERFIELD of Bangor, WALSH INNES of Yarmouth, PIOTTI of Unity, CAMPBELL of Newfield) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Legal and Veterans Affairs

Resolve, To Transfer the Ownership of the Bath Armory to the City of Bath (S.P. 621) (L.D. 1656) (Sponsored by Senator GOODALL of Sagadahoc) (Cosponsored by Representative WATSON of Bath and Representatives: PERCY of Phippsburg, KENT of Woolwich, MacDONALD of Boothbay) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Amend the Election Laws and Other Related Laws" (S.P. 632) (L.D. 1667) (Sponsored by Senator SULLIVAN of York) (Cosponsored by Representative TUTTLE of Sanford and Senator: JACKSON of Aroostook, Representative: MARTIN of Eagle Lake) (Submitted by the Secretary of State pursuant to Joint Rule 204.)

Natural Resources

Bill "An Act To Improve Maine's Air Quality and Reduce Regional Haze at Acadia National Park and Other Federally Designated Class I Areas" (S.P. 627) (L.D. 1662) (Sponsored by Senator GOODALL of Sagadahoc) (Cosponsored by Representative FLEMINGS of Bar Harbor and Senators: DAMON of Hancock, SIMPSON of Androscoggin, Representatives: DUCHESNE of Hudson, BUTTERFIELD of Bangor, LANGLEY of Ellsworth, EATON of Sullivan, Speaker PINGREE of North Haven, SCHATZ of Blue Hill) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Taxation

Bill "An Act To Improve the Seed Capital Investment Tax Credit Program" (S.P. 631) (L.D. 1666) (Sponsored by President MITCHELL of Kennebec) (Cosponsored by Representative CAIN of Orono and Senators: ALFOND of Cumberland, GOODALL of Sagadahoc, RECTOR of Knox, PERRY of Penobscot, Representatives: BRYANT of Windham, FLEMINGS of Bar Harbor, SHAW of Standish) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Transportation

Bill "An Act To Preserve the 'We Support Our Troops' Registration Plate" (EMERGENCY) (S.P. 620) (L.D. 1655) (Sponsored by Senator RAYE of Washington) (Cosponsored by Representative PILON of Saco and Senators: MARRACHÉ of Kennebec, President MITCHELL of Kennebec, GOOLEY of Franklin, Representatives: CURTIS of Madison, Speaker PINGREE of North Haven) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Establish a Committee To Promote General Aviation in the State" (S.P. 628) (L.D. 1663) (Sponsored by Senator MARRACHÉ of Kennebec) (Cosponsored by Representative CAREY of Lewiston and Senators: DAMON of Hancock, PERRY of Penobscot) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Utilities and Energy

Bill "An Act To Provide More Information to the Public Advocate" (S.P. 617) (L.D. 1652) (Sponsored by Senator HOBBS of York) (Cosponsored by Representative BERRY of Bowdoinham and Representatives: DOSTIE of Sabattus, FLAHERTY of Scarborough, HINCK of Portland) (Submitted by the Office of the Public Advocate pursuant to Joint Rule 204.)

Bill "An Act To Reallocate Funds for a Position at the Public Utilities Commission" (EMERGENCY) (S.P. 625) (L.D. 1660) (Sponsored by Senator HOBBS of York) (Submitted by the Public Utilities Commission pursuant to Joint Rule 204.)

Bill "An Act To Create a Position at the Public Utilities Commission" (EMERGENCY) (S.P. 626) (L.D. 1661) (Sponsored by Senator HOBBS of York) (Submitted by the Public Utilities Commission pursuant to Joint Rule 204.)

Sincerely,

S/Joy J. O'Brien
Secretary of the Senate

S/Millicent M. MacFarland
Clerk of the House

READ and ORDERED PLACED ON FILE.

Sent down for concurrence.

The Following Communication: S.P. 634

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

December 30, 2009

Sen. John M. Nutting
Senate Chair, Joint Standing Committee on Agriculture,
Conservation and Forestry
Rep. Wendy Pieh
House Chair, Joint Standing Committee on Agriculture,
Conservation and Forestry
124th Legislature
Augusta, ME 04333

Dear Senator Nutting and Representative Pieh:

Please be advised that Governor John E. Baldacci has nominated Diane Doyle of Saco for reappointment to the Land For Maine's Future Board.

Pursuant to Title 5 M.R.S.A. §6204 (2), this nomination will require review by the Joint Standing Committee on Agriculture, Conservation and Forestry and confirmation by the Senate.

Sincerely,

S/Elizabeth H. Mitchell
President of the Senate

S/Hannah M. Pingree
Speaker of the House

READ and REFERRED to the Committee on AGRICULTURE, CONSERVATION AND FORESTRY.

Sent down for concurrence.

The Following Communication: S.P. 635

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

December 30, 2009

Sen. John M. Nutting
Senate Chair, Joint Standing Committee on Agriculture,
Conservation and Forestry
Rep. Wendy Pieh
House Chair, Joint Standing Committee on Agriculture,
Conservation and Forestry
124th Legislature
Augusta, ME 04333

Dear Senator Nutting and Representative Pieh:

Please be advised that Governor John E. Baldacci has nominated John Joseph of Hallowell for reappointment to the Maine Milk Commission.

Pursuant to Title 7 M.R.S.A. §2952 (1B) this nomination will require review by the Joint Standing Committee on Agriculture, Conservation and Forestry and confirmation by the Senate.

Sincerely,

S/Elizabeth H. Mitchell
President of the Senate

S/Hannah M. Pingree
Speaker of the House

READ and REFERRED to the Committee on AGRICULTURE, CONSERVATION AND FORESTRY.

Sent down for concurrence.

The Following Communication: S.P. 636

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

December 30, 2009

Sen. John M. Nutting
Senate Chair, Joint Standing Committee on Agriculture,
Conservation and Forestry
Rep. Wendy Pieh
House Chair, Joint Standing Committee on Agriculture,
Conservation and Forestry
124th Legislature
Augusta, ME 04333

Dear Senator Nutting and Representative Pieh:

Please be advised that Governor John E. Baldacci has nominated Richard Stevenson of Bath for reappointment to the Board of Pesticides Control.

Pursuant to Title 22 M.R.S.A. §1471-B (1) this nomination will require review by the Joint Standing Committee on Agriculture, Conservation and Forestry and confirmation by the Senate.

Sincerely,

S/Elizabeth H. Mitchell
President of the Senate

S/Hannah M. Pingree
Speaker of the House

READ and REFERRED to the Committee on AGRICULTURE, CONSERVATION AND FORESTRY.

Sent down for concurrence.

The Following Communication: S.P. 637

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

December 30, 2009

Sen. Justin L. Alford
Senate Chair, Joint Standing Committee on Education and
Cultural Affairs
Rep. Patricia B. Sutherland
House Chair, Joint Standing Committee on Education and
Cultural Affairs
124th Legislature
Augusta, ME 04333

Dear Senator Alford and Representative Sutherland:

Please be advised that Governor John E. Baldacci has nominated Victoria Larson of Windham for reappointment and John Shipway of Bath for appointment to the Maine Maritime Academy Board of Trustees.

Pursuant to Public Law 1975, Chapter 771 §428 these nominations will require review by the Joint Standing Committee on Education and Cultural Affairs and confirmation by the Senate.

Sincerely,

S/Elizabeth H. Mitchell
President of the Senate

S/Hannah M. Pingree
Speaker of the House

READ and REFERRED to the Committee on **EDUCATION AND CULTURAL AFFAIRS**.

Sent down for concurrence.

The Following Communication: S.P. 638

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

December 30, 2009

Sen. Justin L. Alford
Senate Chair, Joint Standing Committee on Education and
Cultural Affairs
Rep. Patricia B. Sutherland
House Chair, Joint Standing Committee on Education and
Cultural Affairs
124th Legislature
Augusta, ME 04333

Dear Senator Alford and Representative Sutherland:

Please be advised that Governor John E. Baldacci has nominated Frances Jacques of Berwick, Ryan Banger of Woolwich and Kristy Lavallee of Lisbon for appointment to the School Board of the Governor Baxter School for the Deaf.

Pursuant to Title 20-A MRSA §7406 these nominations will require review by the Joint Standing Committee on Education and Cultural Affairs and confirmation by the Senate.

Sincerely,

S/Elizabeth H. Mitchell
President of the Senate

S/Hannah M. Pingree
Speaker of the House

READ and REFERRED to the Committee on **EDUCATION AND CULTURAL AFFAIRS**.

Sent down for concurrence.

The Following Communication: S.P. 639

**STATE OF MAINE
ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE
COMMITTEE ON LABOR**

December 30, 2009

Sen. Troy Dale Jackson
Senate Chair, Joint Standing Committee on Labor
Rep. John L. Tuttle
House Chair, Joint Standing Committee on Labor
124th Legislature
Augusta, ME 04333

Dear Senator Jackson and Representative Tuttle:

Please be advised that Governor John E. Baldacci has nominated Robert L. Piccone of Portland for reappointment to the Maine Labor Relations Board.

Pursuant to Title 26 M.R.S.A. §968 (1), this nomination will require review by the Joint Standing Committee on Labor and confirmation by the Senate.

Sincerely,

S/Elizabeth H. Mitchell
President of the Senate

S/Hannah M. Pingree
Speaker of the House

READ and REFERRED to the Committee on **LABOR**.

Sent down for concurrence.

The Following Communication: S.P. 640

**STATE OF MAINE
ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE
COMMITTEE ON BUSINESS, RESEARCH AND ECONOMIC
DEVELOPMENT**

December 31, 2009

Sen. Elizabeth M. Schneider
Senate Chair, Joint Standing Committee on Business, Research
and Economic Development
Rep. Nancy E. Smith
House Chair, Joint Standing Committee on Business, Research
and Economic Development
124th Legislature
Augusta, ME 04333

Dear Senator Schneider and Representative Smith:

Please be advised that Governor John E. Baldacci has nominated
the following to the Midcoast Regional Redevelopment Authority:

Steven Weems of Brunswick for appointment
Rita Armstrong of Freeport for appointment
Sally DelGreco of Brunswick for appointment
Sande Updegraph of Brunswick for appointment
Charlie Spies of Topsham for reappointment

Pursuant to Title 5 M.R.S.A. §13083-I, these nominations will
require review by the Joint Standing Committee on Business,
Research and Economic Development and confirmation by the
Senate.

Sincerely,

S/Elizabeth H. Mitchell
President of the Senate

S/Hannah M. Pingree
Speaker of the House

READ and REFERRED to the Committee on **BUSINESS,
RESEARCH AND ECONOMIC DEVELOPMENT.**

Sent down for concurrence.

The Following Communication: S.P. 641

**STATE OF MAINE
ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE
COMMITTEE ON BUSINESS, RESEARCH AND ECONOMIC
DEVELOPMENT**

December 31, 2009

Sen. Elizabeth M. Schneider
Senate Chair, Joint Standing Committee on Business, Research
and Economic Development
Rep. Nancy E. Smith
House Chair, Joint Standing Committee on Business, Research
and Economic Development
124th Legislature
Augusta, ME 04333

Dear Senator Schneider and Representative Smith:

Please be advised that Governor John E. Baldacci has nominated
Thaxter Trafton of Augusta for appointment as Commissioner of
the Department of Economic and Community Development.

Pursuant to Title 5 M.R.S.A. Chapter 383 §13057, this nomination
will require review by the Joint Standing Committee on Business,
Research and Economic Development and confirmation by the
Senate.

Sincerely,

S/Elizabeth H. Mitchell
President of the Senate

S/Hannah M. Pingree
Speaker of the House

READ and REFERRED to the Committee on **BUSINESS,
RESEARCH AND ECONOMIC DEVELOPMENT.**

Sent down for concurrence.

The Following Communication: S.P. 642

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

December 31, 2009

Sen. Dennis S. Damon
Senate Chair, Joint Standing Committee on Transportation
Rep. Edward J. Mazurek
House Chair, Joint Standing Committee on Transportation
124th Legislature
Augusta, ME 04333

Dear Senator Damon and Representative Mazurek:

Please be advised that Governor John E. Baldacci has nominated
Jim Cloutier of Portland for appointment to the Maine Turnpike
Authority.

Pursuant to Title 23 M.R.S.A. §1965 (2-A), this nomination will
require review by the Joint Standing Committee on Transportation
and confirmation by the Senate.

Sincerely,

S/Elizabeth H. Mitchell
President of the Senate

S/Hannah M. Pingree
Speaker of the House

READ and REFERRED to the Committee on
TRANSPORTATION.

Sent down for concurrence.

The Following Communication: S.P. 643

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

December 31, 2009

Sen. Dennis S. Damon
Senate Chair, Joint Standing Committee on Transportation
Rep. Edward J. Mazurek
House Chair, Joint Standing Committee on Transportation
124th Legislature
Augusta, ME 04333

Dear Senator Damon and Representative Mazurek:

Please be advised that Governor John E. Baldacci has nominated Martin Eisenstein of Auburn for reappointment to the Northern New England Passenger Rail Authority.

Pursuant to Title 23 M.R.S.A. §8112 (1) this nomination will require review by the Joint Standing Committee on Transportation and confirmation by the Senate.

Sincerely,

S/Elizabeth H. Mitchell
President of the Senate

S/Hannah M. Pingree
Speaker of the House

READ and REFERRED to the Committee on
TRANSPORTATION.

Sent down for concurrence.

The Following Communication: S.P. 658

**STATE OF MAINE
ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE
COMMITTEE ON BUSINESS, RESEARCH AND ECONOMIC
DEVELOPMENT**

January 5, 2010

Sen. Elizabeth M. Schneider
Senate Chair, Joint Standing Committee on Business, Research and Economic Development
Rep. Nancy E. Smith
House Chair, Joint Standing Committee on Business, Research and Economic Development
124th Legislature
Augusta, ME 04333

Dear Senator Schneider and Representative Smith:

Please be advised that Governor John E. Baldacci has nominated the following to the Maine State Housing Authority:

Barbara Berry of North Yarmouth for appointment
Raymond Cota of Orono for appointment
Dale McCormick of Augusta for reappointment
Carol Kontos of Windham for reappointment
Donald Gean of Old Orchard Beach for reappointment

Pursuant to Title 30-A M.R.S.A. §4723, these nominations will require review by the Joint Standing Committee on Business, Research and Economic Development and confirmation by the Senate.

Sincerely,

S/Elizabeth H. Mitchell
President of the Senate

S/Hannah M. Pingree
Speaker of the House

READ and REFERRED to the Committee on **BUSINESS,
RESEARCH AND ECONOMIC DEVELOPMENT.**

Sent down for concurrence.

The Following Communication: S.P. 659

**STATE OF MAINE
ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE
COMMITTEE ON INSURANCE AND FINANCIAL SERVICES**

January 5, 2010

Sen. Peter B. Bowman
Senate Chair, Joint Standing Committee on Insurance and Financial Services
Rep. Sharon Anglin Treat
House Chair, Joint Standing Committee on Insurance and Financial Services
124th Legislature
Augusta, ME 04333

Dear Senator Bowman and Representative Treat:

Please be advised that Governor John E. Baldacci has nominated the following to the Dirigo Health Board of Trustees:

Frank O'Hara of Hallowell for appointment
Gary Reed of Falmouth for appointment
Jonathan Beal of Portland for reappointment
Edward David of Bangor for reappointment
Mary McAleney of South Portland for reappointment
Mary Anne Turowski of Newburgh for reappointment

Pursuant to Title 24-A M.R.S.A. §6904, these nominations will require review by the Joint Standing Committee on Insurance and Financial Services and confirmation by the Senate.

Sincerely,

S/Elizabeth H. Mitchell
President of the Senate

S/Hannah M. Pingree
Speaker of the House

READ and REFERRED to the Committee on INSURANCE AND FINANCIAL SERVICES.

Sent down for concurrence.

The Following Communication: S.P. 660

**STATE OF MAINE
ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE
COMMITTEE ON LABOR**

January 5, 2010

Sen. Troy Dale Jackson
Senate Chair, Joint Standing Committee on Labor
Rep. John L. Tuttle
House Chair, Joint Standing Committee on Labor
124th Legislature
Augusta, ME 04333

Dear Senator Jackson and Representative Tuttle:

Please be advised that Governor John E. Baldacci has nominated Peter Leslie of Waterford and George Burgoyne of Bangor for reappointment to the Maine Public Employees Retirement System, Board of Trustees.

Pursuant to Title 5 M.R.S.A. §17102 (1-D) these nominations will require review by the Joint Standing Committee on Labor and confirmation by the Senate.

Sincerely,

S/Elizabeth H. Mitchell
President of the Senate

S/Hannah M. Pingree
Speaker of the House

READ and REFERRED to the Committee on LABOR.

Sent down for concurrence.

The Following Communication: S.C. 519

**STATE OF MAINE
124TH LEGISLATURE
OFFICE OF THE GOVERNOR**

June 23, 2009

The Honorable Elizabeth H. Mitchell
President of the Maine Senate
3 State House Station
Augusta, Maine 04333-0003

The Honorable Hannah M. Pingree
Speaker of the Maine House
2 State House Station
Augusta, Maine 04333-0002

Subject: Extension of Commission Members Gwendolyn R. Hilton and Edward B. Laverty's Terms on the Land Use Regulation Commission

Dear President Mitchell and Speaker Pingree:

In accordance with 12 MRSA §683, this letter serves as notice to the Legislature that I am extending Gwendolyn R. Hilton and Edward B. Laverty's terms as members of the Land Use Regulation Commission. This extension is required to ensure fair consideration of two major projects pending before the Commission, including, Plum Creek's proposed Concept Plan for the Moosehead Lake Region and the Comprehensive Land Use Plan Revision for the unorganized areas.

Ms. Hilton and Mr. Laverty's terms are extended until completion of the matters, or until such time a successor is nominated and confirmed, whichever comes first.

Sincerely,

S/John E. Baldacci
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 545

**STATE OF MAINE
124TH LEGISLATURE
OFFICE OF THE GOVERNOR**

December 7, 2009

The Honorable Elizabeth H. Mitchell
President of the Senate
3 State House Station
Augusta, Maine 04333-0002

Dear President Mitchell,

In accordance with 38 MRSA section 341-C(5), this letter serves notice to the Legislature that it is necessary to extend the term of Mr. M. Wing Goodale as member of the Board of Environmental Protection to ensure fair consideration of the following matter: Appeal of the license for the Record Hill wind energy development project in Roxbury. Mr. Goodale's continued participation is particularly important since two other Board members are unable to participate in this proceeding.

Mr. Goodale's term is extended from December 12, 2009 until final Board action on the above-cited matter, unless Mr. Goodale is renominated and confirmed for a second term on the Board.

Sincerely,

S/John Elias Baldacci
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 546

**STATE OF MAINE
ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE
COMMITTEE ON BUSINESS, RESEARCH AND ECONOMIC
DEVELOPMENT**

December 7, 2009

President of the Senate
Speaker of the House
124th Legislature
State House
Augusta, Maine 04333

Dear President and Speaker:

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

L.D. 355 An Act To Protect Residential Consumers of Home Heating Fuel

L.D. 1393 An Act To Provide an Exception to the Pine Tree Development Zone Requirements for Seafood Processing Businesses

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

Sincerely,

S/Sen. Elizabeth M. Schneider
Senate Chair

S/Rep. Nancy E. Smith
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 547

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

December 7, 2009

President of the Senate
Speaker of the House
124th Legislature
State House
Augusta, Maine 04333

Dear President and Speaker:

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

L.D. 993 An Act To Implement the Recommendations of the Commission To Study the Protection of Farms and Farmland Pertaining to Taxation

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

Sincerely,

S/Sen. Joseph C. Perry
Senate Chair

S/Rep. Thomas R. Watson
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

At this point, a message was received from the House of Representatives, borne by Representative PIOTTI of Unity, informing the Senate that a Quorum of Representatives was assembled for the consideration of such business as may come before that Body.

The Following Communication: S.C. 548

**STATE OF MAINE
OFFICE OF THE SECRETARY OF STATE**

June 19, 2009

Honorable Joy J. O'Brien
Secretary of the Senate
3 State House Station
Augusta, ME 04333

Dear Secretary O'Brien:

Please find enclosed certified copies of the proclamations for the citizen initiatives, "An Act To Decrease the Automobile Excise Tax and Promote Energy Efficiency", "An Act To Establish the Maine Medical Marijuana Act", "An Act To Provide Tax Relief" and "An Act To Repeal the School District Consolidation Laws", which will be sent to referendum vote on November 3, 2009.

Sincerely,

S/Matthew Dunlap
Secretary of State

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

The Following Communication: S.C. 549

**STATE OF MAINE
OFFICE OF THE SECRETARY OF STATE**

September 1, 2009

Honorable Joy J. O'Brien
Secretary of the Senate
3 State House Station
Augusta, ME 04333

Dear Secretary O'Brien:

Enclosed please find a certified copy of the documents relating to the Houlton Band of Maliseet Indians, the Penobscot Nation and the Passamaquoddy Tribe each certifying its agreement to P.L. 2009, c. 384 (LD 1377), entitled "An Act To Amend the 1980 Maine Implementing Act To Authorize the Establishment of a Tribal Court for the Houlton Band of Maliseet Indians and Related Matters".

These documents were timely filed within 90 days after adjournment of the First Regular Session of the 124th Legislature, as provided by the above-referenced public law, on the following dates:

The Houlton Band of Maliseet Indians — certification filed July 15, 2009
The Penobscot Nation — certification filed August 20, 2009
The Passamaquoddy Tribe — certification filed August 31, 2009

These documents are being forwarded to you pursuant to the provisions of Title 3, Section 601.

Sincerely,

S/Matthew Dunlap
Secretary of State

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

The Following Communication: S.C. 550

**STATE OF MAINE
OFFICE OF THE SECRETARY OF STATE**

September 10, 2009

Honorable Joy J. O'Brien
Secretary of the Senate
3 State House Station
Augusta, ME 04333

Dear Secretary O'Brien:

Please find enclosed a certified copy of the proclamation referring the People's Veto of "An Act To End Discrimination in Civil Marriage and Affirm Religious Freedom" to the electors on November 3, 2009. A copy of the determination of this petition is also enclosed.

Sincerely,

S/Matthew Dunlap
Secretary of State

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

The Following Communication: S.C. 551

**STATE OF MAINE
OFFICE OF THE SECRETARY OF STATE**

December 31, 2009

Honorable Elizabeth H. Mitchell
President of the Senate
3 State House Station
Augusta, ME 04333

Dear President Mitchell:

The following is a summary of the results of the November 3, 2009 Referendum Election, as derived from the accompanying copies of the Governor's Proclamations and the Secretary of State's official Tabulation of the election results.

Question 1: People's Veto
 Number of Votes in Favor 300,848
 Number of Votes Opposed 267,828

Question 2: Citizen Initiative
 Number of Votes in Favor 145,610
 Number of Votes Opposed 416,714

Question 3: Citizen Initiative
 Number of Votes in Favor 228,952
 Number of Votes Opposed 320,334

Question 4: Citizen Initiative
 Number of Votes in Favor 223,059
 Number of Votes Opposed 336,144

Question 5: Citizen Initiative
 Number of Votes in Favor 332,038
 Number of Votes Opposed 232,024

Question 6: Bond Issue
 Number of Votes in Favor 363,537
 Number of Votes Opposed 192,789

Question 7: Constitutional Amendment
 Number of Votes in Favor 260,887
 Number of Votes Opposed 285,385

Sincerely,

S/Matthew Dunlap
 Secretary of State

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

SENATE PAPERS

Bill "An Act To Create Jobs and Stimulate Economic Development by Making Captive Insurers Eligible for Pine Tree Development Zone Benefits for 10 Years" (EMERGENCY)
 S.P. 651 L.D. 1679

Presented by Senator ALFOND of Cumberland.
 Cosponsored by Representative WATSON of Bath and Senator: DAMON of Hancock, Representatives: BECK of Waterville, LEGG of Kennebunk, MacDONALD of Boothbay, PILON of Saco, PIOTTI of Unity, STUCKEY of Portland.
 Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Bill "An Act Regarding the Law Governing Recreational Vehicle Manufacturers, Distributors and Dealers"
 S.P. 655 L.D. 1683

Presented by Senator SCHNEIDER of Penobscot.
 Cosponsored by Representative: SMITH of Monmouth.
 Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

On motion by Senator **SCHNEIDER** of Penobscot, **REFERRED** to the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed.

Sent down for concurrence.

Bill "An Act To Require a Pharmacist To Provide Prior Notification to and Obtain Consent from the Prescribing Physician before Changing from One Formulation or Manufacturer of an Antiepileptic Drug to Another"

S.P. 644 L.D. 1672

Presented by Senator BOWMAN of York.
 Cosponsored by Representative WHEELER of Kittery.
 Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

On motion by Senator **BRANNIGAN** of Cumberland, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

Sent down for concurrence.

Bill "An Act To Allow the Electronic Registration of Big Game Animals" (EMERGENCY)

S.P. 656 L.D. 1723

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

On motion by Senator **BRYANT** of Oxford, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed.

Sent down for concurrence.

Bill "An Act To Allow a Maine-chartered Financial Institution To Conduct a Savings Promotion Raffle"

S.P. 645 L.D. 1673

Presented by Senator SULLIVAN of York.
 Cosponsored by Representative FLEMINGS of Bar Harbor and Senators: ALFOND of Cumberland, BOWMAN of York, PERRY of Penobscot, SIMPSON of Androscoggin, Representatives: BERRY of Bowdoinham, CAREY of Lewiston, TRINWARD of Waterville.
 Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Bill "An Act To Protect Maine Citizens' Credit"
 S.P. 648 L.D. 1676

Presented by Senator BARTLETT of Cumberland.
 Cosponsored by Representative TREAT of Hallowell and Senator: BOWMAN of York, Representative: LEGG of Kennebunk.

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

On motion by Senator **BOWMAN** of York, **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES** and ordered printed.

Sent down for concurrence.

Bill "An Act To Protect Minors from Pharmaceutical Marketing Practices"

S.P. 649 L.D. 1677

Presented by Senator SCHNEIDER of Penobscot. Cosponsored by Representatives: CLEARY of Houlton, JOHNSON of Greenville and Representatives: RUSSELL of Portland, SMITH of Monmouth, TREAT of Hallowell. Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Committee on **JUDICIARY** suggested and ordered printed.

On motion by Senator **BLISS** of Cumberland, **REFERRED** to the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT**.

Sent down for concurrence.

Bill "An Act To Implement a Maine Unemployment Insurance Work-sharing Program"

S.P. 653 L.D. 1681

Presented by Senator JACKSON of Aroostook. Cosponsored by Senator: DAVIS of Cumberland, Representatives: BLODGETT of Augusta, BUTTERFIELD of Bangor, CUSHING of Hampden, GILBERT of Jay. Submitted by the Department of Labor pursuant to Joint Rule 204.

On motion by Senator **BARTLETT** of Cumberland, **REFERRED** to the Committee on **LABOR** and ordered printed.

Sent down for concurrence.

Bill "An Act To Create a Commercial Pelagic and Anadromous Fishing License and Establish the Pelagic and Anadromous Fisheries Fund"

S.P. 657 L.D. 1724

Presented by Senator DAMON of Hancock. Cosponsored by Representative PERCY of Phippsburg. Submitted by the Department of Marine Resources pursuant to Joint Rule 204.

On motion by Senator **DAMON** of Hancock, **REFERRED** to the Committee on **MARINE RESOURCES** and ordered printed.

Sent down for concurrence.

Bill "An Act To Amend the Law Governing Sales Tax Exemptions for Certain Nonprofit Youth Organizations"

S.P. 646 L.D. 1674

Presented by Senator SHERMAN of Aroostook. Cosponsored by Representative LEWIN of Eliot and Senators: COURTNEY of York, DAVIS of Cumberland, Representatives: CUSHING of Hampden, THIBODEAU of Winterport. Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

On motion by Senator **PERRY** of Penobscot, **REFERRED** to the Committee on **TAXATION** and ordered printed. Sent down for concurrence.

Bill "An Act To Reduce Noise Caused by Motorcycles and Improve Public Health"

S.P. 647 L.D. 1675

Presented by Senator SULLIVAN of York. Cosponsored by Representative RUSSELL of Portland and Senators: DAMON of Hancock, PERRY of Penobscot, Representatives: CAREY of Lewiston, HINCK of Portland, HOGAN of Old Orchard Beach, LEGG of Kennebunk, MAZUREK of Rockland, TRINWARD of Waterville. Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Resolve, Directing the Department of Transportation To Review the Fiscal Impact on the State of the Closure of the Railroad Track between Madawaska and Millinocket (EMERGENCY)

S.P. 650 L.D. 1678

Presented by Senator SHERMAN of Aroostook. Cosponsored by Representative THERIAULT of Madawaska and Senators: COURTNEY of York, JACKSON of Aroostook, RAYE of Washington, Representatives: CLARK of Millinocket, EDGECOMB of Caribou, JOY of Crystal, SHAW of Standish, SUTHERLAND of Chapman. Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

On motion by Senator **DAMON** of Hancock, **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed.

Sent down for concurrence.

Bill "An Act To Assist in Reviewing Wind Energy Applications"
S.P. 652 L.D. 1680

Presented by Senator HOBBS of York.
Cosponsored by Representative FITTS of Pittsfield and
Representatives: ADAMS of Portland, MacDONALD of Boothbay,
McCABE of Skowhegan, McKANE of Newcastle, VAN WIE of
New Gloucester.
Submitted by the Department of Conservation pursuant to Joint
Rule 204.

Bill "An Act To Amend the Electric Utility Industry Laws as They
Relate to Renewable Resources"
S.P. 654 L.D. 1682

Presented by Senator BARTLETT of Cumberland.
Cosponsored by Representative FLAHERTY of Scarborough and
Representatives: DOSTIE of Sabattus, FITTS of Pittsfield.
Approved for introduction by a majority of the Legislative Council
pursuant to Joint Rule 203.

On motion by Senator HOBBS of York, REFERRED to the
Committee on UTILITIES AND ENERGY and ordered printed.

Sent down for concurrence.

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

Senate at Ease.

Senate called to order by the President.

REPORTS OF COMMITTEES

Senate

Divided Report

The Majority of the Committee on TAXATION on Bill "An Act To
Expand the Economic Development Benefit of Tax Increment
Financing in Counties That Include Unorganized Territories"
S.P. 353 L.D. 931

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

Signed:

Senators:
PERRY of Penobscot
BLISS of Cumberland

Representatives:
WATSON of Bath
BRYANT of Windham
FLEMINGS of Bar Harbor

CROCKETT of Augusta
PILON of Saco
VALENTINO of Saco
KNIGHT of Livermore Falls
SIROIS of Turner

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

Signed:

Senator:
NASS of York

Representative:
CHASE of Wells

Reports **READ**.

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

Ordered sent down forthwith for concurrence.

THE PRESIDENT: Because the Senate is extraordinarily efficient
and because I wanted to get all our bills referred to committee
and down to the other Body so that we could move things along, I
turned the schedule on its head. As you know, the Senate
President rarely gets to speak to you on the record officially.
Perhaps if you are lucky I won't come down off the rostrum any
time during the session either. I did want to speak with you for
just a few moments today as we close our business. I've done it
in reverse order so that we could get our business done. One,
welcome back and I am genuinely glad to see all of you. I think
that the work we did together, and I do mean together, has paved
the way for us to get through yet another difficult session. The
relationships that we built, the personal relationships as well as
the professional relationships, will serve us well.

Just \$438 million to go. Is that correct Senator Diamond and
Senator Rosen? We can do it. Against all odds, last session we
achieve a budget that was balanced with the two parties working
together. We're going to do it again. We did this with principled
partisanship. One of my favorite writers is E.J. Dionne. That's
the way he describes true partisanship. It is principle because
neither side has all the answers. If we challenge one another
respectfully, professionally, we can get to the right answer
because we have the common goals of shared sacrifice,
dedication to efficiencies, and commitment to investing to Maine's
future.

While we struggle to fund oil purchases for those shivering
without us, we invest in dreams. Nothing less in the form of new
energy sources such as wind and corridors to make transmission
possible, wood pellets, and electric grids strong enough for
tomorrow's needs. We will not shrink from those investments.
We cannot.

While we see the state support for education being trimmed,
we take pride in award winning innovative programs such as
expeditionary learning at the King Middle School in Portland
where two of my grandchildren are being well prepared for
tomorrow's needs. A documentary was just made of that school

to be shown around the nation to demonstrate best practices. Nothing happened in the school except good leadership and commitment from community and families. A lesson to be learned right here in our own backyard. We take pride in the entrepreneurial training programs at the University of Maine at Orono and in the research and development efforts that have led to composites and biotech breakthroughs. We take pride and we must support those dedicated teachers and professors who have so ably lifted our children's spirits and their horizons. Let me compliment the Community Colleges. Just last week they announced their own foundation. We laud efforts to find private partners to help our public efforts but we also have to support the backbone of this essential system.

Let me compliment also our State employees. Former Governor Angus King said he spent eight years trying to find that little man in the basement shoveling money into the furnace. He never did. Our State employees feel the hot breath of frustration and they are the ones making everything we want to do work. They process our tax returns without which we would have no revenue. They spent the last week searching for a missing teenager in my Senate district in China. They do this without fanfare or glory. They do it because they are dedicated. They protect children from abusive homes. They protect the elderly from exploitation. They issue our drivers licenses. They clean the corridors that you walked in to get here today. We're going to respectfully try to recognize the quality of these services and to reward those who dedicate themselves to public service.

What are the minimum things we have to do? We have to balance the budget and we will. We have to avoid the temptation to take out our frustrations on any unpopular group. We have to watch the federal healthcare legislation to see how it's going to help Maine people. We must be mindful of those suffering from mental illness, of our elderly in need of shelter and care, and our children who may be suffering from abuse, hunger, or neglect. We must preserve and enhance opportunities for job creation and protection whether through good incentives, partnerships, or the tax code.

When we, as a Senate, work together to address Maine's problems we will come out of this global recession stronger than when we went in but things will not look the same. If we honor and protect our core Maine values we will preserve the special Maine we all love and we will create opportunities for our children and grandchildren. Getting through hard times with a sense of community is the Maine way. We can do no less. We are strong. We are compassionate. We are tough. We are Maine.

Let's get to work. I couldn't be prouder to be working with all of you, both parties, leaders from both sides, and all of you from the committees of policy jurisdiction. Thank you for being here today and thank you for still having a smile on your faces. When things get tough just go out and have a cup of coffee together. Senator Hastings and I can show you how best to do that. That's an inside joke that we had this morning getting on the elevator. At any rate, welcome back and we do indeed have a tough session ahead but that is why we were sent here. As my husband, the old Marine, says, 'When the going gets tough the tough get going.' That's what we are going to do.

Senator **RAYE**: Thank you, Madame President. I just wanted to rise very briefly to compliment you, Madame President, on your opening remarks for this, the second session, and just to take a moment to acknowledge what it is that we face as we begin this session. We know that it is going to be a difficult and challenging session. We know that the members of the Appropriations Committee have already been engaged in the hard work of setting the path for the decisions that will be made in the coming weeks. I do agree that in the last session we saw a positive tone of, as the President said, principled partisanship which bridged itself into a healthy bi-partisanship. I do hope that this spirit can remain intact and will help to guide us through the weeks ahead of this, the second session. As we look ahead to the difficult budget decisions, we know that we have a blueprint from the Chief Executive and it is our responsibility to consider it very carefully and to go through it to see where we can make improvements to it and hopefully reach a consensus that will honor the spirit of that budget with respect especially to not imposing an increased burden on the taxpayers of Maine. We are going to be in a position where we are going to have to make tough commonsense decisions and establish priorities just as Maine people do every day around their kitchen tables as they struggle to deal with the economy. Together I think we can look forward to a productive session. It's good to be back and to see all of you and look forward to working with everybody in the chamber, on both sides of the aisle, and to work together to make the right decisions for the people of Maine. Thank you, Madame President.

On motion by Senator **BARTLETT** of Cumberland, **ADJOURNED** to Thursday, January 7, 2010, at 10:00 in the morning.

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