

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
Thursday
February 25, 2010

Senate called to order by President Elizabeth H. Mitchell of
Kennebec County.

Prayer by Reverend Dr. Thomas L. Blackstone, Green Street
United Methodist Church of Augusta.

REVEREND BLACKSTONE: Good morning and thank you for
inviting me to share a word of encouragement with you this
morning and for inviting my son, Patrick, to serve as a page. I
find it amazing, and I imagine you find it intimidating, that you
regularly do your work in the presence of middle and high school
students. What an amazing opportunity and reminder of why we
are all here. In fact, it was just last Sunday that I baptized a little
tiny baby girl named Ava Thibodeau. She was born on Veteran's
Day and if she were a lobster we'd still have to throw her back. In
her little body exists all of the reasons for the rest of us to struggle
to make this state the very best place that it can be, so I bring her
name before us this morning as an inspiration. Let us pray.

Holy and amazing God, we say that we are only human and
we say it a lot. We say it when the way is hard and the resources
are few and the critics are loud and the future is uncertain. We
know that for the Patricks and Avas and other children of this
state important work still can and will be accomplished in this
room by these human men and women in whom so many have
invested their confidence, trust, and a citizen's most precious gift,
their votes. I know these Senators must feel the burden of that
every day, but I would ask on this day that You would remind
them that their humanity is enough, that they are surrounded by
the prayers and well-wishes of many who believe in what they
can accomplish. May the babies born this day from Fort Kent to
Kittery come to know that they have been placed in a state and
nation that welcomes them with opportunity, justice, education,
equality, and compassion. May You blessing abide upon this
chamber and these people on this day when they can make such
an incredible difference in the lives of so many. Amen.

Reading of the Journal of Tuesday, February 23, 2010.

Doctor of the day, Dr. Kenneth Johnson, DO, FAAO of
Scarborough.

Off Record Remarks

Out of order and under suspension of the Rules, on motion by
Senator **BARTLETT** of Cumberland, the following Joint Order:
S.P. 700

Ordered, the House concurring, that when the House and Senate
adjourn, they do so until Tuesday, March 2, 2010 at 10:00 in the
morning.

READ and PASSED.

Ordered sent down forthwith for concurrence.

COMMUNICATIONS

The Following Communication: S.P. 701

STATE OF MAINE
124th MAINE LEGISLATURE

February 22, 2010

Sen. Justin L. Alfond
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 Alfond and Representative Sutherland:

Please be advised that Governor John E. Baldacci has nominated
the following as members to the Maine Community College
System, Board of Trustees:

Robert Clark of Fort Fairfield, reappointment
Dennis King of Freeport, reappointment
Cynthia Phinney of Livermore Falls, reappointment
Christopher McCormick of Cumberland Foreside, appointment
Kenneth Heoflick of Standish, appointment as a Student Member

Pursuant to Title 20-A MRSA §12705 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. 702

**STATE OF MAINE
124TH MAINE LEGISLATURE**

February 22, 2010

Sen. Justin L. Alfond
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 Alfond and Representative Sutherland:

Please be advised that Governor John E. Baldacci has nominated
the following as members to the University of Maine System,
Board of Trustees:

Victoria Murphy of Portland, reappointment
Paul Mitchell of Waterville, reappointment
Samuel Collins of Caribou, appointment
M. Michelle Hood of Bar Harbor, appointment
Benjamin Goodman of Kennebunk, appointment as a Student
Member

Pursuant to P&S Law 1967, Chapter 229, 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.

SENATE PAPERS

Bill "An Act To Encourage the Use of Models in the Collection and
Use of Student Achievement Data" (EMERGENCY)
S.P. 704 L.D. 1799

Presented by Senator ALFOND of Cumberland. (GOVERNOR'S
BILL)

Bill "An Act To Adopt the Common Core State Standards
Initiative" (EMERGENCY)

S.P. 705 L.D. 1800

Presented by Senator ALFOND of Cumberland. (GOVERNOR'S
BILL)

Bill "An Act To Promote the Establishment of Innovative Schools"
(EMERGENCY)

S.P. 706 L.D. 1801

Presented by Senator ALFOND of Cumberland. (GOVERNOR'S
BILL)

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

Sent down for concurrence.

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

ORDERS

Joint Orders

Maine's charitable nonprofit community and the Maine
Association of Nonprofits, which is hosting the 7th Annual
Nonprofit Day at the State House on February 25, 2010. The
Maine Association of Nonprofits proudly serves nonprofits
throughout the State, adding value and reducing costs by
reaching across traditional boundaries, developing innovative
solutions and programs and bringing additional resources to meet
governmental responsibilities. In an era of declining revenues
and increasing needs, the Maine Association of Nonprofits is
committed to helping nonprofits and government work together to
ensure the well-being of our residents and the qualities that make
Maine the place we all love. We extend our appreciation to the
Maine Association of Nonprofits for its commitment to the citizens
of the State;

SLS 352

Sponsored by Senator BLISS of Cumberland.
Cosponsored by Representatives: DILL of Cape Elizabeth,
EBERLE of South Portland, FLAHERTY of Scarborough,
KAENRATH of South Portland, MORRISON of South Portland,
PENDLETON of Scarborough.

READ.

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

Senator **BLISS:** Thank you, Madame President. In the best of
times each of us has nonprofit agencies working in our districts to
provide recreational programs for our kids, to help feed and
shelter the needy, and to provide an array of services that we, in

State government, can't, or sometimes won't, do. These are a whole lot worse than the best of times right now. We have a lot of needy people in all of our districts and that just makes the work of the nonprofits that much more important and, frankly, that much more visible. Nonprofit organizations play such an important role in the success of our state that we cannot ignore them. We must not ignore them. Without those nonprofits, without those people earning extremely small salaries to do extremely large work for a huge percentage of our population, our state would be in a much worse position. Today is Nonprofit Day and the Maine Association of Nonprofits is downstairs on the second floor with an array of nonprofits from all of your districts. I encourage you to do two things; one of them is to visit those nonprofits today in the Hall of Flags. The second, and more important, is that the next time you go back to your district drop in on one or two of those nonprofits and, as a representative of the State, which is what you are, thank them for the hard work that they do to help us help the State succeed. Thank you, Madame President.

PASSED.

Sent down for concurrence.

The following members of the Thornton Academy Golf Team, who have won the 2009 Class A State Championship: Brian Angis, Andrew Cummings, Zach Golojuch, Jim Quentin, Matt Perreault, Blake Zafirson, Jon Pate and Dillon Dunbar and coaches Mike Verrier and Jeff Camire. We extend our congratulations to the team on its achievement;

SLS 353

Sponsored by Senator HOBBS of York.
Cosponsored by Representatives: PILON of Saco, VALENTINO of Saco.

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

Senator **HOBBS:** Thank you very much, Madame President. Men and women of the Senate, it's a real honor and privilege to rise today in tribute to the 2009 Maine State Golf Champions in high school. We are very fortunate to have them all here today. It's especially very sentimental for me, in fact, because I've seen these young fellows grow up from the time that they played pee-wee sports and youth sports and little league, now through high school. I know that this is a very proud moment for them and for all their families. This is the third time in six years that the Thornton Academy Golf Team has won the State Championship. This year was somewhat special. The team played at Natanis Golf Course in Vassalboro, which is a very familiar town for Madame President. Thornton Academy had a score of 316 total score for the tournament, which is the winning score. Second was South Portland High School. The Senator from Cumberland, Senator Bliss, I'm sure is pleased that they finished second but not really that pleased. Also Deering High School tied for second place. Senator Brannigan, they had a very good golf team. The third, or fourth place, was Madame President's team, Cony High School with a score of 323.

It also is important to note that there is one individual here that I'd like to pay tribute to, and I hope you will join me in paying

tribute to him. He is the Individual Schoolboy State Golf Champion for 2009, Brian Angis. Brian Angis is a young fellow who is a senior at Thornton Academy. I can say that I show my age in that I played on the same golf team as his dad, the late John Angis, and his mother was my paralegal at one time. He is the only golfer in 60 years from Thornton Academy to ever win this tournament. The last person to win it from Thornton Academy was in 1950. A well-known golfer named Edward Kennedy, Jr. No relation. Brian also, as should be noted, was chosen as the Male Golfer of the Year by the Portland Press Herald and the Journal Tribune, my hometown newspaper, chose him as York County Male Athlete of the Year for all sports. We're also fortunate to have the youngest individual ever to win the Tri-City Golf Tournament, which is a tradition in York County which goes back 39 years, at the age of 17, Zach Golojuch, who is on the team. I want to congratulate Zach, on the record, for that great accomplishment.

There is something you might now know about one of the members of this august body and that is we do also have a former Schoolboy State Golf Champion amongst us. That is the 1995 Schoolboy Golf Champion, the Senator from Sagadahoc, Senator Seth Goodall. I think it's going to be very well done to have a picture taken later on of the two golf champions.

It does give me great pleasure. They are very well coached. Coach Mike Verrier, this is his 30th year of coaching at Thornton Academy. He is a role model for these young men and women who he's coached in the past. He is assisted by Jeff Camire. Thank you very much, Madame President. It gives me great pleasure to stand here and gloat a little bit. Thank you.

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

Senator **SULLIVAN:** Thank you, Madame President. Men and women of the Senate, I guess I'm a little older than the Senator from York, Senator Hobbins. I know I'm a little older but I am a member of the alumni of Thornton Academy. I guess it would actually be alumnus of Thornton Academy. I am extremely proud. At least one or two of these young men I had in school in junior high, because I teach at Saco Middle School. I'm looking at one and I've learned a lot from one person sitting there. I am impressed with the quality of them every time we see Thornton Academy people come forth. Let me say to the men, you have certainly changed since you were 7th graders. I might add that it is certainly for the best. Thank you so much for allowing me to speak. Congratulations to all of you. I know you will go on to college and you will come back to Maine to live in this beautiful place and make it better. Thank you very much, Madame President.

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

Senator **BLISS:** Thank you, Madame President. It is so interesting that the good Senator from York, Senator Hobbins, is talking about golf. I happen just now to be reading a new biography of Herbert Hoover. In the mid-30's, when he was President, he was struggling with how to get us out of that horrible depression that we were in. His health was just falling apart. One of his aides said that they had just received an invitation from a young Senator from Maine to come up and play golf and to get away from it for a few days. It turns out, low and behold, that the

Senator was our own Senator Hobbins. As the Senator in whose district the second place finishers reside, I too want to lend my congratulations to an amazing group of golfers who, frankly, put our South Portland golfers a little bit to shame. We also congratulate you on the amazing work that you did, in spite of the fact that you have a very old Senator. Thank you, Madame President.

THE PRESIDENT: The Chair recognizes the Senator from Sagadahoc, Senator Goodall.

Senator **GOODALL:** Thank you, Madame President. Men and women of the Senate, I too want to rise today to congratulate the young men from Thornton Academy. It's truly an honor. Most importantly, to win as a team it takes at least five of you and it takes many more of you throughout the whole season to challenge one another. Golf is a great game. I know many of our colleagues here participate today. It's a lifelong game and the lessons that you learn at a very young age are still used today and I'm sure I'll be using them for the rest of my life. I congratulate you and of course Mr. Angis for his individual title. I'd be remiss, Madame President, not to mention that I am a junior Senator to the senator Senator, to my left, my seatmate who also is a great golfer. The record should state that just because he was not fortunate to go to high school in Maine that we did have a match last year and, realizing that he is senior to me in rank here, I did defer to him, of course, and allow him to win. Thank you, Madame President.

PASSED.

Sent down for concurrence.

THE PRESIDENT: The Chair would ask that these gentlemen from Thornton Academy Golf Team please stand one more time, as well as our own golfer, and we'd like to congratulate all of you.

Joint Resolution

On motion by Senator **NUTTING** of Androscoggin (Cosponsored by Representative **PIEH** of Bremen and Senators: **BRYANT** of Oxford, **SHERMAN** of Aroostook, Representatives: **CRAY** of Palmyra, **EDGEComb** of Caribou, **GIFFORD** of Lincoln, **KENT** of Woolwich, **McCABE** of Skowhegan, **O'BRIEN** of Lincolnville, **PERCY** of Phippsburg, **PRATT** of Eddington, **SMITH** of Monmouth), the following Joint Resolution:

S.P. 703

JOINT RESOLUTION DECLARING FEBRUARY 25, 2010 SPAY DAY MAINE 2010

WHEREAS, more than 20,435 dogs and cats entered the 8 largest animal shelters in Maine, out of 100 licensed shelters, during 2007, the most recent year for which substantial data is available; and

WHEREAS, approximately 40% of these animals were not reclaimed by their owners or were not adopted by new owners and therefore were euthanized; and

WHEREAS, in many instances the animals are young, healthy and friendly creatures that are euthanized simply because there are not enough good homes for them; and

WHEREAS, an additional unknown number of Maine animals die each year due to abandonment, neglect, abuse, starvation or cruelty; and

WHEREAS, the cost to State Government and nonprofit agencies of handling and euthanizing discarded animals is estimated to exceed tens of millions of dollars per year; and

WHEREAS, the spaying or neutering of dogs and cats helps solve this tragic and costly problem by reducing the number of dogs and cats that end up in shelters; and

WHEREAS, it is the intent of the Legislature to support a strong policy in the State of animal shelters' aggressively promoting spay and neuter programs to reduce pet overpopulation; and

WHEREAS, residents of the State can contribute to this effort by spaying or neutering their own companion animals and by supporting programs in their communities that offer accessible spay and neuter services, including the state-run Help Fix ME program; and

WHEREAS, veterinarians, humane societies, animal control agencies and national and local animal welfare organizations join together to advocate the spaying or neutering of dogs and cats on "Spay Day USA 2010," an annual campaign of the Humane Society of the United States; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-fourth Legislature now assembled in the Second Regular Session, on behalf of the people we represent, take this opportunity to declare that February 25, 2010 is Spay Day Maine 2010 and we request and urge that the people of Maine observe the day by committing to have their dogs or cats spayed or neutered and by contributing to charitable organizations that provide spay and neuter services and we request that Maine veterinarians work with animal shelters and rescue groups to provide accessible spay and neuter services.

READ and ADOPTED.

Sent down for concurrence.

REPORTS OF COMMITTEES

House

Ought to Pass

The Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Amend the Laws Governing Advanced Practice Registered Nurses"

H.P. 1203 L.D. 1702

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

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **NATURAL RESOURCES** on Resolve, Regarding Legislative Review of Portions of Chapter 232: Well Drillers and Pump Installers Rules, a Major Substantive Rule of the Department of Health and Human Services (EMERGENCY)
H.P. 1239 L.D. 1742

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

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Ought to Pass As Amended

The Committee on **LEGAL AND VETERANS AFFAIRS** on Joint Order, "To Amend the Joint Rules To Require Agreement with the Legislative Code of Ethics"

H.P. 107

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-591)**.

Comes from the House with the Report **READ** and the Joint Order and accompanying papers **COMMITTED** to the Joint Select Committee on **JOINT RULES**.

Report **READ**.

On motion by Senator **BARTLETT** of Cumberland, **TABLED** until Later in Today's Session, pending **ACCEPTANCE OF REPORT**, in **NON-CONCURRENCE**.

The Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act Concerning the National Animal Identification System"

H.P. 857 L.D. 1238

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-641)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-641)**.

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

READ ONCE.

Committee Amendment "A" (H-641) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **NATURAL RESOURCES** on Bill "An Act To Establish a Residential Wood Stove Replacement Fund"
H.P. 1113 L.D. 1575

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-642)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-642)**.

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

READ ONCE.

Committee Amendment "A" (H-642) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Amend the Laws Relating to Government Records"
H.P. 1219 L.D. 1718

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-638)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-638)**.

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

READ ONCE.

Committee Amendment "A" (H-638) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act To Distribute Funds Received from the Racino in Bangor to the Department of Health and Human Services, Office of Substance Abuse"

H.P. 569 L.D. 833

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-612).**

Signed:

Senators:

- SULLIVAN of York
- PLOWMAN of Penobscot
- GOODALL of Sagadahoc

Representatives:

- CORNELL du HOUX of Brunswick
- TRINWARD of Waterville
- TUTTLE of Sanford
- FITTS of Pittsfield
- CAREY of Lewiston
- RUSSELL of Portland

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "B" (H-613).**

Signed:

Representatives:

- BEAULIEU of Auburn
- PINKHAM of Lexington Township
- VALENTINO of Saco

Comes from the House with the Minority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "B" (H-613)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-613) AS AMENDED BY HOUSE AMENDMENT "A" (H-635)** thereto.

Reports **READ**.

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

Divided Report

The Majority of the Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act To Amend the Laws Governing the Taste Testing of Alcoholic Beverages" (EMERGENCY)

H.P. 1156 L.D. 1628

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-645).**

Signed:

Senators:

- SULLIVAN of York
- PLOWMAN of Penobscot
- GOODALL of Sagadahoc

Representatives:

- BEAULIEU of Auburn
- PINKHAM of Lexington Township
- VALENTINO of Saco
- TRINWARD of Waterville
- TUTTLE of Sanford
- FITTS of Pittsfield
- NASS of Acton
- RUSSELL of Portland

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

Signed:

Representatives:

- CAREY of Lewiston
- CORNELL du HOUX of Brunswick

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-645).**

Reports **READ**.

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

Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Amend the Laws Governing the Somerset County Budget Procedure" (EMERGENCY)
H.P. 1061 L.D. 1512

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-639).**

Signed:

Senators:

- JACKSON of Aroostook
- COURTNEY of York

Representatives:

BOLAND of Sanford
CELLI of Brewer
WILLETTE of Presque Isle
BEAUDETTE of Biddeford
COTTA of China
CLARK of Easton
HARVELL of Farmington
KAENRATH of South Portland
SCHATZ of Blue Hill

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "B" (H-640).**

Signed:

Senator:

SIMPSON of Androscoggin

Representative:

HAYES of Buckfield

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-639)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-639).**

Reports **READ.**

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

Senate

Ought to Pass As Amended

Senator SCHNEIDER for the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Facilitate Recovery Zone Facility Bonds" (EMERGENCY)
S.P. 590 L.D. 1530

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-381).**

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

READ ONCE.

Committee Amendment "A" (S-381) **READ** and **ADOPTED.**

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator BRANNIGAN for the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act Regarding the Maternal and Infant Death Review Panel" (EMERGENCY)
S.P. 606 L.D. 1599

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-383).**

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

READ ONCE.

Committee Amendment "A" (S-383) **READ** and **ADOPTED.**

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator SULLIVAN for the Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act To Amend the Election Laws and Other Related Laws"
S.P. 632 L.D. 1667

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-384).**

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

READ ONCE.

Committee Amendment "A" (S-384) **READ** and **ADOPTED.**

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

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

SECOND READERS

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

House

Bill "An Act To Enhance Newborn Blood Spot Screening To Conform to Federal Newborn Screening Standards"
H.P. 1144 L.D. 1616

Bill "An Act To Expedite Rulemaking Concerning Agronomic Utilization of Sludge"
H.P. 1217 L.D. 1716

Resolve, Regarding Legislative Review of the Repeal of Chapter 182: Formula for Distribution of Funds to Child Development Services Regional Sites, a Major Substantive Rule That Has Been Provisionally Repealed by the Department of Education (EMERGENCY)

H.P. 1245 L.D. 1751

Resolve, Regarding Legislative Review of the Repeal of Chapter 181: Child Development Services System: Regional Provider Advisory Boards, a Major Substantive Rule That Has Been Provisionally Repealed by the Department of Education (EMERGENCY)

H.P. 1246 L.D. 1752

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

House As Amended

Bill "An Act To Streamline the Renewal Process for a Permit To Carry a Firearm"

H.P. 1072 L.D. 1522
(C "A" H-633)

Bill "An Act To Facilitate Establishment of Watershed Districts"

H.P. 1095 L.D. 1553
(C "A" H-631)

Bill "An Act To Clarify the Laws Governing Instant Redeemable Coupons Included with a Spirits Product"

H.P. 1158 L.D. 1630
(C "A" H-634)

Bill "An Act Concerning the Use of Long-term Antibiotics for the Treatment of Lyme Disease"

H.P. 1210 L.D. 1709
(C "A" H-632)

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

Senate

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

READ A SECOND TIME and PASSED TO BE ENGROSSED.

Sent down for concurrence.

Senate As Amended

Bill "An Act To Stimulate Capital Investment for Innovative Businesses in Maine"

S.P. 10 L.D. 1
(C "A" S-378)

Bill "An Act To Amend the Law Pertaining to Smoke Detectors and Carbon Monoxide Detectors" (EMERGENCY)

S.P. 575 L.D. 1497
(C "A" S-377)

Bill "An Act To Adopt a Drug Benefit Equity Law"

S.P. 576 L.D. 1498
(C "A" S-374)

Bill "An Act To Amend the Maine Workers' Compensation Act of 1992 Regarding Coordination of Benefits"

S.P. 587 L.D. 1529
(C "A" S-380)

Bill "An Act Regarding Accidental Death Benefits for Beneficiaries of Deceased Firefighters"

S.P. 595 L.D. 1558
(C "A" S-379)

Bill "An Act Regarding Liquor Licenses for Qualified Catering Services" (EMERGENCY)

S.P. 596 L.D. 1559
(C "A" S-375)

Bill "An Act Regarding Maine Public Employees Retirement System Life Insurance Policies"

S.P. 622 L.D. 1657
(C "A" S-376)

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

Sent down for concurrence.

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

ENACTORS

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

Emergency Measure

An Act To Amend the Charter of the Caribou Utilities District
H.P. 1064 L.D. 1515
(C "A" H-614)

This being an Emergency Measure and having received the affirmative vote of 31 Members of the Senate, with no Senators having voted in the negative, and 31 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.

Emergency Measure

An Act To Facilitate the Involvement of the Office of the Public Advocate in the FairPoint Communications Bankruptcy Case
H.P. 1171 L.D. 1643
(C "A" H-618)

This being an Emergency Measure and having received the affirmative vote of 31 Members of the Senate, with no Senators having voted in the negative, and 31 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.

Emergency Resolve

Resolve, Regarding Legislative Review of Portions of Chapter 26: Producer Margins, a Major Substantive Rule of the Maine Milk Commission

H.P. 1067 L.D. 1517
(C "A" H-608)

This being an Emergency Measure and having received the affirmative vote of 31 Members of the Senate, with no Senators having voted in the negative, and 31 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Emergency Resolve

Resolve, To Review Certification Requirements for Installation of Solar Photovoltaic Systems

H.P. 1098 L.D. 1556
(C "A" H-609)

This being an Emergency Measure and having received the affirmative vote of 30 Members of the Senate, with 1 Senator having voted in the negative, and 30 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Acts

An Act Regarding Gaming by Charitable Organizations
H.P. 934 L.D. 1330
(C "A" H-611)

An Act To Create Regional Quality of Place Investment Strategies for High-value Jobs, Products and Services in Maine
S.P. 505 L.D. 1389
(C "A" S-353)

An Act To Update the Laws Concerning the Maine School of Science and Mathematics
H.P. 1101 L.D. 1564
(C "A" H-605)

An Act To Improve the Ability of the Commissioner of Corrections To Respond in Special Situations
H.P. 1114 L.D. 1576
(C "A" H-615)

An Act To Change the Penalties for Writing Bad Checks
H.P. 1126 L.D. 1588
(C "A" H-616)

An Act To Authorize Sanitary Districts, Water Utilities and Sewer Districts To Waive an Automatic Lien Foreclosure
H.P. 1127 L.D. 1589
(C "A" H-600; H "A" H-630)

An Act To Create the Lincolnville Sewer District
S.P. 607 L.D. 1601
(C "A" S-360)

An Act To Amend the Laws Regarding the Unlawful Use of License or Identification Card
H.P. 1140 L.D. 1612
(C "A" H-617)

An Act To Provide for the Safety of Maine Athletes
H.P. 1168 L.D. 1640
(C "A" H-603)

An Act Relating to the Maine Aeronautical Advisory Board
S.P. 628 L.D. 1663
(C "A" S-358)

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

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

PAPERS FROM THE HOUSE

House Paper

Resolve, Authorizing Certain Land Transactions by the Department of Conservation, Bureau of Parks and Lands and the Department of Inland Fisheries and Wildlife
H.P. 1291 L.D. 1803

Comes from the House, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed.

On motion by Senator **NUTTING** of Androscoggin, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed, in concurrence.

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Authorize a General Fund Bond Issue To Create Access to Dental Care throughout the State"
H.P. 1286 L.D. 1798

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

On motion by Senator **DIAMOND** of Cumberland, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed, in concurrence.

(See action later today.)

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Exempt Personal Constituent Information from the Freedom of Access Laws"
H.P. 1288 L.D. 1802

Comes from the House, **REFERRED** to the Committee on **JUDICIARY** and ordered printed.

On motion by Senator **BLISS** of Cumberland, **REFERRED** to the Committee on **JUDICIARY** and ordered printed, in concurrence.

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

PAPERS FROM THE HOUSE

**Pursuant to Statute
Maine Commission on Indigent Legal Services**

The **Maine Commission on Indigent Legal Services**, pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Chapter 2: Standards for Qualifications of Assigned Counsel, a Major Substantive Rule of the Maine Commission on Indigent Legal Services (EMERGENCY)

H.P. 1283 L.D. 1795

Be **REFERRED** to the Committee on **JUDICIARY** and ordered printed pursuant to Joint Rule 218.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **JUDICIARY** and ordered printed pursuant to Joint Rule 218.

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

On motion by Senator **BLISS** of Cumberland, **REFERRED** to the Committee on **JUDICIARY** and ordered printed pursuant to Joint Rule 218, in concurrence.

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

PAPERS FROM THE HOUSE

**Pursuant to Statute
Department of Environmental Protection**

The **Department of Environmental Protection**, pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Chapter 881: Fees; Chemical Use in Children's Products, a Major Substantive Rule of the Department of Environmental Protection (EMERGENCY)

H.P. 1284 L.D. 1796

Be **REFERRED** to the Committee on **NATURAL RESOURCES** and ordered printed pursuant to Joint Rule 218.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **NATURAL RESOURCES** and ordered printed pursuant to Joint Rule 218.

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

On motion by Senator **GOODALL** of Sagadahoc, **REFERRED** to the Committee on **NATURAL RESOURCES** and ordered printed pursuant to Joint Rule 218, in concurrence.

Senate at Ease.

Senate called to order by the President.

Off Record Remarks

ORDERS OF THE DAY

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

Bill "An Act To Amend the Laws Governing the Taste Testing of Alcoholic Beverages" (EMERGENCY)
H.P. 1156 L.D. 1628

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-645)** (11 members)

Minority - **Ought Not To Pass** (2 members)

Tabled - February 25, 2010, by Senator **SULLIVAN** of York

Pending - **ACCEPTANCE OF EITHER REPORT**

(In House, February 23, 2010, 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-645)**.)

(In Senate, February 25, 2010, Reports **READ**.)

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

READ ONCE.

Committee Amendment "A" (H-645) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

On motion by Senator **DIAMOND** of Cumberland, the Senate **RECONSIDERED** whereby it **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** the following:

Bill "An Act To Authorize a General Fund Bond Issue To Create Access to Dental Care throughout the State"
H.P. 1286 L.D. 1798

(In House, February 25, 2010, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed.)

On motion by Senator **DIAMOND** of Cumberland, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**, in **NON-CONCURRENCE**.

Sent down for concurrence.

ORDERS OF THE DAY

The Chair laid before the Senate the following Tabled and Later (2/23/10) Assigned matter:

Bill "An Act To Maintain Compliance of Maine's Insurance Laws with National Standards"

H.P. 1059 L.D. 1510

Tabled - February 23, 2010, by Senator **RAYE** of Washington

Pending - motion by Senator **BOWMAN** of York to **ADOPT** Senate Amendment "A" (S-382) to Committee Amendment "A" (H-628)

(In House, February 17, 2010, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-628)**.)

(In Senate, February 23, 2010, **READ A SECOND TIME**. On motion by Senator **BOWMAN** of York, **RECONSIDERED ADOPTION** of Committee Amendment "A" (H-628). On further motion by same Senator, Senate Amendment "A" (S-382) to Committee Amendment "A" (H-628) **READ** and **ADOPTED**. On motion by Senator **ROSEN** of Hancock, **RECONSIDERED**.)

On motion by Senator **BOWMAN** of York, Senate Amendment "A" (S-382) to Committee Amendment "A" (H-628) **ADOPTED**.

Committee Amendment "A" (H-628) as Amended by Senate Amendment "A" (S-382) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-628) AS AMENDED BY SENATE AMENDMENT "A" (S-382) thereto, in **NON-CONCURRENCE**.

Ordered sent down forthwith for concurrence.

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

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

On motion by Senator **BARTLETT** of Cumberland, **RECESSED** until the sound of the bell.

After Recess

Senate called to order by the President.

Senator **MARRACHÉ** of Kennebec 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.

Senator **NUTTING** of Androscoggin 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.

Off Record Remarks

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

On motion by Senator **BARTLETT** of Cumberland,
ADJOURNED, pursuant to the Joint Order, to Tuesday, March 2,
2010, at 10:00 in the morning.