

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

In Senate Chamber
Tuesday
March 1, 2011

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

Prayer by Deacon Dean Lachance, Executive Director of Bread of Life Ministries, St. Michael's Parish in Augusta.

DEACON LACHANCE: Let us pray. Good and gracious Lord, we gather and are privileged to be a part of Your creation here in this great state of Maine. You ask us to be good stewards over the earth and sea, over the animals, and especially good stewards of each other. Here in this space we gather to discuss, challenge, and ultimately seek to find a better way for the people of Maine and for all those who visit our state. We are entrusted, Lord, to make decisions that effect people's lives, their health, their wellbeing, and that of their children, knowing that we all have an inalienable right to life, liberty, and a pursuit of happiness. May we be aware of the importance of how and where we spend every Mainer's dollar in this coming budget. May we first listen, reflect, learn, and seek to understand before concluding and deciding. May this place and all who work here be instruments of peace, collaboration, and cooperation and may Your presence enter our being this day to guide us in Your way. Amen.

Pledge of Allegiance led by Senator Seth A. Goodall of Sagadahoc County.

Reading of the Journal of Thursday, February 17, 2011.

Doctor of the day, Barbara Moss, DO of Manchester.

Off Record Remarks

COMMUNICATIONS

The Following Communication: S.P. 209

**STATE OF MAINE
125TH LEGISLATURE**

February 17, 2011

Honorable Kevin L. Raye
President of the Senate
125th Legislature

Honorable Robert W. Nutting
Speaker of the House
125th Legislature

Dear Mr. President and Mr. Speaker:

On February 17, 2011, 3 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 February 17, 2011, as follows:

Agriculture, Conservation and Forestry

Bill "An Act To Enact Requirements Concerning Veterinary Prescriptions" (S.P. 207) (L.D. 676) (Sponsored by Senator COURTNEY of York) (Cosponsored by Representative: SHAW of Standish)

Education and Cultural Affairs

Bill "An Act To Establish Multidistrict Online Classes in Maine" (S.P. 206) (L.D. 675) (Sponsored by Senator ALFOND of Cumberland) (Cosponsored by Representative RICHARDSON of Carmel and Senator: LANGLEY of Hancock, Representatives: NELSON of Falmouth, RANKIN of Hiram, WAGNER of Lewiston)

Veterans and Legal Affairs

Bill "An Act Regarding the Determination of Distance for the Purposes of the Gambling Control Board Laws" (S.P. 208) (L.D. 677) (Sponsored by Senator PLOWMAN of Penobscot) (Cosponsored by Representative CROCKETT of Bethel and Senator: PATRICK of Oxford, Representatives: RUSSELL of Portland, WILLETTE of Presque Isle)

Sincerely,

S/Joseph G. Carleton, Jr.
Secretary of the Senate

S/Heather J.R. Priest
Clerk of the House

READ and ORDERED PLACED ON FILE.

Sent down for concurrence.

The Following Communication: S.P. 236

**STATE OF MAINE
125TH LEGISLATURE**

February 18, 2011

Honorable Kevin L. Raye
President of the Senate
125th Legislature

Honorable Robert W. Nutting
Speaker of the House
125th Legislature

Dear Mr. President and Mr. Speaker:

On February 18, 2011, 22 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 February 18, 2011, as follows:

Agriculture, Conservation and Forestry

Bill "An Act To Require Disclosure of the Origin of Certain Products Sold at Farm Stands" (EMERGENCY) (S.P. 230) (L.D. 738) (Sponsored by Senator SAVIELLO of Franklin)

Appropriations and Financial Affairs

Bill "An Act To Authorize a General Fund Bond Issue To Invest in Water and Sewer Infrastructure To Protect Public Health and To Facilitate the Expansion and Growth of Business" (S.P. 234) (L.D. 741) (Sponsored by Senator ALFOND of Cumberland) (Cosponsored by Senator GOODALL of Sagadahoc and Senator: BRANNIGAN of Cumberland, Representative: McCABE of Skowhegan)

Criminal Justice and Public Safety

Bill "An Act To Grandfather Certain Existing Buildings and Structures with Respect to Fire Safety Codes and Standards" (S.P. 229) (L.D. 737) (Sponsored by Senator SAVIELLO of Franklin)

Bill "An Act To Amend the Sex Offender Registration Laws" (S.P. 233) (L.D. 740) (Sponsored by Senator SAVIELLO of Franklin)

Energy, Utilities and Technology

Bill "An Act To Prohibit Electric Utilities from Entering into Long-term Supply Agreements" (S.P. 218) (L.D. 729) (Sponsored by Senator THOMAS of Somerset) (Cosponsored by Senators: WHITTEMORE of Somerset, MARTIN of Kennebec, MASON of Androscoggin, PLOWMAN of Penobscot, THIBODEAU of Waldo)

Bill "An Act To Reduce Costs for Businesses with Previous Utility Payment Records" (S.P. 222) (L.D. 732) (Sponsored by Senator THIBODEAU of Waldo) (Cosponsored by Senators: TRAHAN of Lincoln, SHERMAN of Aroostook, ROSEN of Hancock, WHITTEMORE of Somerset, THOMAS of Somerset, Representative: DAVIS of Sangerville)

Environment and Natural Resources

Bill "An Act To Extend the Use of Underground Storage Tanks" (S.P. 210) (L.D. 721) (Sponsored by Senator COURTNEY of York) (Cosponsored by Representative TUTTLE of Sanford and Senator: JACKSON of Aroostook, Representative: BOLAND of Sanford)

Bill "An Act To Reduce Truck Travel Caused by the Bottle Redemption Laws" (S.P. 217) (L.D. 728) (Sponsored by Senator RECTOR of Knox) (Cosponsored by Representative PRESCOTT of Topsham and Senators: SAVIELLO of Franklin, MASON of Androscoggin, SCHNEIDER of Penobscot, Representatives: CUSHING of Hampden, HUNT of Buxton, AYOTTE of Caswell)

Bill "An Act To Allow a Person Who Has Lost a Home in a Shoreland Zone To Obtain a Building Permit" (S.P. 223) (L.D. 733) (Sponsored by Senator WHITTEMORE of Somerset) (Cosponsored by Senators: SHERMAN of Aroostook, ROSEN of Hancock, MARTIN of Kennebec, THOMAS of Somerset, THIBODEAU of Waldo)

Health and Human Services

Resolve, To Create an Evidence-based Study and Comprehensive Plan for HIV and AIDS Services in Maine (S.P. 213) (L.D. 724) (Sponsored by Senator BARTLETT of Cumberland) (Cosponsored by Representative STRANG BURGESS of Cumberland and Senators: CRAVEN of Androscoggin, ALFOND of Cumberland, KATZ of Kennebec, PLOWMAN of Penobscot, Representatives: ROTUNDO of Lewiston, CAREY of Lewiston, EVES of North Berwick, CAIN of Orono)

Bill "An Act To Allow the Use of Electronic Benefits Transfer Funds at Farmers' Markets" (S.P. 227) (L.D. 735) (Sponsored by Senator ALFOND of Cumberland) (Cosponsored by Senators: CRAVEN of Androscoggin, BRANNIGAN of Cumberland, Representatives: McCABE of Skowhegan, RANKIN of Hiram, STUCKEY of Portland, STRANG BURGESS of Cumberland)

Resolve, To Amend the Rules Concerning Long-term Care Services To Better Support Family Caregivers (S.P. 232) (L.D. 739) (Sponsored by Senator CRAVEN of Androscoggin) (Cosponsored by Senators: HOBBS of York, BRANNIGAN of Cumberland, Representative RICHARDSON of Warren, Representative CORNELL du HOUX of Brunswick and Senators: SULLIVAN of York, DIAMOND of Cumberland, Representatives: EVES of North Berwick, SANBORN of Gorham, STUCKEY of Portland)

Insurance and Financial Services

Bill "An Act To Terminate the Authorization of the Maine Self-Insurance Guarantee Association To Serve as a Statistical Advisory Organization for Self-insurers" (S.P. 221) (L.D. 731) (Sponsored by Senator SNOWE-MELLO of Androscoggin)

Labor, Commerce, Research and Economic Development

Bill "An Act To Streamline the Issuance of State Business Licenses" (S.P. 220) (L.D. 730) (Sponsored by Senator THOMAS of Somerset) (Cosponsored by Representative PRESCOTT of Topsham and Senators: RECTOR of Knox, PLOWMAN of Penobscot, THIBODEAU of Waldo, Representatives: HARVELL of Farmington, O'CONNOR of Berwick, OLSEN of Phippsburg, GIFFORD of Lincoln, HAMPER of Oxford)

Marine Resources

Bill "An Act To Allow the Commissioner of Marine Resources To Use Discretion in Reissuing Scallop Licenses" (EMERGENCY) (S.P. 214) (L.D. 725) (Sponsored by Senator RECTOR of Knox) (Cosponsored by Representative WEAVER of York and Senators: TRAHAN of Lincoln, SNOWE-MELLO of Androscoggin, ROSEN of Hancock, LANGLEY of Hancock, Representatives: VALENTINO of Saco, TILTON of Harrington, RICHARDSON of Warren, DOW of Waldoboro)

Taxation

Bill "An Act To Eliminate the Sunset Date of the Maine Historic Preservation Tax Credit" (S.P. 235) (L.D. 742) (Sponsored by Senator RECTOR of Knox) (Cosponsored by Representative BERRY of Bowdoinham and Senators: TRAHAN of Lincoln, WOODBURY of Cumberland, GOODALL of Sagadahoc, WHITTEMORE of Somerset, MARTIN of Kennebec, McCORMICK of Kennebec, Representatives: VALENTINO of Saco, MOULTON of York)

Transportation

Bill "An Act To Reduce Fines for Certain Trucking Violations" (EMERGENCY) (S.P. 211) (L.D. 722) (Sponsored by Senator THOMAS of Somerset) (Cosponsored by Representative MARTIN of Eagle Lake and Senators: COLLINS of York, JACKSON of Aroostook, Representatives: CEBRA of Naples, CLARK of Millinocket)

Bill "An Act Relating to Indemnity Agreements in Motor Carrier Transportation Contracts" (S.P. 216) (L.D. 727) (Sponsored by Senator COURTNEY of York) (Cosponsored by Representative CEBRA of Naples and Senators: COLLINS of York, THOMAS of Somerset, HASTINGS of Oxford, Representatives: MOULTON of York, SARTY of Denmark, CROCKETT of Bethel, MITCHELL of the Penobscot Nation, NASS of Acton)

Bill "An Act To Allow a Front-wheel-drive Vehicle To Be Equipped with Studded Tires on the Front Only" (S.P. 224) (L.D. 734) (Sponsored by Senator WHITTEMORE of Somerset) (Cosponsored by Senators: COLLINS of York, SHERMAN of Aroostook, MARTIN of Kennebec, MASON of Androscoggin, THOMAS of Somerset, THIBODEAU of Waldo)

Bill "An Act To Prohibit Texting while Driving" (S.P. 228) (L.D. 736) (Sponsored by Senator DIAMOND of Cumberland) (Cosponsored by Representative BEAUDOIN of Biddeford, Representative CEBRA of Naples and Senators: COLLINS of York, THOMAS of Somerset, McCORMICK of Kennebec,

Representatives: ROSEN of Bucksport, GILBERT of Jay, PARRY of Arundel, MAZUREK of Rockland, PEOPLES of Westbrook)

Veterans and Legal Affairs

Bill "An Act To End Homelessness for Veterans in Maine" (S.P. 212) (L.D. 723) (Sponsored by Senator DIAMOND of Cumberland) (Cosponsored by Representative CEBRA of Naples and Senators: COLLINS of York, McCORMICK of Kennebec, Representatives: BRYANT of Windham, CAREY of Lewiston, BRIGGS of Mexico, GILBERT of Jay, RUSSELL of Portland, PLUMMER of Windham)

Resolve, To Reduce Funding to Maine Clean Election Act Candidates (S.P. 215) (L.D. 726) (Sponsored by Senator McCORMICK of Kennebec)

Sincerely,

S/Joseph G. Carleton, Jr.
Secretary of the Senate

S/Heather J.R. Priest
Clerk of the House

READ and ORDERED PLACED ON FILE.

Sent down for concurrence.

The Following Communication: S.C. 107

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

February 23, 2011

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Inland Fisheries and Wildlife has had under consideration the nomination of Honorable Chandler E. Woodcock of Farmington, for appointment as the Commissioner of the Department of Inland Fisheries and Wildlife.

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

YEAS Senators 2 Martin of Kennebec, Trahan of Lincoln
 Representatives 9 Davis of Sangerville, Briggs of Mexico, Clark of Millinocket, Crafts of Lisbon, Espling of New Gloucester, Guerin of Glenburn, Sarty of Denmark, Shaw of Standish, Wood of Sabattus

NAYS 0

ABSENT 2 Rep. Eberle of South Portland, Sen. Patrick of Oxford

Eleven members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Honorable Chandler E. Woodcock of Farmington, for appointment as the Commissioner of the Department of Inland Fisheries and Wildlife be confirmed.

Signed,

S/Thomas H. Martin Jr.
 Senate Chair

S/Paul T. Davis Sr.
 House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **INLAND FISHERIES AND WILDLIFE** be overridden?"

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

Senator **TRAHAN:** Thank you Mr. President. Ladies and gentlemen of the Senate, it is my pleasure today to rise in support of the nominee, Chandler Woodcock, a good friend and a fellow colleague and member of the Inland Fisheries and Wildlife Committee. We had a lengthy public hearing on Chandler Woodcock's nomination. For well over two hours the candidate and his supporters were before our committee. I just want to repeat some of the really nice things that people said about Chandler Woodcock. Ex-Senator Karl Turner called Chandler Woodcock a gentleman, thoughtful and pragmatic as well as principled individual with an unbounded love for Maine's outdoors. I concur. The Maine Audubon Society supported Chandler Woodcock. I was surprised, pleasantly, to learn that Chandler won the 120th Conservation Award from Maine Audubon. Fifteen individuals and groups came to the podium to support Chandler Woodcock, none in opposition. One of the things that I think is incredibly important for the new Commissioner of Inland Fisheries and Wildlife is their demeanor, their honesty, and their ability to lead people. Chandler Woodcock has all of those qualities. Many times, as we all know, committee meetings can become quite contentious, but there has never been a time that I saw Chandler Woodcock get knocked off the rails. Never did he lose

his temper. Never did he raise his voice. Never did he attack anyone. He just always put forward his principled position on issues. Lastly, the thing that I found out, and I think to be the most important piece of Chandler Woodcock's commitment to the outdoors, is that he always put the resource first and politics second. For someone who has run for Governor and been in the political process, that is a very difficult road to walk but he did it like a pro. I hope today that our vote will be unanimous for one of what I think is the best picks of this administration for any office. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Franklin, Senator Saviello.

Senator **SAVIELLO:** Thank you Mr. President. I've known Chandler for over 20 years, long before I knew either one of us would be sitting in this seat and I have in fact, as many of you know, followed his footsteps. In that time I've learned that Chandler is a man of integrity, professional, and exudes the word leadership in everything he does. He is a leader. He's an avid outdoorsman. Most importantly, he wears bowties. There is no doubt in my mind his enthusiasm, energy, leadership, and, yes, his bowtie will lead the Inland Fisheries and Wildlife Department into the future. I look forward to working with Chandler Woodcock. Thank you.

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

Senator **PATRICK:** Thank you Mr. President. Ladies and gentlemen of the Senate, colleagues, and friends, I, too, stand in favor of the nominee, Chandler Woodcock. I must admit that I was one of the two that didn't make it to the confirmation hearing and I had at least 35 questions to ask the nominee. I know I could have made the hearing at least three hours long. I did serve with Chandler on the Legal and Veterans Committee. He is an honorable man. I do have full confidence in him. I do realize that he and I probably never voted the same on labor issues and stuff like that but that doesn't deter my support for him. I know that in the capacity that he will be in that he will do a wonderful job and that all the questions were answered and vetted in a very professional manner. I'm proud to stand here in favor of the nominee, Chandler Woodcock. Thank you Mr. President.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#13)

YEAS: Senators: None

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

YEAS Senators 3 Rector of Knox, Jackson of Aroostook, Martin of Kennebec
Representatives 10 Prescott of Topsham, Dow of Waldoboro, Driscoll of Westbrook, Gilbert of Jay, Herbig of Belfast, Hunt of Buxton, Newendyke of Litchfield, Tuttle of Sanford, Volk of Scarborough, Wintle of Garland

ABSENT: Senator: BRANNIGAN

NAYS 0

No Senator having voted in the affirmative and 34 Senators having voted in the negative, with 1 Senator being absent, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of the Honorable **Chandler E. Woodcock** of Farmington for appointment as the Commissioner of the Department of Inland Fisheries and Wildlife was **CONFIRMED**.

ABSENT 0

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

Thirteen members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Paul H. Sighinolfi of Brewer, for appointment as the Executive Director of the Maine Workers' Compensation Board be confirmed.

Signed,

THE PRESIDENT: The Chair is very pleased to recognize in the back of the chamber the Honorable Chandler Woodcock. Would he please stand and accept the greetings of the Maine Senate.

S/Christopher W. Rector
Senate Chair

S/Kerri L. Prescott
House Chair

The Following Communication: S.C. 93

READ and ORDERED PLACED ON FILE.

**STATE OF MAINE
ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE
COMMITTEE ON LABOR, COMMERCE, RESEARCH AND
ECONOMIC DEVELOPMENT**

The President laid before the Senate the following: "Shall the recommendation of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** be overridden?"

February 16, 2011

THE PRESIDENT: The Chair recognizes the Senator from Knox, Senator Rector.

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

Senator **RECTOR:** Thank you Mr. President. Men and women of the Senate, rarely is someone so exceptionally well qualified for a position as Mr. Sighinolfi is for the position of Executive Director of the Workers' Compensation Commission. This is an extremely important position for both employers and employees in Maine because it is critically important that our Workers' Comp program operates as smoothly as possible and that compensation be awarded fairly for all concerned. Literally, Mr. Sighinolfi wrote the book that we use as the guidebook for Workers' Comp here in Maine. He was one of the co-authors and so that, I think, in itself qualifies him for this position. We had a public hearing where people from all walks of business and labor came forward and spoke on his behalf. He has the trust, I think, of those that will be working with him and will be relying on the decision making that will come from the Workers' Comp Commission. It was a unanimous committee report and I think many of the members spoke in favor of this nomination. I think we are fortunate, as a state, to have someone who is willing to take this time and step away from their law practice and instead realize that service to the state of Maine is so important that they would take up this position and lead us in Workers' Comp. I'm very grateful to Mr.

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Labor, Commerce, Research & Economic Development has had under consideration the nomination of Paul H. Sighinolfi of Brewer, for appointment as the Executive Director of the Maine Workers' Compensation Board.

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

Sighinolfi for doing this and I trust that my colleagues will join me supporting his nomination. Thank you.

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

Senator **PATRICK:** Thank you Mr. President. Colleagues in the Senate, I'm standing here probably speaking neither for nor against because I didn't have an opportunity to make the hearing. I do have some reservations and I'm not even going to touch upon the reservations that I have because of the 13 - 0 report. What I want to do is go on record for the members of the Senate and the citizens of the state of Maine and Mr. Sighinolfi and let him know that we had a problem prior to 1993 with Workers' Comp. Although I was not happy with the bill he evidently helped get passed, I am here to say that since the initiation in 1993 that our Workers' Comp System, although I don't agree with a lot of it, is actually a success.

I wanted to go on record to let people know that in the early 1990s the Maine Workers' Comp System was a major problem facing the State of Maine. Costs were spiraling out of control, the highest in the nation. Workplace injuries were above the national average, most of the insurers had left the state, and employers were shutting their doors. Reforms were enacted in 1993. After a slow start, these reforms have placed Maine's Workers' Compensation System among the most successful in the country. Seventeen years later the Workers' Compensation System is strong. The cost of Workers' Compensation insurance has decreased by over 43%. In 1992 there were three Workers' Compensation insurance carriers doing business in Maine, only three. Today the Workers' Compensation insurance market is competitive with over 200 insurers underwriting Workers' Compensation in this state. The self-insured market is stable, with over 40% of the market. MEMIC has been a leader in the field, insuring nearly 65% of Maine employers. Dispute resolution is probably at an all time best level with 76% of its cases being resolved within 90 days and more complex cases within eight months. In the early 1990s it took nearly 24 months for a case to clear dispute resolution. The Office of Monitoring, Audit and Enforcement, the Maine program, has compliance with the act to the 80% to 90% by insurance, self-insured and third party administrators. This program has gained recognition as one of the outstanding programs in the country. The Maine staff ensure that employees are paid timely, paid accurately, and their cases are not unreasonably denied. The staff also makes sure that employers are receiving the best coverage possible by keeping claims administration costs low. Examples are: ongoing adjusting training, workshops, utilization analysis, and compliance penalties are paid by the insurers and not by the employers. The Workers' Compensation Board advocate program represents 40% of the injured workers at the mediation level and 30% at the formal hearing level, with saving to the system in attorney costs of approximately \$25 million per year.

Maine has gone from one of the costliest states in the nation to one that is moving to the level of average cost for both premium and benefits and has positioned itself to continue with this trend. The NCCI has estimated a 4/10 of a point premium increase in 2011. We do have some challenges: implementing the hospital/medical fee schedule; updating the current permanent impairment threshold and introducing legislation to establish a 10 year PI threshold; maintaining excellence in the current delivery of service with 109 staff members with a \$10.4

million budget, which is dedicated funding and not General Funds; addressing employee misclassifications by insuring an equal playing field for all Maine employers; developing one uniform definition of independent contractor for all State agencies, especially the Maine Revenue Service, Maine Department of Labor, and Maine Workers' Comp Board.

What I would like to say to Mr. Sighinolfi is that this is a level that, over the last 17 years, we have raised up and it is my feeling that anything that moves us back where people are going to take longer and longer to get their hearings and cases resolved is not acceptable and I'm hoping that this 13 - 0 decision on his behalf will give him the impetus to make sure we at least maintain what we have and I hope he can actually make it a little bit better. With that, I will be supporting him. Thank you Mr. President.

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

Senator **SCHNEIDER:** Thank you Mr. President. Men and women of the Senate, I rise to concur with my colleague from Knox on all of his remarks and also just to say that I had the good fortune to know Mr. Sighinolfi for many many years. He has the highest integrity and I know he will rise to the occasion and serve us well in this post. I, too, will be supporting this nomination and voting red. Thank you.

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

The Chair noted the absence of the Senator from Cumberland, Senator **BRANNIGAN** and further excused the same Senator from today's Roll Call votes.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#14)

YEAS: Senators: None

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

EXCUSED: Senator: BRANNIGAN

No Senator having voted in the affirmative and 34 Senators having voted in the negative, with 1 Senator being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Paul H. Sighinolfi** of Brewer for appointment as the Executive Director of the Maine Workers' Compensation Board was **CONFIRMED**.

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

THE PRESIDENT: The Chair is pleased to recognize in the rear of the chamber Paul Sighinolfi. Will he please rise and accept the greetings of the Maine Senate.

The Following Communication: S.C. 95

**STATE OF MAINE
125TH LEGISLATURE
OFFICE OF THE GOVERNOR**

February 17, 2011

The Honorable Kevin Raye
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Raye:

This is to inform you that, pursuant to Title 3 MRSA, §154, I am withdrawing my nomination of Cheryl H. Russell of Chester for appointment as the Commissioner of Labor.

This nomination is currently pending before the Joint Standing Committee on Labor, Commerce, Research and Economic Development.

Thank you for your assistance in this matter.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 109

**STATE OF MAINE
125TH LEGISLATURE
OFFICE OF THE PRESIDENT**

February 24, 2011

Honorable Joseph G. Carleton
Secretary of the Senate
3 State House Station
Augusta, ME 04333

Dear Secretary Carleton:

Pursuant to my authority under Public Law 1999, Chapter 58 (LD 2136), I am pleased to appoint Senator Roger J. Katz of Kennebec to the Capital Riverfront Improvement District. With this appointment the Senator from Kennebec, Senator Katz, will be replacing the former Senator from Kennebec, Senator Mitchell.

If you have any questions regarding this appointment please do not hesitate to contact my office.

Sincerely,

S/Kevin L. Raye
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 108

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

February 24, 2011

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

Dear President Raye and Speaker Nutting,

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

L.D. 591 An Act To Prohibit the Use of Pesticides in
Certain Circumstances

Sincerely,

S/Sen. Roger L. Sherman
Senate Chair

S/Rep. Peter E. Edgecomb
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 96

**STATE OF MAINE
ONE HUNDRED AND TWENTY FIFTH LEGISLATURE
COMMITTEE ON APPROPRIATIONS AND FINANCIAL
AFFAIRS**

February 17, 2011

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

Dear President Raye and Speaker Nutting,

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

L.D. 336 An Act To Preserve the State's Public Pension Fund (EMERGENCY)

Sincerely,

S/Sen. Richard W. Rosen
Senate Chair

S/Rep. Patrick S. A. Flood
House Chair

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

The Following Communication: S.C. 97

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

February 15, 2011

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

Dear President Raye and Speaker Nutting:

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

L.D. 130 Resolve, Directing the Department of Education To Explore Options To Increase Participation in the University of Southern Maine's Extended Teacher Education Program

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

Sincerely,

S/Sen. Brian D. Langley
Senate Chair

S/Rep. David E. Richardson
House Chair

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

The Following Communication: S.C. 98

**STATE OF MAINE
ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE
COMMITTEE ON ENERGY, UTILITIES AND TECHNOLOGY**

February 16, 2011

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

Dear President Raye and Speaker Nutting:

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

L.D. 68 Resolve, Directing the Public Utilities Commission To Examine the Purchase of Low-cost Electric Power from Quebec

L.D. 183 An Act Relating To Net Energy Billing for Solar Energy Users (EMERGENCY)

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

Sincerely,

S/Sen. Michael D. Thibodeau
Senate Chair

S/Rep. Stacey A. Fitts
House Chair

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

The Following Communication: S.C. 99

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

February 15, 2011

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

Dear President Raye and Speaker Nutting:

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

L.D. 132 Resolve, Directing the Department of
 Environmental Protection To Convene a Task
 Force To Develop Initiatives To Reduce
 Unnecessary Packaging

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

Sincerely,

S/Sen. Thomas B. Saviello
Senate Chair

S/Rep. James M. Hamper
House Chair

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

The Following Communication: S.C. 100

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

February 17, 2011

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

Dear President Raye and Speaker Nutting:

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

L.D. 133 An Act To Extend Native American Hunting
 Rights

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

Sincerely,

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

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

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

The Following Communication: S.C. 101

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

February 17, 2011

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

Dear President Raye and Speaker Nutting:

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

L.D. 53 An Act To Extend Fair Trade Practice to
 Automobile Rentals Provided When Insured
 Automobiles Are Damaged

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

Sincerely,

S/Sen. Rodney L. Whittemore
Senate Chair

S/Rep. Wesley E. Richardson
House Chair

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

The Following Communication: S.C. 102

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

February 15, 2011

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

Dear President Raye and Speaker Nutting:

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

L.D. 189 An Act To Achieve Cost Savings by Eliminating Deputy Commissioner Positions throughout State Government (EMERGENCY)

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

Sincerely,

S/Sen. Douglas A. Thomas
Senate Chair

S/Rep. H. David Cotta
House Chair

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

The Following Communication: S.C. 103

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

February 16, 2011

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

Dear President Raye and Speaker Nutting:

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

L.D. 122 An Act To Change Health Care Provisions for Retired Legislators

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

Sincerely,

S/Sen. Douglas A. Thomas
Senate Chair

S/Rep. H. David Cotta
House Chair

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

The Following Communication: S.C. 104

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

February 15, 2011

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

Dear President Raye and Speaker Nutting:

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

L.D. 88 An Act To Streamline Purchasing by Entities Exempt from Sales Tax

L.D. 131 An Act To Change the Threshold for Qualification for a Sales Tax Resale Certificate

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

Sincerely,

S/Sen. A. David Trahan
Senate Chair

S/Rep. L. Gary Knight
House Chair

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

The Following Communication: S.C. 105

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

February 16, 2011

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

Dear President Raye and Speaker Nutting,

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

L.D. 351 An Act Concerning Motorcycle Safety

Sincerely,

S/Sen. Ronald F. Collins
Senate Chair

S/Rep. Richard M. Cebra
House Chair

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

The Following Communication: S.C. 106

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

February 16, 2011

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

Dear President Raye and Speaker Nutting:

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

L.D. 4 Resolve, To Establish Training Routes for School Bus Drivers

L.D. 162 An Act To Exempt Antique Autos from the Law Requiring Mufflers

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

Sincerely,

S/Sen. Ronald F. Collins
Senate Chair

S/Rep. Richard M. Cebra
House Chair

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

The Following Communication: S.C. 94

**THE UNIVERSITY OF MAINE
MARGARET CHASE SMITH POLICY CENTER
5784 YORK COMPLEX, BLDG. #4
ORONO, MAINE 04469-5784**

February 16, 2011

Joseph Carleton, Jr.
Secretary of the Senate
3 State House Station
Augusta, ME 04333-0003

RE: Maine State Government Summer Internship Program

Dear Secretary Carleton:

In accordance with 1967 Public Law, Chapter 493, Section 294, Item 8, I am enclosing copies of the 2010 Maine State Government Summer Internship Report for distribution to the Members of the State Senate.

The Maine State Government Summer Internship Program is a full-time paid work experience in a state agency. The Program combined work experience with an educational program designed to provide talented Maine College students the opportunity to participate in and contribute to Maine State Government. We are now accepting through our website at:

<http://mcspolicycenter.umaine.edu/?q=MSGSSIP>.

Thank you for your assistance in making this report available to the Members of the Senate.

Yours truly,

S/Charles E. Morris
Senior Research Associate
Director, Maine State Government Summer Internship Program

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

SENATE PAPERS

Bill "An Act To Allow the Town of Surry To Join School Union No. 93" (EMERGENCY)

S.P. 244 L.D. 800

Presented by Senator LANGLEY of Hancock.

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

Sent down for concurrence.

Bill "An Act To Expand Net Energy Billing"

S.P. 239 L.D. 795

Presented by Senator WHITTEMORE of Somerset.
Cosponsored by Senators: MARTIN of Kennebec, MASON of Androscoggin, RECTOR of Knox, SAVIELLO of Franklin, SNOWE-MELLO of Androscoggin, Representative: RICHARDSON of Warren.

Bill "An Act To Authorize the Public Utilities Commission To Require That Transmission or Distribution Lines Be Placed Underground"

S.P. 245 L.D. 801

Presented by Senator HILL of York. (BY REQUEST)

Bill "An Act To Amend the Requirements for Electric Transmission Lines"

S.P. 246 L.D. 802

Presented by Senator BARTLETT of Cumberland.

On motion by Senator **THIBODEAU** of Waldo, **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed.

Sent down for concurrence.

Bill "An Act To Protect Ratepayers While Enhancing Energy Independence and Security"

S.P. 231 L.D. 793

Presented by Senator SAVIELLO of Franklin.

Committee on **ENVIRONMENT AND NATURAL RESOURCES** suggested and ordered printed.

On motion by Senator **SAVIELLO** of Franklin, **TABLED** until Later in Today's Session, pending **REFERENCE.**

Resolve, To Foster Energy Efficiency Improvements and Other Needed Renovations at Residential Care Facilities Funded by MaineCare (EMERGENCY)

S.P. 219 L.D. 790

Presented by Senator ROSEN of Hancock.
Cosponsored by Representative MALABY of Hancock and Senator: McCORMICK of Kennebec.

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

Sent down for concurrence.

Resolve, Establishing a Task Force To Examine the Decline in the Number of Nonresident Hunters

S.P. 226 L.D. 792

Presented by Senator PLOWMAN of Penobscot.
Cosponsored by Senators: MARTIN of Kennebec, THIBODEAU of Waldo, THOMAS of Somerset, TRAHAN of Lincoln, Representatives: CLARK of Millinocket, CRAFTS of Lisbon, DAVIS of Sangerville.

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

Sent down for concurrence.

Bill "An Act To Provide Fair Value for Insured Items"

S.P. 238 L.D. 794

Presented by Senator WHITTEMORE of Somerset.

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

Sent down for concurrence.

Bill "An Act Regarding the Construction of New Court Facilities"

S.P. 225 L.D. 791

Presented by Senator FARNHAM of Penobscot.
Cosponsored by Senator: THOMAS of Somerset, Representatives: DAVIS of Sangerville, DION of Portland, FREDETTE of Newport, STEVENS of Bangor, WINTLE of Garland.

On motion by Senator **HASTINGS** of Oxford, **REFERRED** to the Committee on **JUDICIARY** and ordered printed.

Sent down for concurrence.

Bill "An Act To Provide Capital for Economic Development in Aroostook County"

S.P. 243 L.D. 799

Presented by Senator JACKSON of Aroostook.
Cosponsored by Representative MARTIN of Eagle Lake.

On motion by Senator **RECTOR** of Knox, **REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed.

Sent down for concurrence.

Bill "An Act To Continue the Axle Fine Waiver during the Midwinter Season"

S.P. 240 L.D. 796

Presented by Senator COLLINS of York.
Cosponsored by Senator JACKSON of Aroostook,
Representative CHASE of Wells and Senator: THOMAS of Somerset, Representatives: BENNETT of Kennebunk, CEBRA of Naples.

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

Sent down for concurrence.

Bill "An Act To Reform the Election Laws"

S.P. 241 L.D. 797

Presented by Senator WHITTEMORE of Somerset.
Cosponsored by Senator: THOMAS of Somerset.

Bill "An Act To Prohibit Nonresidents from Contributing to Maine Political Campaigns or Candidates"

S.P. 242 L.D. 798

Presented by Senator JACKSON of Aroostook.
Cosponsored by Representative MARTIN of Eagle Lake and Senators: GERZOFKY of Cumberland, PATRICK of Oxford, Representative: CAREY of Lewiston.

On motion by Senator **FARNHAM** of Penobscot, **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS** and ordered printed.

Sent down for concurrence.

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

Off Record Remarks

ORDERS

Joint Order

On motion by Senator **ALFOND** of Cumberland, the following Joint Order:

S.P. 237

ORDERED, the House concurring, that the Joint Rules be amended by amending Joint Rule 312 to read:

Rule 312. Fiscal Notes.

1. Fiscal note required. Every bill or resolve that affects state revenues, appropriations or allocations or that requires a local unit of government to expand or modify that unit's activities so as to necessitate additional expenditures from local revenues and that has a committee recommendation other than "Leave to Withdraw," "Ought Not to Pass" or "Referral to Another Committee" must include a fiscal note prepared by the Office of Fiscal and Program Review. For a bill or resolve not yet reported out and upon request of a majority of the committee, the Office of Fiscal and Program Review shall, after notice by the committee to the sponsor of the bill or resolve, meet with the committee at a work session to present its analysis and provide copies of the written public materials relied upon by the office to prepare that fiscal note. The committee clerk shall provide the Office of Fiscal and Program Review with a copy of all testimony and other materials received by the committee on a bill or resolve whenever the committee recommendation is other than "Leave to Withdraw," unanimous "Ought Not to Pass" or unanimous "Referral to Another Committee." The fiscal note must accompany the committee report before it is reported out of committee. Any amendment introduced that would affect the fiscal impact of the original bill must also include a fiscal note. The Office of Fiscal and Program Review has the sole responsibility for preparing all fiscal notes.

If a sponsor of a bill disagrees with the fiscal note prepared pursuant to this rule, the Office of Fiscal and Program Review shall indicate that the sponsor disagrees with the fiscal note and shall delineate the reasons for the sponsor's disagreement.

2. Preparation of fiscal notes. If, in its preparation of the fiscal note required under this rule, the Office of Fiscal and Program Review receives fiscal information from a state agency, consultant, lobbyist, lobbying organization or other outside entity, the office shall notify the sponsor of the bill of the receipt of the information and shall provide to the sponsor an opportunity to review the information. The sponsor of a bill may meet with the office and source of the information to review the information; if the sponsor is unable to schedule such a meeting, the office shall provide to the sponsor any notes relating to such a meeting between the office and the source of the information.

Prior to issuing a fiscal note pursuant to this rule, the Office of Fiscal and Program Review shall meet with the sponsor of a bill to discuss the draft fiscal note and to inform the sponsor of:

- A. The assumptions upon which the fiscal note is based;
- B. Amounts and sources of revenues, if any, expected to be generated by the bill;
- C. Amounts and sources of savings, if any, expected to be generated by the bill;
- D. Amounts and sources of costs or revenue losses, or both, expected to be associated with the bill;
- E. Amounts and sources of costs or savings resulting from increased or reduced federal funds expected to result from the bill, including increases or reductions in employment, salaries or tax revenues; and
- F. Any other information relevant to the preparation of the fiscal note.

After meeting with the Office of Fiscal and Program Review, the sponsor has 2 working days to prepare a proposed committee amendment for submission to the joint standing committee to which the bill has been referred, or to provide additional information, including the names of persons with expertise in the subject matter of the bill, to the Office of Fiscal and Program Review to aid the office in its preparation of the fiscal note.

READ.

On motion by Senator **COURTNEY** of York, **TABLED** until Later in Today's Session, pending the motion by Senator **ALFOND** of Cumberland to **PASS**.

REPORTS OF COMMITTEES

Senate

Ought to Pass

Senator **HASTINGS** for the Committee on **JUDICIARY** on Bill "An Act To Clarify the Method of Creating or Severing Joint Tenancy" S.P. 25 L.D. 10

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

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

SECOND READERS

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

House

Resolve, Regarding Legislative Review of the Final Repeal of Chapter 270: Adjustment of Volume Fees, a Major Substantive Rule of the Department of Professional and Financial Regulation (EMERGENCY)

H.P. 6 L.D. 14

Resolve, Regarding Legislative Review of Chapter 285: Adjustment of Non-bank Mortgage Lending Fees, a Major Substantive Rule of the Department of Professional and Financial Regulation (EMERGENCY)

H.P. 7 L.D. 15

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

Senate

Bill "An Act To Repeal the Sunset on the Law Relating to the Landing of Dragged Crabs"

S.P. 40 L.D. 85

READ A SECOND TIME and **PASSED TO BE ENGROSSED**.

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.

ORDERS OF THE DAY

Unfinished Business

The following matters in the consideration of which the Senate was engaged at the time of Adjournment had preference in the Orders of the Day and continued with such preference until disposed of as provided by Senate Rule 516.

The Chair laid before the Senate the following Tabled and Later (2/15/11) Assigned matter:

Bill "An Act Regarding Municipal Authority To Review Construction Permits for Public Buildings"

S.P. 154 L.D. 562

Tabled - February 15, 2011, by Senator **MASON** of Androscoggin

Pending - **REFERENCE**

(Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** suggested and ordered printed.)

On motion by Senator **MASON** of Androscoggin, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (2/15/11) Assigned matter:

Resolve, Directing the Department of Health and Human Services To Examine the Issue of Revocation of Licenses for Nonpayment of Child Support

S.P. 144 L.D. 511

Tabled - February 15, 2011, by Senator **McCORMICK** of Kennebec

Pending - **REFERENCE**

(Committee on **HEALTH AND HUMAN SERVICES** suggested and ordered printed.)

On motion by Senator **McCORMICK** of Kennebec, **REFERRED** to the Committee on **JUDICIARY**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (2/15/11) Assigned matter:

Bill "An Act To Exclude Shellfish Processing Facilities from Arsenic Wastewater Testing" (EMERGENCY)

S.P. 143 L.D. 510

Tabled - February 15, 2011, by Senator **SNOWE-MELLO** of Androscoggin

Pending - **REFERENCE**

(Committee on **MARINE RESOURCES** suggested and ordered printed.)

On motion by Senator **SNOWE-MELLO** of Androscoggin, **REFERRED** to the Committee on **NATURAL RESOURCES**.

Sent down for concurrence.

Senator **SCHNEIDER** of Penobscot inquired if the Senate was still in possession of S.P. 154 L.D. 562.

The Chair answered in the affirmative.

Senator **SCHNEIDER** of Penobscot requested that S.P. 154 L.D. 562 be Held.

The Chair laid before the Senate the following Tabled and Later (2/17/11) Assigned matter:

Resolve, To Study the Sustainability of the Harness Racing Industry (EMERGENCY)

H.P. 326 L.D. 408

Tabled - February 17, 2011, by Senator **FARNHAM** of Penobscot

Pending - **REFERENCE**, in concurrence

(In House, February 15, 2011, **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS** and ordered printed.)

On motion by Senator **FARNHAM** of Penobscot, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY**, in **NON-CONCURRENCE**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (2/17/11) Assigned matter:

Bill "An Act To Clarify Landowner Liability for Environmental Damage Caused by Others"

S.P. 197 L.D. 616

Tabled - February 17, 2011, by Senator **SAVIELLO** of Franklin

Pending - motion by same Senator to **REFER** to the Committee on **JUDICIARY**

(Committee on **ENVIRONMENT AND NATURAL RESOURCES** suggested and ordered printed.)

On motion by Senator **SAVIELLO** of Franklin, **REFERRED** to the Committee on **JUDICIARY**.

Sent down for concurrence.

Senate at Ease.

Senate called to order by the President.

Off Record Remarks

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

Bill "An Act To Strengthen the Laws Regarding Dangerous Dogs"
H.P. 562 L.D. 755

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

Presented by Representative FOSSEL of Alna.
Cosponsored by Senator RECTOR of Knox and Senator:
TRAHAN of Lincoln, Representatives: DOW of Waldoboro,
MALABY of Hancock, SANDERSON of Chelsea.

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

Bill "An Act To Implement Standards Concerning Animal Welfare and Research Institutions"
H.P. 586 L.D. 779

Senator **SHERMAN** of Aroostook was granted unanimous consent to address the Senate off the Record.

Presented by Representative HARLOW of Portland.
Cosponsored by Senator GERZOFKY of Cumberland and
Senator: PATRICK of Oxford, Representatives: BEAVERS of
South Berwick, BLODGETT of Augusta, CHIPMAN of Portland,
LOVEJOY of Portland.

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

Bill "An Act Relating to Identification of Service Animals"
(EMERGENCY)
H.P. 592 L.D. 785

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

Presented by Representative CRAY of Palmyra.
Cosponsored by Senator SHERMAN of Aroostook and
Representatives: AYOTTE of Caswell, BLACK of Wilton, DILL of
Old Town, FOSTER of Augusta, GIFFORD of Lincoln, LONG of
Sherman, McFADDEN of Dennysville.

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

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

Off Record Remarks

REFERRED to the Committee on **AGRICULTURE,
CONSERVATION AND FORESTRY** and ordered printed, in
concurrence.

All matters thus acted upon, with exception of those matters being held, were ordered sent down forthwith for concurrence.

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

PAPERS FROM THE HOUSE

Off Record Remarks

House Paper

RECESSED until the sound of the bell.

Bill "An Act To Authorize a General Fund Bond Issue To Expand Necessary Capital Improvements at the University of Maine System That Support the Critical Disciplines of Science, Technology, Engineering and Math To Enhance Economic Development and Employment Opportunities for Maine Citizens"
H.P. 584 L.D. 777

After Recess

Senate called to order by the President.

Presented by Representative CAIN of Orono.
Cosponsored by Senator RECTOR of Knox and Senators:
ALFOND of Cumberland, HOBBS of York, Representatives:
RANKIN of Hiram, RICHARDSON of Carmel, STEVENS of
Bangor.

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

PAPERS FROM THE HOUSE

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

House Papers

REFERRED to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed, in concurrence.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Decriminalize Possession of 6 or Fewer Marijuana Plants"

H.P. 557 L.D. 750

Presented by Representative CHIPMAN of Portland.
Cosponsored by Representatives: CEBRA of Naples, HARLOW of Portland, HARVELL of Farmington, RUSSELL of Portland.

Bill "An Act To Remove Criminal Penalties for Possession of up to 5 Ounces of Marijuana"

H.P. 561 L.D. 754

Presented by Representative CHIPMAN of Portland.
Cosponsored by Representatives: CEBRA of Naples, DUNPHY of Embden, HARLOW of Portland, HARVELL of Farmington, RUSSELL of Portland.

Bill "An Act To Establish an Animal Abuser Registry"

H.P. 567 L.D. 760

Presented by Representative STEVENS of Bangor.
Cosponsored by Senator SULLIVAN of York and Senator: GERZOFISKY of Cumberland, Representatives: BECK of Waterville, BERRY of Bowdoinham, BLODGETT of Augusta, BOLAND of Sanford, BRYANT of Windham, KAENRATH of South Portland, MORRISON of South Portland.

Bill "An Act To Further Restrict the Availability of Methamphetamine and Amphetamine Pills"

H.P. 580 L.D. 773

Presented by Representative WILLETTE of Mapleton.
Cosponsored by Senator MASON of Androscoggin and Senator: JACKSON of Aroostook, Representatives: CLARK of Easton, THERIAULT of Madawaska, WILLETTE of Presque Isle.

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Clarify Special Education Reporting Requirements"

H.P. 582 L.D. 775

Presented by Representative LOVEJOY of Portland.
Cosponsored by Senator ALFOND of Cumberland and Senator: LANGLEY of Hancock, Representatives: JOHNSON of Greenville, McCLELLAN of Raymond, SANBORN of Gorham, WAGNER of Lewiston.

Bill "An Act To Create a Fair Process for Energy Service Companies Contracting with Maine Schools"

H.P. 583 L.D. 776

Presented by Representative RICHARDSON of Carmel.
Cosponsored by Senator: LANGLEY of Hancock, Representative: JOHNSON of Greenville.

Bill "An Act To Allow the Town of Dayton To Opt Out of Its Regional School Unit Agreement"

H.P. 598 L.D. 803

Presented by Representative PARRY of Arundel.
Cosponsored by Senator LANGLEY of Hancock and Senator: COLLINS of York, Representatives: CASAVANT of Biddeford, CLARK of Easton, COTTA of China, CRAY of Palmyra, GILLWAY of Searsport, MAKER of Calais, McCLELLAN of Raymond.

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Limit the Use of Smart Meters"

H.P. 563 L.D. 756

Presented by Representative SIROCKI of Scarborough.
Cosponsored by Representatives: BENNETT of Kennebunk, DUNPHY of Embden, GIFFORD of Lincoln, LIBBY of Waterboro, McCLELLAN of Raymond, O'CONNOR of Berwick, PARKER of Veazie, WINTLE of Garland.

Bill "An Act To Provide Rebates for the Purchase of Certain Solar and Wind Power Equipment"

H.P. 568 L.D. 761

Presented by Representative BERRY of Bowdoinham. Cosponsored by Representative FITTS of Pittsfield, Senator RECTOR of Knox and Senators: FARNHAM of Penobscot, KATZ of Kennebec, Representatives: BEAVERS of South Berwick, BECK of Waterville, DION of Portland, FLEMINGS of Bar Harbor, HINCK of Portland, LUCHINI of Ellsworth.

Bill "An Act To Amend the Auditing Requirements for Accounts of All Water Utilities"

H.P. 579 L.D. 772

Presented by Representative AYOTTE of Caswell. Cosponsored by Senator JACKSON of Aroostook.

Bill "An Act To Eliminate the Governor's Office of Energy Independence and Security"

H.P. 596 L.D. 789

Presented by Representative MOULTON of York. Cosponsored by Senator THOMAS of Somerset.

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

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

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Establish Flushability Standards for Consumer Products Advertised as Flushable"

H.P. 588 L.D. 781

Presented by Representative WALSH INNES of Yarmouth. Cosponsored by Representatives: AYOTTE of Caswell, CHIPMAN of Portland, EVES of North Berwick, MARTIN of Eagle Lake, THERIAULT of Madawaska, TILTON of Harrington, WILLETTE of Presque Isle.

Comes from the House, **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and ordered printed.

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Require Hospital Credit Reporting That Is Fair to Consumers"

H.P. 554 L.D. 747

Presented by Representative STRANG BURGESS of Cumberland. Cosponsored by Senator BRANNIGAN of Cumberland and Senator: CRAVEN of Androscoggin, Representatives: BEAUDOIN of Biddeford, BERRY of Bowdoinham, DILL of Cape Elizabeth, FOSSEL of Alna, KENT of Woolwich, STUCKEY of Portland, TREAT of Hallowell.

Bill "An Act To Add a Member to the Advisory Council on Health Systems Development"

H.P. 564 L.D. 757

Presented by Representative BOLAND of Sanford. Cosponsored by Senator PATRICK of Oxford and Representatives: BERRY of Bowdoinham, FOSSEL of Alna, GRAHAM of North Yarmouth, MOULTON of York, O'CONNOR of Berwick, PETERSON of Rumford, STEVENS of Bangor.

Bill "An Act To Increase Efficiency and Effectiveness in the Licensing of Certain Health and Human Services Providers"

H.P. 566 L.D. 759

Presented by Representative STRANG BURGESS of Cumberland. Cosponsored by Senator CRAVEN of Androscoggin and Senator: PATRICK of Oxford, Representatives: FOSSEL of Alna, MALABY of Hancock, O'CONNOR of Berwick, PETERSON of Rumford, SANBORN of Gorham, SIROCKI of Scarborough, STUCKEY of Portland.

Bill "An Act To Allow Access to Pseudoephedrine by Prescription Only"

H.P. 581 L.D. 774

Presented by Representative WILLETTE of Mapleton. (BY REQUEST) Cosponsored by Senator: JACKSON of Aroostook, Representatives: THERIAULT of Madawaska, WILLETTE of Presque Isle.

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

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

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Allow Sunday Hunting in Northern Maine"
H.P. 556 L.D. 749

Presented by Representative PILON of Saco.
Cosponsored by Senator PATRICK of Oxford and
Representatives: BRIGGS of Mexico, DION of Portland, SHAW of
Standish.

Comes from the House, **REFERRED** to the Committee on
INLAND FISHERIES AND WILDLIFE and ordered printed.

REFERRED to the Committee on **INLAND FISHERIES AND
WILDLIFE** and ordered printed, in concurrence.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Amend the Laws Relating to Group Trusts
Established by Group Self-insurers of Workers' Compensation
Benefits"

H.P. 575 L.D. 768

Presented by Representative BECK of Waterville.
Cosponsored by Senator SULLIVAN of York and
Representatives: KAENRATH of South Portland, MORISSETTE
of Winslow, MORRISON of South Portland, RICHARDSON of
Warren.

Bill "An Act To Amend the Laws Governing Captive Insurance
Companies"

H.P. 590 L.D. 783

Presented by Representative RICHARDSON of Warren.
Cosponsored by President RAYE of Washington and Senators:
COURTNEY of York, SULLIVAN of York, WHITTEMORE of
Somerset, Representative: CUSHING of Hampden.

Come from the House, **REFERRED** to the Committee on
INSURANCE AND FINANCIAL SERVICES and ordered printed.

REFERRED to the Committee on **INSURANCE AND FINANCIAL
SERVICES** and ordered printed, in concurrence.

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act Regarding the Consent of Minors for Mental Health
and Substance Abuse Aid"

H.P. 553 L.D. 746

Presented by Representative CHASE of Wells.
Cosponsored by Senator COLLINS of York and Senator:
SHERMAN of Aroostook, Representatives: CEBRA of Naples,
KNIGHT of Livermore Falls, NASS of Acton, WINSOR of Norway.

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

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

House Papers

Bill "An Act To Improve Driver Education Licensing"

H.P. 555 L.D. 748

Presented by Representative LUCHINI of Ellsworth.
Cosponsored by Senator: LANGLEY of Hancock,
Representatives: CHAPMAN of Brooksville, GOODE of Bangor,
MORRISON of South Portland.

Resolve, To Examine State Programs That Grant Funds To
Improve Real Property and To Establish a Formula for Recouping
Certain Funds

H.P. 558 L.D. 751

Presented by Representative HARVELL of Farmington.
Cosponsored by Representatives: CRAY of Palmyra, GIFFORD
of Lincoln, LIBBY of Waterboro, PARRY of Arundel, PLUMMER
of Windham.

Bill "An Act To Address the Documented Educational and
Rehabilitation Needs of Persons Who Are Blind or Visually
Impaired"

H.P. 572 L.D. 765

Presented by Representative DAVIS of Sangerville.
Cosponsored by Senator THIBODEAU of Waldo and
Representatives: CELLI of Brewer, FREDETTE of Newport,
GILBERT of Jay, JOHNSON of Eddington, O'CONNOR of
Berwick, OLSEN of Phippsburg, RICHARDSON of Warren,
STRANG BURGESS of Cumberland.

Bill "An Act To Amend and Clarify Certain Portions of the Dental Practice Laws"

H.P. 574 L.D. 767

Presented by Representative HUNT of Buxton.
Cosponsored by Senator RECTOR of Knox and Senator: MARTIN of Kennebec, Representatives: DRISCOLL of Westbrook, GILBERT of Jay.
Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.

Bill "An Act To Establish the St. John Valley Regional Planning Commission"

H.P. 578 L.D. 771

Presented by Representative AYOTTE of Caswell.
Cosponsored by Senator JACKSON of Aroostook and Senator: SHERMAN of Aroostook, Representatives: CLARK of Easton, EDGECOMB of Caribou, MARTIN of Eagle Lake, THERIAULT of Madawaska, WILLETTE of Mapleton, WILLETTE of Presque Isle.

Bill "An Act To Permit Persons To Perform Simple Electrical Repairs under Limited Licenses"

H.P. 591 L.D. 784

Presented by Representative STEVENS of Bangor.
Cosponsored by Senator JACKSON of Aroostook and Representatives: CLARK of Easton, FREDETTE of Newport, GILBERT of Jay, GOODE of Bangor, MARTIN of Eagle Lake, MORRISON of South Portland, O'BRIEN of Lincolnville, WINSOR of Norway.

Bill "An Act To Prohibit Forced Payment of Labor Union Dues or Fees by Workers"

H.P. 595 L.D. 788

Presented by Representative WINSOR of Norway.
Cosponsored by Senator SNOWE-MELLO of Androscoggin, Representative CEBRA of Naples and Representatives: BLACK of Wilton, CURTIS of Madison, CUSHING of Hampden, HAMPER of Oxford, KESCHL of Belgrade, O'CONNOR of Berwick.

Come from the House, **REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed.

REFERRED to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed, in concurrence.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Establish Juneteenth Independence Day"
H.P. 560 L.D. 753

Presented by Representative HARLOW of Portland.
Cosponsored by Senator GERZOFKY of Cumberland and Senator: JACKSON of Aroostook, Representatives: BEAVERS of South Berwick, BELIVEAU of Kittery, CHIPMAN of Portland, CLARKE of Bath, DILL of Old Town, HARVELL of Farmington, HERBIG of Belfast, HINCK of Portland, KNIGHT of Livermore Falls, KUMIEGA of Deer Isle, LUCHINI of Ellsworth, MacDONALD of Boothbay, RANKIN of Hiram, ROCHELO of Biddeford, SANBORN of Gorham, STUCKEY of Portland.

Bill "An Act To Review the Functions of the State Planning Office"
H.P. 576 L.D. 769

Presented by Representative MOULTON of York.
Cosponsored by Senator RECTOR of Knox and Representatives: BOLAND of Sanford, CASAVANT of Biddeford, GRAHAM of North Yarmouth.

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Limit the Number of Terms Served in Total
H.P. 587 L.D. 780

Presented by Representative DOW of Waldoboro.

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Establish a Unicameral Legislature
H.P. 599 L.D. 804

Presented by Representative VALENTINO of Saco.
Cosponsored by Senator: JACKSON of Aroostook, Representatives: HARVELL of Farmington, HAYES of Buckfield, LIBBY of Waterboro, PARRY of Arundel, ROSEN of Bucksport.

Come from the House, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

REFERRED to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed, in concurrence.

Bill "An Act To Ensure That Municipalities Refund Amounts Collected in Excess of Tax Liens"

H.P. 571 L.D. 764

Presented by Representative McCLELLAN of Raymond.
Cosponsored by Representatives: BLACK of Wilton, DOW of Waldoboro, DUNPHY of Embden, HARMON of Palermo.

Come from the House, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

On motion by Senator **THOMAS** of Somerset, **TABLED** until Later in Today's Session, pending **REFERENCE**.

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

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Encourage the Use of Reusable Bags"
H.P. 552 L.D. 745

Presented by Representative CORNELL du HOUX of Brunswick.

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

REFERRED to the Committee on **TAXATION** and ordered printed, in concurrence.

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

PAPERS FROM THE HOUSE

House Papers

Resolve, To Establish a Study Group To Update Weight Regulations
H.P. 577 L.D. 770

Presented by Representative KESCHL of Belgrade.
Cosponsored by Senator THOMAS of Somerset and Representatives: CHASE of Wells, CHIPMAN of Portland, COTTA of China, FLOOD of Winthrop, HARVELL of Farmington, ROTUNDO of Lewiston, WINSOR of Norway.

Bill "An Act To Amend the Process of Federal Aviation Administration Airport Improvement Program Grants"
H.P. 585 L.D. 778

Presented by Representative WILLETTE of Presque Isle.
Cosponsored by Senator FARNHAM of Penobscot and Representatives: CLARK of Easton, DAMON of Bangor, FLEMINGS of Bar Harbor, GOODE of Bangor, HASKELL of Portland, MAZUREK of Rockland, WILLETTE of Mapleton.

Come from the House, **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed.

REFERRED to the Committee on **TRANSPORTATION** 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 Allow the Sale of Locally Produced Beer and Wine at Farmers' Markets"

H.P. 570 L.D. 763

Presented by Representative MacDONALD of Boothbay.
Cosponsored by Representatives: BEAUDOIN of Biddeford, BERRY of Bowdoinham, BOLAND of Sanford, BRIGGS of Mexico, FLEMINGS of Bar Harbor, GOODE of Bangor, SANBORN of Gorham.

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

REFERRED to the Committee on **VETERANS AND LEGAL AFFAIRS** 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
Department of Health and Human Services**

The **Department of Health and Human Services**, pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 101, MaineCare Benefits Manual Chapter III, Section 21: Allowances for Home and Community Benefits for Members with Intellectual Disabilities or Autistic Disorder, a Major Substantive Rule of the Department of Health and Human Services (EMERGENCY)
H.P. 550 L.D. 743

Be **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** 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 **HEALTH AND HUMAN SERVICES** and ordered printed pursuant to Joint Rule 218.

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

REFERRED to the Committee on **HEALTH AND HUMAN SERVICES** 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
Maine Turnpike Authority**

The **Maine Turnpike Authority**, pursuant to the Maine Revised Statutes, Title 23, section 1961, subsection 6 asked leave to report that the accompanying Bill "An Act To Make Allocations from Maine Turnpike Authority Funds for the Maine Turnpike Authority for the Calendar Year Ending December 31, 2012" H.P. 573 L.D. 766

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

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

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

REFERRED to the Committee on **TRANSPORTATION** 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

House Paper

Bill "An Act To Provide Equitable Revenue-sharing Distribution" H.P. 569 L.D. 762

Presented by Representative SHAW of Standish. Cosponsored by Representatives: BICKFORD of Auburn, BRYANT of Windham, CLARK of Millinocket, GOODE of Bangor, PILON of Saco.

Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** suggested and ordered printed.

Comes from the House, **REFERRED** to the Committee on **TAXATION**.

REFERRED to the Committee on **TAXATION** 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 Establish an Elder Victims Restitution Fund" H.P. 594 L.D. 787

Presented by Representative BURNS of Whiting. Cosponsored by Senator MASON of Androscoggin and Senators: GERZOFKY of Cumberland, WHITTEMORE of Somerset, Representatives: BICKFORD of Auburn, PLUMMER of Windham, ROSEN of Bucksport, TILTON of Harrington.

Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** suggested and ordered printed.

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

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

House Paper

Resolve, To Establish a Schoolchildren's Well-being Stakeholder Group H.P. 565 L.D. 758

Presented by Representative BOLAND of Sanford. Cosponsored by Senator PATRICK of Oxford and Representatives: BERRY of Bowdoinham, CASAVANT of Biddeford, FOSSEL of Alna, JOHNSON of Greenville, LAJOIE of Lewiston, MAKER of Calais, PETERSON of Rumford, STEVENS of Bangor.

Committees on **EDUCATION AND CULTURAL AFFAIRS AND HEALTH AND HUMAN SERVICES** suggested and ordered printed.

Comes from the House, **REFERRED** to the Committees on **EDUCATION AND CULTURAL AFFAIRS AND HEALTH AND HUMAN SERVICES**.

REFERRED to the Committees on **EDUCATION AND CULTURAL AFFAIRS AND HEALTH AND HUMAN SERVICES** 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 Expand Competitive Bidding for Energy Service Contracts with Schools"

H.P. 589 L.D. 782

Presented by Representative WINTLE of Garland.
Cosponsored by Senator RECTOR of Knox and Senator:
McCORMICK of Kennebec, Representatives: DAMON of Bangor,
DAVIS of Sangerville, DION of Portland, JOHNSON of Eddington,
JOHNSON of Greenville, McKANE of Newcastle, PRESCOTT of
Topsham.

Committee on **EDUCATION AND CULTURAL AFFAIRS**
suggested and ordered printed.

Comes from the House, **REFERRED** to the Committee on
**LABOR, COMMERCE, RESEARCH AND ECONOMIC
DEVELOPMENT.**

On motion by Senator **LANGLEY** of Hancock, **REFERRED** to the
Committee on **EDUCATION AND CULTURAL AFFAIRS**, in
NON-CONCURRENCE.

Sent down for concurrence.

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

COMMUNICATIONS

The Following Communication: H.P. 511

**STATE OF MAINE
CLERK'S OFFICE
2 STATE HOUSE STATION
AUGUSTA, MAINE 04333**

February 17, 2011

Hon. Robert W. Nutting
Speaker of the House
125th Legislature

Hon. Kevin L. Raye
President of the Senate
125th Legislature

Dear Mr. Speaker and Mr. President:

On February 17, 2011, 6 bills were received by the Clerk of the
House.

Pursuant to the provisions of Joint Rule 308.2, these bills were
referred to the Joint Standing Committees on February 17, 2011,
as follows:

Environment and Natural Resources

Resolve, Directing the Commissioner of Environmental Protection
To Convene a Task Force To Study the Effect of Additives in
Gasoline (H.P. 507) (L.D. 680) (Sponsored by Representative
McCLELLAN of Raymond) (Cosponsored by Representatives:
BLACK of Wilton, DOW of Waldoboro, DUNPHY of Embden,
HARMON of Palermo)

Health and Human Services

Resolve, To Improve Health Outcomes for MaineCare Members
in Managed Care (H.P. 505) (L.D. 678) (Sponsored by
Representative HINCK of Portland) (Cosponsored by
Representative SHAW of Standish, Senator CRAVEN of
Androscoggin and Representatives: FOSSEL of Alna, GRAHAM
of North Yarmouth, STRANG BURGESS of Cumberland,
STUCKEY of Portland, THERIAULT of Madawaska, TREAT of
Hallowell)

Bill "An Act To Enhance Long-term Care Services for Maine
Citizens" (H.P. 510) (L.D. 683) (Sponsored by Representative
PETERSON of Rumford) (Cosponsored by Senator McCORMICK
of Kennebec and Representatives: EVES of North Berwick,
FOSSEL of Alna, O'CONNOR of Berwick, SANBORN of Gorham,
STRANG BURGESS of Cumberland, STUCKEY of Portland)

Inland Fisheries and Wildlife

Bill "An Act To Establish the Moose Biologist Fund To Support a
Moose Biologist Position" (H.P. 509) (L.D. 682) (Sponsored by
Representative WILLETTE of Presque Isle) (Cosponsored by
Senator JACKSON of Aroostook and Representatives: AYOTTE
of Caswell, CLARK of Millinocket, DAVIS of Sangerville,
HARVELL of Farmington, THERIAULT of Madawaska)

Labor, Commerce, Research and Economic Development

Resolve, To Leverage Federal Opportunities for Job Creation in
Maine (H.P. 506) (L.D. 679) (Sponsored by Representative
PETERSON of Rumford) (Cosponsored by Representatives:
EVES of North Berwick, HUNT of Buxton, PRESCOTT of
Topsham)

State and Local Government

Bill "An Act To Clarify the Operation of the Maine Commission for
Community Service" (H.P. 508) (L.D. 681) (Sponsored by
Representative MOULTON of York)

Sincerely,

S/Heather J.R. Priest
Clerk of the House

S/Joseph G. Carleton, Jr.
Secretary of the Senate

Comes from the House, **READ** and **ORDERED PLACED ON
FILE.**

READ and **ORDERED PLACED ON FILE**, in concurrence.

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

COMMUNICATIONS

The Following Communication: H.P. 549

**STATE OF MAINE
CLERK'S OFFICE
2 STATE HOUSE STATION
AUGUSTA, MAINE 04333**

February 18, 2011

Hon. Robert W. Nutting
Speaker of the House
125th Legislature

Hon. Kevin L. Raye
President of the Senate
125th Legislature

Dear Mr. Speaker and Mr. President:

On February 18, 2011, 37 bills were received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 308.2, these bills were referred to the Joint Standing Committees on February 18, 2011, as follows:

Agriculture, Conservation and Forestry

Bill "An Act To Amend the Agricultural Working Dog Laws" (EMERGENCY) (H.P. 525) (L.D. 696) (Sponsored by Representative STRANG BURGESS of Cumberland) (Cosponsored by Senator SCHNEIDER of Penobscot and Representatives: EDGECOMB of Caribou, FOSSEL of Alna, GIFFORD of Lincoln, Senator: WOODBURY of Cumberland)

Bill "An Act Regarding the Milk Handling Fee" (H.P. 514) (L.D. 718) (Sponsored by Representative KNIGHT of Livermore Falls) (Cosponsored by Senator SHERMAN of Aroostook and Representatives: CRAFTS of Lisbon, CROCKETT of Bethel, EDGECOMB of Caribou, FITZPATRICK of Houlton, GIFFORD of Lincoln, HARVELL of Farmington, NEWENDYKE of Litchfield, TIMBERLAKE of Turner)

Criminal Justice and Public Safety

Bill "An Act To Require Vegetable Gardens at State Prisons" (H.P. 513) (L.D. 685) (Sponsored by Representative McFADDEN of Dennysville) (BY REQUEST) (Cosponsored by Representatives: AYOTTE of Caswell, CRAY of Palmyra, GIFFORD of Lincoln, LONG of Sherman)

Bill "An Act To Amend the Laws Governing the Transfer of Prisoners to Other States" (H.P. 519) (L.D. 690) (Sponsored by Representative CHAPMAN of Brooksville)

Bill "An Act Concerning Arrests for Violating Protection from Abuse Orders" (H.P. 539) (L.D. 708) (Sponsored by Representative LAJOIE of Lewiston)

Bill "An Act To Require Probation Officers To Set a Schedule for Restitution Payment" (H.P. 545) (L.D. 714) (Sponsored by Representative NASS of Acton) (Cosponsored by Representatives: BEAULIEU of Auburn, BURNS of Whiting, CRAY of Palmyra, EDGECOMB of Caribou, HANLEY of Gardiner, McKANE of Newcastle, PLUMMER of Windham)

Bill "An Act To Increase the Penalties for Possessing and Displaying a Firearm on School Property" (H.P. 548) (L.D. 717) (Sponsored by Representative MacDONALD of Boothbay) (Cosponsored by Representatives: BEAUDOIN of Biddeford, BLODGETT of Augusta, BRIGGS of Mexico)

Education and Cultural Affairs

Resolve, To Facilitate Participation in Individualized Education Program Team Meetings and Special Education Dispute Resolution Procedures (H.P. 517) (L.D. 688) (Sponsored by Representative KENT of Woolwich) (Cosponsored by Senator ALFOND of Cumberland and Representatives: WALSH INNES of Yarmouth, LOVEJOY of Portland, MAKER of Calais, STRANG BURGESS of Cumberland, VOLK of Scarborough, WAGNER of Lewiston, Senator: LANGLEY of Hancock)

Resolve, Requiring the Department of Education To Amend Its Rules Relating to School Administrative Unit Payments for the Costs Associated with Independent Educational Evaluations (H.P. 518) (L.D. 689) (Sponsored by Representative KENT of Woolwich) (Cosponsored by Senator ALFOND of Cumberland and Representatives: BERRY of Bowdoinham, LOVEJOY of Portland, NELSON of Falmouth, STRANG BURGESS of Cumberland, VOLK of Scarborough, WAGNER of Lewiston)

Resolve, To Ensure That Maine Teachers and Paraprofessionals Who Work with Children with Autism Spectrum Disorders Are Highly Qualified (EMERGENCY) (H.P. 546) (L.D. 715) (Sponsored by Representative STRANG BURGESS of Cumberland) (Cosponsored by Senator ALFOND of Cumberland and Representatives: KENT of Woolwich, MAKER of Calais, PRESCOTT of Topsham, RICHARDSON of Carmel, SANBORN of Gorham, STUCKEY of Portland, VOLK of Scarborough, Senator: LANGLEY of Hancock)

Energy, Utilities and Technology

Bill "An Act To Conserve Energy in Certain Commercial Buildings" (H.P. 528) (L.D. 699) (Sponsored by Representative KNAPP of Gorham) (Cosponsored by Representatives: BERRY of Bowdoinham, BOLDUC of Auburn, DUCHESNE of Hudson, EBERLE of South Portland, WALSH INNES of Yarmouth)

Bill "An Act To Amend the Laws Governing the Duties of the Director of the Governor's Office of Energy Independence and Security" (H.P. 541) (L.D. 710) (Sponsored by Representative BEAVERS of South Berwick) (Cosponsored by Senator SAVIELLO of Franklin and Representatives: CRAY of Palmyra, DION of Portland, DUNPHY of Embden, EVES of North Berwick, FITTS of Pittsfield, LIBBY of Waterboro, LUCHINI of Ellsworth, Senator: RECTOR of Knox)

Bill "An Act To Regulate Noise from Wind Turbines in Residential Developments" (H.P. 542) (L.D. 711) (Sponsored by Representative HARMON of Palermo) (BY REQUEST) (Cosponsored by Representatives: BRYANT of Windham, CHIPMAN of Portland, DUNPHY of Embden, KESCHL of Belgrade)

Environment and Natural Resources

Bill "An Act Concerning Solid Waste Facility Citizen Advisory Committees" (H.P. 522) (L.D. 693) (Sponsored by Representative DUCHESNE of Hudson) (Cosponsored by Representatives: DILL of Old Town, WALSH INNES of Yarmouth, KNAPP of Gorham, MITCHELL of the Penobscot Nation, Senator: SCHNEIDER of Penobscot)

Bill "An Act To Improve the Recycling Rate of Mercury-added Motor Vehicle Components" (H.P. 547) (L.D. 716) (Sponsored by Representative WALSH INNES of Yarmouth) (Cosponsored by Senator GOODALL of Sagadahoc and Representatives: CHIPMAN of Portland, DUCHESNE of Hudson, HARLOW of Portland, HINCK of Portland)

Health and Human Services

Bill "An Act To Encourage Transparency in Disclosing the Ingredients in Vaccinations for Children to Parents and Guardians" (H.P. 523) (L.D. 694) (Sponsored by Representative BOLAND of Sanford) (Cosponsored by Senator PLOWMAN of Penobscot and Representatives: DION of Portland, ESPLING of New Gloucester, GUERIN of Glenburn, HARLOW of Portland, MORRISON of South Portland, O'CONNOR of Berwick, Senator: PATRICK of Oxford)

Bill "An Act To Prevent HIV Transmission from a Pregnant Mother to a Child" (H.P. 532) (L.D. 702) (Sponsored by Representative STRANG BURGESS of Cumberland) (Cosponsored by Senator CRAVEN of Androscoggin and Representatives: BERRY of Bowdoinham, KRUGER of Thomaston, SANBORN of Gorham, SIROCKI of Scarborough, STUCKEY of Portland, Senators: BRANNIGAN of Cumberland, PLOWMAN of Penobscot, SAVIELLO of Franklin)

Bill "An Act To Amend the Laws Governing Licensure Compliance Methods for Camping Areas, Recreational Camps, Youth Camps and Eating Establishments" (H.P. 533) (L.D. 703) (Sponsored by Representative STRANG BURGESS of Cumberland) (Cosponsored by Senator McCORMICK of Kennebec, Senator CRAVEN of Androscoggin and Representatives: BEAULIEU of Auburn, CLARK of Millinocket, FOSSEL of Alna, KRUGER of Thomaston, PETERSON of Rumford, STUCKEY of Portland, Senators: RECTOR of Knox, WOODBURY of Cumberland)

Bill "An Act To Make Certain Prescription Drug Disclosure Laws Consistent with Federal Law" (H.P. 530) (L.D. 719) (Sponsored by Representative STRANG BURGESS of Cumberland) (Cosponsored by Senator McCORMICK of Kennebec and Representatives: FOSSEL of Alna, O'CONNOR of Berwick, PETERSON of Rumford, SIROCKI of Scarborough, Senators: RECTOR of Knox, SNOWE-MELLO of Androscoggin, SULLIVAN of York)

Inland Fisheries and Wildlife

Bill "An Act To Reduce Nonresident Hunting and Fishing License Fees and To Add Archery Hunting to Combination Licenses" (H.P. 521) (L.D. 692) (Sponsored by Representative RICHARDSON of Warren) (Cosponsored by Representative: DAVIS of Sangerville)

Bill "An Act To Adjust the Rules Governing Subpermittees on Moose Hunting Permits" (H.P. 540) (L.D. 709) (Sponsored by Representative DAVIS of Sangerville) (Cosponsored by Senator THIBODEAU of Waldo and Representatives: BLACK of Wilton, CLARK of Millinocket, CLARK of Easton, CRAFTS of Lisbon, FREDETTE of Newport, JOHNSON of Eddington, TIMBERLAKE of Turner, WILLETTE of Mapleton)

Insurance and Financial Services

Bill "An Act To Expand Access to Clinical Trials" (H.P. 543) (L.D. 712) (Sponsored by Representative STRANG BURGESS of Cumberland) (Cosponsored by Senator SAVIELLO of Franklin and Representatives: BEAUDOIN of Biddeford, BEAULIEU of Auburn, DILL of Cape Elizabeth, FOSSEL of Alna, PETERSON of Rumford, RICHARDSON of Warren, SANBORN of Gorham, Senator: SULLIVAN of York)

Bill "An Act To Mandate Insurance Coverage for Infertility Treatment" (H.P. 534) (L.D. 720) (Sponsored by Representative KNIGHT of Livermore Falls) (BY REQUEST) (Cosponsored by Representatives: BEAUDOIN of Biddeford, BECK of Waterville, CUSHING of Hampden, DILL of Cape Elizabeth, GRAHAM of North Yarmouth, WALSH INNES of Yarmouth, RUSSELL of Portland, SHAW of Standish)

Labor, Commerce, Research and Economic Development

Bill "An Act To Establish Continuing Education Requirements for Manufactured Housing Installers" (H.P. 520) (L.D. 691) (Sponsored by Representative HAMPER of Oxford) (Cosponsored by Senator HASTINGS of Oxford and Representative: WINSOR of Norway, Senator: THOMAS of Somerset)

Bill "An Act To Bring Wage Equity to the Workplace" (H.P. 527) (L.D. 698) (Sponsored by Representative GOODE of Bangor) (Cosponsored by Senator CRAVEN of Androscoggin and Representatives: BOLDUC of Auburn, BRYANT of Windham, KUMIEGA of Deer Isle, MORRISON of South Portland, O'BRIEN of Lincolnville, RUSSELL of Portland, STUCKEY of Portland, Senator: PATRICK of Oxford)

Resolve, Directing the Finance Authority of Maine To Create a Microfinance Loan Program Entitled 'Believe in ME' for Entrepreneurs under 30 Years of Age (H.P. 529) (L.D. 700) (Sponsored by Representative DION of Portland) (Cosponsored by Representatives: DRISCOLL of Westbrook, HARLOW of Portland, HERBIG of Belfast, RUSSELL of Portland, TUTTLE of Sanford)

State and Local Government

Bill "An Act To Contract Out the State Single Audit" (H.P. 516) (L.D. 687) (Sponsored by Representative McKANE of Newcastle) (Cosponsored by Senator TRAHAN of Lincoln and Representatives: CASAVANT of Biddeford, CEBRA of Naples, COTTA of China, CUSHING of Hampden, HARVELL of Farmington, RICHARDSON of Warren, WINSOR of Norway, Senator: THOMAS of Somerset)

Bill "An Act To Amend Certain Laws Governing County Sheriffs" (H.P. 531) (L.D. 701) (Sponsored by Representative DION of Portland)

Taxation

Bill "An Act To Clarify the Taxing of Property of Quasi-municipal Organizations" (H.P. 512) (L.D. 684) (Sponsored by Representative CROCKETT of Bethel) (Cosponsored by Representative: KNIGHT of Livermore Falls, Senators: HASTINGS of Oxford, HILL of York, PATRICK of Oxford)

Bill "An Act To Promote Small Business in Maine" (H.P. 515) (L.D. 686) (Sponsored by Representative CORNELL du HOUX of Brunswick) (Cosponsored by Senator RECTOR of Knox and Representatives: BERRY of Bowdoinham, CAREY of Lewiston, COTTA of China, FLEMINGS of Bar Harbor, HERBIG of Belfast, HUNT of Buxton, KNIGHT of Livermore Falls, PILON of Saco)

Bill "An Act To Reduce Taxes and Promote Employment" (H.P. 524) (L.D. 695) (Sponsored by Representative FLEMINGS of Bar Harbor) (Cosponsored by Senator ALFOND of Cumberland and Representatives: BERRY of Bowdoinham, CORNELL du HOUX of Brunswick, GOODE of Bangor, HARLOW of Portland, HINCK of Portland, McCABE of Skowhegan, ROCHELO of Biddeford, STUCKEY of Portland)

Bill "An Act To Reduce the Income Tax for Low-income Families" (H.P. 536) (L.D. 705) (Sponsored by Representative CHIPMAN of Portland) (Cosponsored by Representatives: BERRY of Bowdoinham, GOODE of Bangor, HARLOW of Portland, HARMON of Palermo, KNIGHT of Livermore Falls, VALENTINO of Saco)

Bill "An Act To Base the Motor Vehicle Excise Tax on Ninety Percent of the Maker's List Price" (H.P. 537) (L.D. 706) (Sponsored by Representative HARMON of Palermo) (Cosponsored by Representatives: BENNETT of Kennebunk, DUNPHY of Embden, GILLWAY of Searsport, JOHNSON of Greenville, KESCHL of Belgrade, McCLELLAN of Raymond, RICHARDSON of Carmel, RIOUX of Winterport)

Bill "An Act To Increase the State Earned Income Credit" (H.P. 538) (L.D. 707) (Sponsored by Representative STUCKEY of Portland) (Cosponsored by Senator PATRICK of Oxford and Representatives: BERRY of Bowdoinham, BRYANT of Windham, FLEMINGS of Bar Harbor, Senators: ALFOND of Cumberland, CRAVEN of Androscoggin, JACKSON of Aroostook)

Bill "An Act To Amend the Definition of 'Retail Sale' for Purposes of the Sales and Use Tax Law" (H.P. 544) (L.D. 713) (Sponsored by Representative KNIGHT of Livermore Falls) (Cosponsored by Senator MASON of Androscoggin and Representatives: AYOTTE of Caswell, CROCKETT of Bethel, GIFFORD of Lincoln, HARMON of Palermo, MALABY of Hancock, PICCHIOTTI of Fairfield, TIMBERLAKE of Turner, VOLK of Scarborough)

Transportation

Bill "An Act To Provide Funding for the Maine Gateway Bridges" (H.P. 526) (L.D. 697) (Sponsored by Representative BEAVERS of South Berwick) (Cosponsored by Representative BELIVEAU of Kittery, Senator HILL of York and Representatives: BOLAND of Sanford, BURNS of Alfred, CASAVANT of Biddeford, MOULTON of York, O'CONNOR of Berwick, VALENTINO of Saco, Senators: COURTNEY of York, SULLIVAN of York)

Bill "An Act To Repeal the Motorcycle Inspection Law" (H.P. 535) (L.D. 704) (Sponsored by Representative HARVELL of Farmington) (Cosponsored by Representatives: GIFFORD of Lincoln, LIBBY of Waterboro, O'CONNOR of Berwick, PARKER of Veazie, SIROCKI of Scarborough)

Sincerely,

S/Heather J.R. Priest
Clerk of the House

S/Joseph G. Carleton, Jr.
Secretary of the Senate

Comes from the House, **READ and ORDERED PLACED ON FILE.**

READ and ORDERED PLACED ON FILE, in concurrence.

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

PAPERS FROM THE HOUSE

Joint Order

The following Joint Order:

H.P. 597

ORDERED, the Senate concurring, that the Joint Select Committee on Health Care Costs is established as follows.

1. Joint Select Committee on Health Care Costs established. The Joint Select Committee on Health Care Costs, referred to in this order as "the committee," is established.

2. Membership. Notwithstanding Joint Rule 353, section 5, the committee consists of 17 members, appointed as follows:

A. Five members of the Senate appointed by the President of the Senate, including members from each of the 2 parties holding the largest number of seats in the Legislature and with preference to members of the Joint Standing Committee on Insurance and Financial Services, Joint Standing Committee on Health and Human Services and Joint Standing Committee on Appropriations and Financial Affairs; and

B. Twelve members of the House of Representatives appointed by the Speaker of the House, including members from each of the 2 parties holding the largest number of seats in the Legislature and with preference to members of the Joint Standing Committee on Insurance and Financial Services, Joint Standing Committee on Health and Human Services and Joint Standing Committee on Appropriations and Financial Affairs.

3. Committee chairs. The first-named Senator is the Senate chair of the committee and the first-named member of the House is the House chair of the committee.

4. Appointments; convening of committee. All appointments must be made by June 20, 2011. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been made. When the appointment of all members has been completed, the chairs of the committee shall call and convene the first meeting of the committee, which may not be held before June 20, 2011. If by June 20, 2011 a majority but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the committee to meet and conduct its business.

5. Duties. The committee shall review current health care costs in this State, including, but not limited to, the costs for health care delivery and health insurance, and determine the State's opportunities for reducing overall health care costs.

6. Consultation with stakeholders. The committee shall consult with stakeholders including the Office of the Governor; the Department of Health and Human Services; the Department of Professional and Financial Regulation, Bureau of Insurance; health insurance companies; hospitals; health care providers; business and labor representatives; and advocates for health care reform.

7. Staff assistance. Notwithstanding Joint Rule 353, subsection 6, the Legislative Council shall provide necessary staffing services to the committee.

8. Report. No later than December 7, 2011, the committee shall submit a report that includes its findings and recommendations, including suggested legislation, to the Second Regular Session of the 125th Legislature.

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

READ.

On motion by Senator **COURTNEY** of York, **TABLED** until Later in Today's Session, pending **PASSAGE**, 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 Amend the Definition of 'Service Animal' To Conform with Federal Law"

H.P. 551 L.D. 744

Presented by Representative MALABY of Hancock. Cosponsored by Senator ROSEN of Hancock and Representatives: BEAULIEU of Auburn, BERRY of Bowdoinham, DUNPHY of Embden, FOSSEL of Alna, McCLELLAN of Raymond, O'CONNOR of Berwick, SANDERSON of Chelsea, SIROCKI of Scarborough.

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

REFERRED to the Committee on **JUDICIARY** and ordered printed, in concurrence.

Senator **HASTINGS** of Oxford inquired if the Senate was still in possession of H.P. 592 L.D. 785.

The Chair answered in the affirmative.

Senator **HASTINGS** of Oxford requested that H.P. 592 L.D. 785 be Held.

All matters thus acted upon, with exception of those matters being held, were ordered sent down forthwith for concurrence.

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

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

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

On motion by Senator **COURTNEY** of York, **ADJOURNED** to Thursday, March 3, 2011, at 10:00 in the morning.