

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

In Senate Chamber
Thursday
April 28, 2011

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

Prayer by Pastor Don Williams of Augusta, Chaplain for the Kennebec County Sherriff's Department.

PASTOR WILLIAMS: Peter Gibbon defines heroes using three criteria: heroes accomplish something extraordinary; they show moral valor, especially in adversity; and they are great souls who lift us up through their high-minded, noble examples. Chuck Olson said every hero to be sure is a human and deeply marred by sin yet a life without heroes is an impoverished life. Celebrities may hold our interests but they have no ability to inspire us to live great lives. By contrast, heroes invite us to grow. They enlarge our imaginations. They teach us to think big and expand our sense of the possible. We must never forget the great price paid everyday by those in the law enforcement community. They make the ultimate sacrifice for our safety. Song writer Ray Boltz wrote a song which says fallen but not forgotten. These are the heroes that stand tall and forever we will remember. With honor and glory they gave their all. Our men and women in the law enforcement community are the ones who run to the trauma while others are running away. The sights they see, the smells that they smell will stay with them forever. They live what most only see on TV. They can get up, get a snack, change the channel, and watch something else but for our men and women in law enforcement it is a reality that is going to be with them for the rest of their lives. They are truly our everyday heroes and now we should thank God for them.

Father, we thank You for these men and women who have given and are giving of themselves to keep us safe. God, we thank You for them, their dedication to this great and mighty land and for their answering the call to law enforcement. God, we would ask that You would grant them strength, courage, and boldness and wisdom. Care for them and keep them safe. God, I would ask that Your wisdom and power might come upon these, to whom has been placed the leadership of this great state of Maine. Give them wisdom and understanding. Help them to stay ethical and be people of good character and integrity. Give them courage, boldness, and wisdom as they direct this state. God, I thank You that they have recognized those who have given the ultimate sacrifice to keep us safe and give respect for those who are still serving. Father, we ask that You would be with the families and the friends of the fallen, that they might find peace and comfort in You. May they take pride in the fact that these who have fallen were doing what they loved and were called to do. For them it was not just a job, it was a calling. Please be with everything that is said and done today, that it might bring honor and glory to You. In the name of our Father I pray. Amen.

Posting of the Colors by Kennebec County Sherriff's Department.

Pledge of Allegiance led by Senator Ronald F. Collins of York County.

Reading of the Journal of Wednesday, April 27, 2011.

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

Off Record Remarks

Out of order and under suspension of the Rules, on motion by Senator **COURTNEY** of York, the following Joint Order:
S.P. 486

Ordered, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, May 3, 2011, at 10:00 in the morning.

READ and PASSED.

Ordered sent down forthwith for concurrence.

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Create Transparency and Accountability in Economic Development Subsidies"
H.P. 1065 L.D. 1451

Presented by Representative RUSSELL of Portland.
Cosponsored by Representatives: BERRY of Bowdoinham, FLEMINGS of Bar Harbor, GOODE of Bangor, STUCKEY of Portland.

Comes 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.

COMMUNICATIONS

The Following Communication: S.C. 273

**STATE OF MAINE
125TH LEGISLATURE**

April 26, 2011

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

Dear Secretary Carleton:

Pursuant to our authority under Title 10 MRSA §929-A, we are pleased to appoint the following senators and representatives to the Maine Economic Growth Council:

Senator Christopher W. Rector of Knox
Senator Seth A. Goodall of Sagadahoc
Representative Dianne C. Tilton of Harrington
Representative Wesley E. Richardson of Warren

Please let us know if you have any questions regarding these appointments.

Sincerely,

S/Kevin L. Raye
President of the Senate

S/Robert W. Nutting
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 274

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

April 22, 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 bills out "Ought Not to Pass":

L.D. 803 An Act To Allow the Town of Dayton To Opt Out of Its Regional School Unit Agreement

- L.D. 1049 An Act To Allow a Municipality To Withdraw from a Regional School Unit
- L.D. 1083 An Act To Allow the Town of Arundel To Withdraw from Its Regional School Unit without Penalty (EMERGENCY)
- L.D. 1214 An Act To Allow a Referendum Regarding School Choice within Regional School Unit No. 12

We have also notified the sponsors and cosponsors of each bill listed 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. 275

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

April 22, 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. 328 An Act To Move Propane Safety Oversight to the Maine Fuel Board
- L.D. 1158 An Act To Change the Regulation of Liquefied Petroleum Gas Distribution Facilities

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. 276

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

April 22, 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. 524 An Act To Charge a Fee for Garbage Disposal To Encourage Recycling

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. 277

**STATE OF MAINE
ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE
COMMITTEE ON HEALTH AND HUMAN SERVICES**

April 22, 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 Health and Human Services has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 353 An Act Regarding Agencies Contracted by the Department of Health and Human Services To Provide Regulatory Oversight and Billing Services

L.D. 466 An Act To Require Hospitals To Adopt Employee Illness and Injury Prevention Programs and To Provide Lift Teams and To Require Reduced Workers' Compensation Insurance Rates for those Hospitals

L.D. 475 An Act Regarding Private Health Insurance Purchased by the State for Recipients of MaineCare

L.D. 774 An Act To Allow Access to Pseudoephedrine by Prescription Only

L.D. 1029 Resolve, To Reduce Health Care Costs through Interstate Collaboration

L.D. 1062 An Act To Ensure Access to Certain Health Care Services for Children

L.D. 1166 An Act To Improve Electronic Prescribing

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

Sincerely,

S/Sen. Earle L. McCormick
Senate Chair

S/Rep. Meredith N. Strang Burgess
House Chair

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

The Following Communication: S.C. 278

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

April 22, 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 bills out "Ought Not to Pass":

- L.D. 101 An Act To Institute a Snaring Program for Coyotes
- L.D. 292 An Act To Prohibit Placing the Carcass of a Dead Animal on a Frozen Body of Water for the Purpose of Baiting Coyotes
- L.D. 413 An Act To Clarify Standards by Which Recreational Vehicles May Be Stopped
- L.D. 682 An Act To Establish the Moose Biologist Fund To Support a Moose Biologist Position
- L.D. 884 An Act To Change the Moose Lottery To Increase the Chances for Resident Hunters

We have also notified the sponsors and cosponsors of each bill listed 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. 279

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

April 22, 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 bills out "Ought Not to Pass":

- L.D. 517 An Act Regarding Prescription Drug Step Therapy and Prior Authorization
- L.D. 660 An Act To Clarify the Responsibilities of Pharmacy Benefits Managers and Preferred Provider Organizations
- L.D. 712 An Act To Expand Access to Clinical Trials
- L.D. 720 An Act To Mandate Insurance Coverage for Infertility Treatment
- L.D. 858 An Act To Amend the Law Related to Multiple-employer Welfare Arrangements
- L.D. 899 An Act To Disclose Insurance Policy Options to Senior Citizens
- L.D. 960 An Act To Ensure Payment to Tow Truck Operators for Towing from Accidents
- L.D. 1010 An Act To Require an Insurance Company To Notify a Landlord When a Tenant Changes or Cancels a Residential Property Insurance Contract
- L.D. 1089 An Act To Require That Homeowner's Insurance Covers Rental Equipment
- L.D. 1175 An Act To Allow a Homeowner To Insure a Residence for Less than Actual Cash Value
- L.D. 1215 An Act To Require Health Insurers To Provide Coverage for Nutritional Wellness and Illness Prevention Measures and Products
- L.D. 1229 An Act To Require Health Insurance Coverage for Hearing Aids for Adults
- L.D. 1239 An Act To Further Expand Access to Oral Health Care by Requiring Insurance Coverage for Services Performed by Denturists

We have also notified the sponsors and cosponsors of each bill listed 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. 280

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

April 26, 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 Judiciary has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 616 An Act To Clarify Landowner Liability for Environmental Damage Caused by Others
- L.D. 1193 An Act To Strengthen Confidentiality Laws for Child Victims of Crime

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

Sincerely,

S/Sen. David R. Hastings III
Senate Chair

S/Rep. Joan M. Nass
House Chair

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

The Following Communication: S.C. 281

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

April 22, 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 Labor, Commerce, Research and Economic Development has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 166 An Act To Exempt Seasonally Restricted Cottages from the Newly Adopted Maine Uniform Building and Energy Code
- L.D. 304 An Act To Promote the Hiring of Seasonal Workers
- L.D. 406 Resolve, To Clarify the Scope of Practice of Licensed Alcohol and Drug Counselors Regarding Tobacco Use (EMERGENCY)
- L.D. 818 Resolve, To Improve the Training and Retention of Maine's Professional Direct Care and Personal Supports Workforce

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

Sincerely,

S/Sen. Christopher W. Rector
Senate Chair

S/Rep. Kerri L. Prescott
House Chair

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

The Following Communication: S.C. 284

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

April 27, 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 Labor, Commerce, Research and Economic Development has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 1050 An Act To Encourage the Promotion of Outdoor Recreational Activities

- L.D. 1171 An Act To Amend the Pine Tree Development Zone Laws To Provide a Better Measurement of Per Capita Income (EMERGENCY)
- L.D. 1288 An Act To Amend the Pine Tree Development Zone Laws Regarding Average Weekly Wages

- L.D. 847 An Act To Increase the Amount of Deductible Business Expense Allowed for Property Placed in Service Beginning in 2011
- L.D. 1036 An Act To Clarify the Municipal Development District Law
- L.D. 1044 An Act To Allow a Tax Credit for Tuition Paid to Private Schools

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

Sincerely,

S/Sen. Christopher W. Rector
Senate Chair

S/Rep. Kerri L. Prescott
House Chair

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

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. 282

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

April 22, 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. 229 An Act To Protect Homeowners Concerning Property Liens
- L.D. 239 An Act To Provide a Sales Tax Exemption on Fuel Used for Heating a Business (EMERGENCY)
- L.D. 684 An Act To Clarify the Taxing of Property of Quasi-municipal Organizations
- L.D. 686 An Act To Promote Small Business in Maine
- L.D. 764 An Act To Ensure That Municipalities Refund Amounts Collected in Excess of Tax Liens
- L.D. 822 An Act To Remove Taxes on Equipment Used for Business

The Following Communication: S.C. 285

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

April 22, 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. 883 Resolve, To Name the Katahdin Rest Area on Interstate 95
- L.D. 945 Resolve, To Require the Commissioner of Inland Fisheries and Wildlife To Submit a New Design for the Sportsman Registration Plate
- L.D. 970 An Act To Increase Safety for Law Enforcement Officers and Emergency Responders
- L.D. 1047 An Act Pertaining to Vehicle Registrations
- L.D. 1052 An Act To Require Equal Treatment of All Roads in a Road Association

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. 283

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

April 26, 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 Veterans and Legal Affairs has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 80 An Act Regarding Maine Clean Election Act Funds for a Candidate without a Primary Opponent
- L.D. 203 An Act To Assist Municipal Clerks by Providing Adequate Time To Register Voters
- L.D. 843 An Act To Modernize the Maine Clean Election Act by Allowing for Private Contributions
- L.D. 968 An Act To Require Participating Candidates Who Are Principal Officers of Political Action Committees To Give a Percentage of Funds to the Maine Clean Election Fund
- L.D. 1140 An Act To Amend the Dual Liquor License Law

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

Sincerely,

S/Sen. Nichi S. Farnham
Senate Chair

S/Rep. Michael G. Beaulieu
House Chair

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

Senate at Ease.

Senate called to order by the President.

Off Record Remarks

The President requested the Sergeant-At-Arms escort the Senator from York, Senator **COURTNEY** to the rostrum where he assumed the duties as President Pro Tem.

The President took a seat on the floor.

The Senate called to order by President Pro Tem **JONATHAN T.E. COURTNEY** of York County.

SENATE PAPERS

Bill "An Act To Amend the Laws Relating to the Maine Public Employees Retirement System"

S.P. 485 L.D. 1524

Presented by Senator **ROSEN** of Hancock.
Cosponsored by Representative **FLOOD** of Winthrop.
Submitted by the Maine Public Employees Retirement System pursuant to Joint Rule 204.

On motion by Senator **ROSEN** of Hancock, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed.

Sent down for concurrence.

Bill "An Act To Improve MaineCare and Promote Employment"
S.P. 481 L.D. 1520

Presented by Senator **BARTLETT** of Cumberland.

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

Sent down for concurrence.

Bill "An Act To Allow the Board of Dental Examiners To Issue Dental School Faculty Licenses"

S.P. 480 L.D. 1519

Presented by Senator RECTOR of Knox. Cosponsored by Representative STRANG BURGESS of Cumberland and Senators: CRAVEN of Androscoggin, McCORMICK of Kennebec, Representatives: FOSSEL of Alna, GRAHAM of North Yarmouth, SIROCKI of Scarborough. Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.

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 Make Technical Changes to Marine Resources Laws"

S.P. 483 L.D. 1522

Presented by Senator SNOWE-MELLO of Androscoggin. Submitted by the Department of Marine Resources pursuant to Joint Rule 204.

On motion by Senator SNOWE-MELLO of Androscoggin, REFERRED to the Committee on MARINE RESOURCES and ordered printed.

Sent down for concurrence.

Bill "An Act To Amend the InforME Public Information Access Act"

S.P. 482 L.D. 1521

Presented by Senator THOMAS of Somerset. Cosponsored by Representative VALENTINO of Saco and Representative: ROSEN of Bucksport. Submitted by the Secretary of State pursuant to Joint Rule 204.

Committee on STATE AND LOCAL GOVERNMENT suggested and ordered printed.

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

Bill "An Act To Improve the Maine Clean Election Act"

S.P. 484 L.D. 1523

Presented by Senator PATRICK of Oxford.

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.

REPORTS OF COMMITTEES

House

Change of Committee

The Committee on EDUCATION AND CULTURAL AFFAIRS on Bill "An Act To Allow School Administrative Units To Seek Less Expensive Health Insurance Alternatives" H.P. 972 L.D. 1326

Reported that the same be REFERRED to the Committee on INSURANCE AND FINANCIAL SERVICES.

Comes from the House with the Report READ and ACCEPTED and the Bill REFERRED to the Committee on INSURANCE AND FINANCIAL SERVICES.

Report READ and ACCEPTED, in concurrence.

REFERRED to the Committee on INSURANCE AND FINANCIAL SERVICES, in concurrence.

Ought to Pass

The Committee on ENERGY, UTILITIES AND TECHNOLOGY on Bill "An Act To Amend the Lien Process for Unpaid Water Rates" H.P. 796 L.D. 1061

Reported that the same Ought to Pass.

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

Report READ and ACCEPTED, in concurrence.

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **INLAND FISHERIES AND WILDLIFE** on Resolve, Directing the Department of Inland Fisheries and Wildlife To Study Scents Used in Hunting Deer and Renderings Used in Deer Feed

H.P. 338 L.D. 445

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

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Bring Maine's Minimum Financial Responsibility Laws Pertaining to Rental Vehicles into Conformity with Privately Owned Vehicles"

H.P. 410 L.D. 527

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

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Clarify Provisions of the Law Concerning Municipal Inspections of Buildings"

H.P. 612 L.D. 816

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

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **TRANSPORTATION** on Resolve, To Require the Department of Transportation To Designate the Park Street Bridge in the Town of Presque Isle the Gold Star Memorial Bridge

H.P. 910 L.D. 1219

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

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Allow Harness Racing Betting To Be Conducted at Class A Lounges"

H.P. 853 L.D. 1155

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

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Ought to Pass As Amended

The Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Resolve, To Streamline the Laws Governing Small Slaughterhouses (EMERGENCY)

H.P. 682 L.D. 922

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-114)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-114)**.

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

READ ONCE.

Committee Amendment "A" (H-114) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Promote Further Stability within the Workers' Compensation System by Extending the Number of Terms That May Be Served on the Maine Employers' Mutual Insurance Company Board of Directors"

H.P. 267 L.D. 334

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-102)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-102)**.

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

READ ONCE.

Committee Amendment "A" (H-102) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **INSURANCE AND FINANCIAL SERVICES** on 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

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-103)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-103)**.

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

READ ONCE.

Committee Amendment "A" (H-103) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Expand Recertification Options for Certified Nursing Assistants"

H.P. 420 L.D. 537

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-107)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-107)**.

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

READ ONCE.

Committee Amendment "A" (H-107) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **MARINE RESOURCES** on Bill "An Act To Make Technical Changes to Aquaculture Laws"

H.P. 270 L.D. 337

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-106)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-106)**.

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

READ ONCE.

Committee Amendment "A" (H-106) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Clarify the Boundary between the Town of Cushing and the Town of Friendship"

H.P. 424 L.D. 541

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-109)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-109)**.

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

READ ONCE.

Committee Amendment "A" (H-109) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Amend Certain Laws Governing County Sheriffs" H.P. 531 L.D. 701

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-110).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-110).**

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

READ ONCE.

Committee Amendment "A" (H-110) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Off Record Remarks

Divided Report

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Exempt Certain Necessary School Auxiliary Buildings for New Mechanical Systems from Referendum Requirements"

H.P. 315 L.D. 389

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

Signed:

Senators:

- LANGLEY of Hancock
- ALFOND of Cumberland
- MASON of Androscoggin

Representatives:

- RICHARDSON of Carmel
- JOHNSON of Greenville
- LOVEJOY of Portland
- MAKER of Calais
- McCLELLAN of Raymond
- McFADDEN of Dennyville
- NELSON of Falmouth
- RANKIN of Hiram
- WAGNER of Lewiston

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

Signed:

Representative:
EDGEComb of Caribou

(Representative SOCTOMAH of the Passamaquoddy Tribe - of the House - supports the Majority **Ought Not To Pass** Report.)

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

Reports **READ.**

On motion by Senator **LANGLEY** of Hancock, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

Divided Report

The Majority of the Committee on **JUDICIARY** on Bill "An Act To Allow a Member, Manager or Authorized Employee of a Limited Liability Company To Appear for That Company in an Action for Eviction"

H.P. 434 L.D. 551

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

Signed:

Senators:

- HASTINGS of Oxford
- BLISS of Cumberland
- WOODBURY of Cumberland

Representatives:

- NASS of Acton
- BEAULIEU of Auburn
- DILL of Cape Elizabeth
- FOSTER of Augusta
- MALONEY of Augusta
- MOULTON of York
- PRIEST of Brunswick
- ROCHELO of Biddeford
- SARTY of Denmark

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

Signed:

Representative:

WATERHOUSE of Bridgton

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

Reports **READ.**

On motion by Senator **HASTINGS** of Oxford, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

Divided Report

The Majority of the Committee on **MARINE RESOURCES** on Bill "An Act To Encourage Lobstering Traditions and Facilitate Retirement from Lobstering"

H.P. 249 L.D. 307

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

Signed:

Senators:

- SNOWE-MELLO of Androscoggin
- LANGLEY of Hancock
- SULLIVAN of York

Representatives:

- WEAVER of York
- BELIVEAU of Kittery
- CHAPMAN of Brooksville
- KNAPP of Gorham
- KRUGER of Thomaston
- KUMIEGA of Deer Isle
- MacDONALD of Boothbay
- OLSEN of Phippsburg
- TILTON of Harrington

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

Signed:

Representative:

- PARRY of Arundel

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

Reports **READ**.

On motion by Senator **SNOWE-MELLO** of Androscoggin, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

Divided Report

The Majority of the Committee on **TAXATION** on Bill "An Act To Provide Equitable Revenue-sharing Distribution"

H.P. 569 L.D. 762

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

Signed:

Senators:

- TRAHAN of Lincoln
- HASTINGS of Oxford
- WOODBURY of Cumberland

Representatives:

- KNIGHT of Livermore Falls
- BENNETT of Kennebunk
- BERRY of Bowdoinham
- BICKFORD of Auburn
- BURNS of Alfred
- FLEMINGS of Bar Harbor
- HARMON of Palermo
- PILON of Saco
- WATERHOUSE of Bridgton

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-113)**.

Signed:

Representative:

- BRYANT of Windham

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

Reports **READ**.

On motion by Senator **TRAHAN** of Lincoln, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

Senate

Change of Committee

Senator **RECTOR** for the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Improve the Energy Efficiency of Public Buildings and Create Jobs"

S.P. 385 L.D. 1264

Reported that the same be **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY**.

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

REFERRED to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY**.

Sent down for concurrence.

Ought to Pass

Senator **TRAHAN** for the Committee on **TAXATION** on Bill "An Act To Treat Plantations in the Same Manner as Towns for Purposes of Tax Increment Financing"

S.P. 259 L.D. 855

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act Regarding Timber Harvesting on State Land"
S.P. 102 L.D. 340

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

Signed:

Senators:
RECTOR of Knox
MARTIN of Kennebec

Representatives:
PRESCOTT of Topsham
DOW of Waldoboro
NEWENDYKE of Litchfield
VOLK of Scarborough
WINTLE of Garland

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

Signed:

Senator:
JACKSON of Aroostook

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

Reports **READ.**

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

Divided Report

The Majority of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Require an Employer To Provide Notification Regarding the Employer's Personal Leave Policy to Employees"
S.P. 281 L.D. 893

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

Signed:

Senators:
RECTOR of Knox
MARTIN of Kennebec

Representatives:
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

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-48).**

Signed:

Senator:
JACKSON of Aroostook

Reports **READ.**

Senator **RECTOR** of Knox moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

THE PRESIDENT PRO TEM: The Chair recognizes the Senator from Androscoggin, Senator Craven.

Senator **CRAVEN:** Thank you Mr. President. Men and women of the Senate, this is a tiny bill that doesn't cost anything. I was asked by three different constituents for some help in this regard. What this bill would do is to ask employers to identify or to let employees know that their earned personal time off does not have any financial value when they leave their post. I've had several people that had worked for a large out-of-state company that does business in Maine, and after working there for 24 years and having accumulated a lot of personal time, was told that they weren't going to get paid for their personal time. I think that this is fine because it's a very good benefit for people to have but I think that people should know that their accumulated or accrued time was not going to be paid for when they left the agency or left the company. This really impacts a lot of people, almost every employee in the state of Maine. The disappointment and sense of betrayal that they feel after having been an excellent employee all those years, and being proud of their perfect attendance and probably having seen their co-workers take many days off with pay, it makes them feel a little bit betrayed because they didn't know that they weren't going to get paid for this at their retirement. I would really, really like for this to go forward and for employers to be required to tell employees the value of their benefits. Thank you, Mr. President.

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

Senator **RECTOR**: Thank you Mr. President. Men and women of the Senate, this is, indeed, on the face of it, a simple request but it's complicated. It's complicated because the failure on the part of any employer, whether intentional or not, to not provide this information provides another opportunity for us to fine that employer for a failure to meet an additional State requirement that we've put on them. I think personal leave is a wonderful thing. It's one of the benefits that some businesses are able to provide and we certainly encourage those businesses that do to let their employees know about that benefit and all the other benefits that they are provided through their employment agreements. We don't think that putting in statute another requirement moves us at all along that continuum to a business environment that is friendlier, allows businesses to succeed more successfully, and allows our work environment to be more favorable and generally not over-burdensome as we have been characterized by so many around the country. I would ask that you follow the lead of the committee in this almost unanimous report and accept the Majority Ought Not to Pass Report. Let me also say that the committee did send a letter to the Department of Labor asking them to highlight on their website what they already have there, which is information that suggests that employers provide a complete information packet to their employees related to all the benefits that they receive as employees, including personal leave time if that is one of the benefits that they are fortunate to have. Thank you, Mr. President.

THE PRESIDENT PRO TEM: The Chair recognizes the Senator from Cumberland, Senator Bartlett.

Senator **BARTLETT**: Thank you Mr. President. I found this particular bill intriguing and looked it up, the amendment that is proposed. What was striking about it is how simple it is and how flexible it is for employers. An employer can provide notice in four different ways; one is they can include the policy in an employee handbook so all the employers that already had handbooks have this covered. Two, they can post it a conspicuous common area. Three, they can post it on the company website if they have one. Four, simply provide it by request. This means that an employer need not provide anything in writing to employees unless they come forward and ask for it. That seems extraordinarily simple. It is not at all onerous. Even if an employer did not have one, once they are asked they could simply write down the policy and provide it to someone. This seems like just a simple way to facilitate communication between employees and employers, avoid miscommunication that can lead to problems upon termination, and make it crystal clear to everyone involved. Thank you, Mr. President.

At the request of same Senator a Division was had. 20 Senators having voted in the affirmative and 13 Senators having voted in the negative, the motion by Senator **RECTOR** of Knox to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, **PREVAILED**.

Sent down for concurrence.

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 As Amended

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

H.P. 222 L.D. 269
(C "A" H-91)

Bill "An Act To Amend Shelter Provisions To Accommodate Rotational Grazing of Livestock"

H.P. 253 L.D. 320
(C "A" H-98)

Bill "An Act To Clarify the Uniform Arbitration Act"

H.P. 379 L.D. 486
(C "A" H-94)

Bill "An Act Concerning Fish and Wildlife Program Funds"

H.P. 439 L.D. 556
(C "A" H-99)

Bill "An Act To Provide for the Designation of the Secretary of the Pull Events Commission"

H.P. 459 L.D. 629
(C "A" H-100)

Bill "An Act To Strengthen the Laws Regarding Dangerous Dogs"

H.P. 562 L.D. 755
(C "A" H-101)

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

H.P. 579 L.D. 772
(C "A" H-93)

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

Senate As Amended

Bill "An Act To Create the Maine Fishery Infrastructure Tax Credit Program"

S.P. 125 L.D. 421
(C "A" S-42)

Bill "An Act To Clarify the Role of the Public Advocate"

S.P. 133 L.D. 429
(C "A" S-46)

Bill "An Act To Require the Efficiency Maine Trust To More Effectively Administer Funds"

S.P. 135 L.D. 431
(C "A" S-47)

Bill "An Act To Clarify the Procedure by Which a Salvage Company May Apply for a Motor Vehicle Title"
S.P. 190 L.D. 610
(C "A" S-45)

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

Sent down for concurrence.

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

ORDERS OF THE DAY

Unfinished Business

The following matter 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 (4/13/11) Assigned matter:

Bill "An Act To Implement Recommendations on Reinventing Government"
S.P. 444 L.D. 1437

Tabled - April 13, 2011, by Senator **COURTNEY** of York

Pending - **FURTHER CONSIDERATION**

(In Senate, April 7, 2011, on motion by Senator **THOMAS** of Somerset, **REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed.)

(In House, April 12, 2011, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**, in **NON-CONCURRENCE**.)

On motion by Senator **PLOWMAN** of Penobscot, the Senate **INSISTED**.

Sent down for 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 Reciprocity by Allowing Certain Nonresidents To Possess a Firearm in Maine"
H.P. 1119 L.D. 1525

Presented by Representative KESCHL of Belgrade. (BY REQUEST)
Cosponsored by Representatives: COTTA of China, DAMON of Bangor.

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

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

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 Creation of Jobs through Development of Maine's Solar Industry"
H.P. 1121 L.D. 1527

Presented by Representative RUSSELL of Portland.

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

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

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act Honoring Gold Star Families through Special Registration Plates"

H.P. 1123 L.D. 1529

Presented by Representative MOULTON of York.
(GOVERNOR'S BILL)
Cosponsored by Senator COLLINS of York and Senator: THOMAS of Somerset, Representatives: BEAUDOIN of Biddeford, BEAULIEU of Auburn, BRIGGS of Mexico, BURNS of Whiting, BURNS of Alfred, CEBRA of Naples, CORNELL du HOUX of Brunswick, COTTA of China, CRAY of Palmyra, CROCKETT of Bethel, CUSHING of Hampden, DAVIS of Sangerville, DOW of Waldoboro, ESPLING of New Gloucester, FOSTER of Augusta, GIFFORD of Lincoln, GILLWAY of Searsport, HAMPER of Oxford, HANLEY of Gardiner, HARLOW of Portland, HARMON of Palermo, HOGAN of Old Orchard Beach, JOHNSON of Eddington, JOHNSON of Greenville, KESCHL of Belgrade, KNAPP of Gorham, KNIGHT of Livermore Falls, LIBBY of Waterboro, LONG of Sherman, MAKER of Calais, MALABY of Hancock, McCLELLAN of Raymond, McFADDEN of Dennysville, McKANE of Newcastle, MITCHELL of the Penobscot Nation, NASS of Acton, NEWENDYKE of Litchfield, O'CONNOR of Berwick, PARKER of Veazie, PICCHIOTTI of Fairfield, PLUMMER of Windham, RICHARDSON of Carmel, SARTY of Denmark, SOCTOMAH of the Passamaquoddy Tribe, THERIAULT of Madawaska, TIMBERLAKE of Turner, VOLK of Scarborough, WATERHOUSE of Bridgton, WEAVER of York, WILLETTE of Mapleton, WILLETTE of Presque Isle, WOOD of Sabattus.

Comes 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 Papers

Bill "An Act Regarding Corporate and Other Entity Campaign Advertising Disclosure and Accountability"

H.P. 1120 L.D. 1526

Presented by Representative HINCK of Portland.
Cosponsored by Senator JACKSON of Aroostook and Senator: BARTLETT of Cumberland, Representatives: BELIVEAU of Kittery, CAREY of Lewiston, CORNELL du HOUX of Brunswick, DILL of Cape Elizabeth, KRUGER of Thomaston, RUSSELL of Portland, TREAT of Hallowell.

Bill "An Act To Amend the Election Laws and Other Related Laws"

H.P. 1122 L.D. 1528

Presented by Representative CROCKETT of Bethel.
Cosponsored by Senator TRAHAN of Lincoln and Representative: ROSEN of Bucksport.
Submitted by the Secretary of State pursuant to Joint Rule 204.

Come 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.

Senate at Ease.

Senate called to order by President Pro Tem **JONATHAN T.E. COURTNEY** of York County.

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

Off Record Remarks

RECESSED until the sound of the bell.

After Recess

Senate called to order by President Pro Tem **JONATHAN T.E. COURTNEY** of York County.

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

ENACTORS

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

Emergency Measure

An Act To Allow the Transfer of Commercial Whitewater Rafting Trips under Extenuating Conditions

H.P. 304 L.D. 378
(C "A" H-75)

This being an Emergency Measure and having received the affirmative vote of 33 Members of the Senate, with no Senators having voted in the negative, and 33 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President Pro Tem, was presented by the Secretary to the Governor for his approval.

Emergency Measure

An Act To Allow Employees of the Maine School of Science and Mathematics to Join the State's Group Health Plan
H.P. 333 L.D. 440
(C "A" H-83)

This being an Emergency Measure and having received the affirmative vote of 33 Members of the Senate, with no Senators having voted in the negative, and 33 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President Pro Tem, was presented by the Secretary to the Governor for his approval.

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

ENACTORS

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

Emergency Resolve

Resolve, Regarding Legislative Review of Portions of Chapter 895: Underground Facility Damage Prevention Requirements, a Major Substantive Rule of the Public Utilities Commission
H.P. 264 L.D. 331
(C "A" H-85)

This being an Emergency Measure and having received the affirmative vote of 34 Members of the Senate, with no Senators having voted in the negative, and 34 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** and having been signed by the President Pro Tem, was presented by the Secretary to the Governor for his approval.

Emergency Resolve

Resolve, To Complete the Timely and Appropriate Redesign of Shared Living Services for Adults with Intellectual Disabilities and Autism
H.P. 302 L.D. 376
(C "A" H-81)

This being an Emergency Measure and having received the affirmative vote of 34 Members of the Senate, with no Senators having voted in the negative, and 34 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** and having been signed by the President Pro Tem, was presented by the Secretary to the Governor for his approval.

Emergency Resolve

Resolve, To Establish a Task Force on Franco-Americans
H.P. 486 L.D. 656
(C "A" H-88)

On motion by Senator **PLOWMAN** of Penobscot, placed on the **SPECIAL STUDY TABLE**, pending **PASSAGE**, in concurrence.

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

ENACTORS

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

Acts

An Act To Allow Farm Wineries To Charge for Wine Tastings
S.P. 17 L.D. 2
(C "A" S-25)

An Act To Provide Certainty to Businesses and Development
S.P. 41 L.D. 86
(C "A" S-33)

An Act To Require a Medical Examiner To Determine whether an Autopsy Is Needed in the Case of the Death of a Prisoner in a Correctional Facility
H.P. 145 L.D. 168
(C "A" H-86)

An Act To Improve Harbor Safety by Clarifying Requirements for Maintenance Dredging Permits
S.P. 91 L.D. 311
(C "A" S-30)

An Act Relating to the Status of a Private Investigator as an Independent Contractor
S.P. 95 L.D. 315
(C "A" S-38)

An Act To Amend the Taste Testing of Wine Law
S.P. 120 L.D. 416
(C "A" S-29)

An Act Regarding Forensic Examination Kits
H.P. 450 L.D. 592

An Act To Clarify the Definition of "Employment" in the Employment Security Law

S.P. 193 L.D. 613
(C "A" S-35)

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

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

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

An Act To Appropriate Funds for the Maine Downtown Center
S.P. 176 L.D. 584
(C "A" S-37)

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

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

Senator **SNOWE-MELLO** of Androscoggin 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:

Off Record Remarks

ENACTORS

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

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

Resolves

Resolve, To Leverage Federal Opportunities for Job Creation in Maine

H.P. 506 L.D. 679

On motion by Senator **COURTNEY** of York, **ADJOURNED**, pursuant to the Joint Order, to Tuesday, May 3, 2011, at 10:00 in the morning.

Resolve, Directing the Maine Community College System To Extinguish Certain Easements

S.P. 358 L.D. 1183

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

Off Record Remarks

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

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

Off Record Remarks