

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

In Senate Chamber
Tuesday
April 3, 2012

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Education and Cultural Affairs has had under consideration the nomination of Tate Wagstaff of Ellsworth, for appointment to the Maine Maritime Academy, Board of Trustees.

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

YEAS	Senators	1	Langley of Hancock
	Representatives	8	Richardson of Carmel, Johnson of Greenville, Maker of Calais, McClellan of Raymond, McFadden of Dennysville, Nelson of Falmouth, Rankin of Hiram, Wagner of Lewiston
NAYS		0	
ABSENT		4	Sen. Alford of Cumberland, Rep. Edgcomb of Caribou, Rep. Lovejoy of Portland, Sen. Mason of Androscoggin

Nine members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Tate Wagstaff of Ellsworth, for appointment to the Maine Maritime Academy, Board of Trustees be confirmed.

Signed,

S/Brian D. Langley
Senate Chair

S/David E. Richardson
House Chair

READ and ORDERED PLACED ON FILE.

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

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

Prayer by Pastor Eric Ness of Fryeburg.

PASTOR NESS: Let us bow for prayer. Heavenly Father, thank You for this place. We come today asking for Your blessing on this group of public servants. Thank You that they serve the people of the state of Maine. We ask, Lord, that You would bless all that is said and done and that it would bring You honor. Grant them wisdom beyond themselves and, knowing Your will, discernment, courage, and skill in voting. Help them to do Your will today. Bless them with honesty, integrity, and understanding to follow Your will. We pray You will help them to think Your thoughts after You. Help them to pass legislation that ought to be passed and not to pass that which ought not. We pray for the people of this great state, those who are represented by our Senate. We pray Your blessing on them and protection. Bless our homes. Bless our state. Bless our country. Dear Lord, we need you. Father, for Representative Rochello, her family and friends, for the loss of her husband, I pray that You be the God of all to comfort her and her family and friends. Give strength and grace as they go through this time. Please bless them. Father, for these favors we ask and beseech You in the worthy name of your son, the Lord Jesus Christ. In his name we pray. Amen.

Pledge of Allegiance led by Senator Nichi S. Farnham of Penobscot County.

Reading of the Journal of Monday, April 2, 2012.

COMMUNICATIONS

The Following Communication: S.C. 817

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

April 2, 2012

ROLL CALL (#419)

YEAS: Senators: None

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

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

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

The Following Communication: S.C. 818

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

April 2, 2012

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Education and Cultural Affairs has had under consideration the nomination of Ward I. Graffam of Portland, for appointment to the Maine Maritime Academy, Board of Trustees.

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

YEAS Senators 1 Langley of Hancock

Representatives 8 Richardson of Carmel, Johnson of Greenville, Maker of Calais, McClellan of Raymond, McFadden of Dennysville, Nelson of Falmouth, Rankin of Hiram, Wagner of Lewiston

NAYS 0

ABSENT 4 Sen. Alfond of Cumberland, Rep. Edgecomb of Caribou, Rep. Lovejoy of Portland, Sen. Mason of Androscoggin

Nine members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Ward I. Graffam of Portland, for appointment to the Maine Maritime Academy, Board of Trustees be confirmed.

Signed,

S/Brian D. Langley
Senate Chair

S/David E. Richardson
House Chair

READ and ORDERED PLACED ON FILE.

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#420)

YEAS: Senators: None

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

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Ward I. Graffam** of Portland for appointment to the Maine Maritime Academy, Board of Trustees was **CONFIRMED**.

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

The Following Communication: S.C. 819

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

April 2, 2012

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Education and Cultural Affairs has had under consideration the nomination of Heidi H. Sampson of Alfred, for appointment to the State Board of Education.

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

YEAS	Senators	1	Langley of Hancock
	Representatives	6	Edgecomb of Caribou, Johnson of Greenville, Maker of Calais, McClellan of Raymond, McFadden of Dennysville, Wagner of Lewiston
NAYS	Senators	0	
	Representatives	3	Richardson of Carmel, Nelson of Falmouth, Rankin of Hiram
ABSENT		3	Sen. Alfond of Cumberland, Rep. Lovejoy of Portland, Sen. Mason of Androscoggin

Seven members of the Committee having voted in the affirmative and three in the negative, it was the vote of the Committee that the nomination of Heidi H. Sampson of Alfred, for appointment to the State Board of Education be confirmed.

Signed,

S/Brian D. Langley
Senate Chair

S/David E. Richardson
House Chair

READ and ORDERED PLACED ON FILE.

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

Senator **ALFOND:** Thank you Mr. President. Ladies and gentlemen of the Senate, I rise today with concerns about our next vote here. The concerns are, I think, reflected in the committee vote. When you have three members out of ten, and for full disclosure, I was not in the room when the vote was taken on this member. What we're talking about is the State Board of Education. It's actually a pretty fascinating history about the State Board of Education here in the state of Maine. In the state of Maine, the State Board of Education has been in existence since 1846. It had a very tumultuous time and finally was reestablished in 1949. What it does is it looks at, in an advisory capacity with the Commissioner of Education, matters concerning State laws relating to education. The person who is in front of us right now, her resume is a very exceptional resume and one that I think anyone in this building would look at and be impressed by. The concerns I have is that this is a nine member Body. It's statewide. They do a lot of work to help the Commissioner of Education and also the Education Committee facilitate very complicated stuff. Very complicated stuff that relates mostly to our public schools, including our public charter schools, which were adopted. However, what concerns, I think, me and others on the committee was that this person seems to have a misunderstanding of the State Board of Education. She believes that there are slots, slots for different types of professionals on the State Board. Many may be raising their eyebrows and saying, "Senator, how would you be able to back this up?" In her actual application the question is; what experience or expertise do you feel you would bring to this appointment? Her first answer starts off, "As I understand, I would be the home schooling representative on this board." Members of the Senate, there are no different slots for different people on the State Board of Education. We have people on the State Board of Education that care about education in total. We don't bring people on who are concerned about higher ed only. We don't bring people on who are concerned only with a different part of the state. We don't bring people on who are interested in charter schools only. People who come onto this State Board of Education are concerned about public education entirely. As much as I believe and respect, and think it's wonderful that parents have the opportunity to keep their students home schooled and unschooled, that is terrific. I think that is a parent's decision with their child and I respect that. When would we start filling our committees with people with specific experiences? This woman has 20 plus years of being a home school support group leader.

For 18 years that's what she's been doing and focusing exclusively on this. Again, that is a wonderful thing, but probably not for our State Board of Education. We have nine people representing the State Board of Education. The entire state, nine people. Now one of them believes that, as I understand, she would be the home schooling representative on the board. Either there is a mis-connector between the Executive recruiting this person, or she doesn't get what the responsibilities of the State Board of Education are. It concerns me greatly that we are putting people on that feel like there is a committee on the State Board of Education that is just going to be around home schooling. There is no such committee. There is no such small slice that the State Board looks at. If you look at the rest of her experiences, maybe or maybe not she can add value. It really is concerning to me where this slippery slope leads. We will have more people coming to the State Board in the next session. Are we now going to go recruit someone who exclusively just wants to have their focus on charters? Then are we going to fill the State Board of Education with someone else who just wants to focus on maybe we should have religious funding on the State Board of Education? That's all they want to focus in on. I'm not trying to make this partisan. I think this is really, really disturbing that this person is applying to a position that I don't believe she understands what the State Board does and now I don't know what value she's going to add. We've got nine people. Nine people that the Commissioner relies on, that our committee relies on. When you have three people out of ten feel so uncomfortable about someone being put forth, I think this Body should take note. I think it's worthy of a discussion. This is a marketplace of ideas. What I see before me is a candidate that might be doing a great job with her community of home schoolers, but I don't believe she should be on the State Board of Education. Thank you, Mr. President.

THE PRESIDENT: The Chair recognizes the Senator from Hancock, Senator Langley.

Senator **LANGLEY:** Thank you Mr. President. Men and women of the Senate, I was there during the Confirmation Hearings yesterday. We had a fair amount of testimony. A couple of folks testified in support of this candidate, this nominee. What struck me the most was Dr. Fred Bechard, retired Superintendent of Schools and former President of the Maine School Superintendent Association. He said, "It is with great pleasure, I've been asked to testify before you in support of the nomination of Heidi Sampson." He goes on to say he's known her for 20 years as a Superintendent of MSAD 57, where she approached the district in the mid-1990's to plan a pilot of elementary school fitness to motivate all children to reach a high level of individual physical fitness and positive self concept. She worked for that for many years and it became the basis for many academic, as well as physical fitness, successes at the school. He goes on to say, more importantly, that her leadership qualities and innovative skills facilitated a highly positive relationship between the public schools and the home school group. Often times what you hear here is very sort of divisive language between the home school group and our public school group, but they are all our kids. She helped facilitate and develop where resources were shared. Professional training was integrated and all students benefited from the close association between the public education and the home school citizens. In here the Superintendent does say citizens of the state of Maine. "This positive rapport," he goes on

to say, "was in large part because of the integrity brought to the process by Ms. Sampson as well as her unique skill at always finding common ground." She testified that would be her goal. It's my contention and my position that having someone on the State Board who has that intimate knowledge of the home school initiative and the home school folks in Maine would be very helpful to that board. She is not, and has stated, intending to go and push home school position onto the board, but to be able to be a resource for that. I think for that reason she would be a very good candidate. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Mason.

Senator **MASON:** Thank you Mr. President. Men and women of the Senate, I think that this goes to the constant question that we need to be asking. Are we interested in the system only or are we interested in the children of Maine's education as a whole? I don't think that there is one thing wrong with having a candidate for our State Board of Education that is someone who has had an extensive experience in home schooling. Home schoolers deal with the public education system every single day. They are supervised. A lot of the kids who are home schooled play sports in our public schools. They do extracurriculars at our public schools. They are part of the public school system most of the time. I think it is very great that we have someone who is going to be part of our board that has that experience in dealing with the public school system from a position of someone who is a home schooler. I don't know if she home schooled her kids. I have no idea. She's obviously been part of the home school society. Mr. President and ladies and gentlemen of the Senate, I think that we really need to continue to ask this question; are we interested in the system only or are we interested in every child in the state of Maine? I think that that is what the question before us is with this nominee and I will gladly be supporting the recommendation of the committee. Thank you, Mr. President.

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

Senator **COURTNEY:** Thank you Mr. President. Men and women of the Senate, I feel compelled to rise in defense of my constituent. I think that my constituent would bring the diversity that would be beneficial to the board and I would encourage your support.

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#421)

YEAS: Senators: ALFOND, BARTLETT, BRANNIGAN, CRAVEN, GERZOFKY, GOODALL, JACKSON, JOHNSON, PATRICK, SHERMAN, SULLIVAN

NAYS: Senators: COLLINS, COURTNEY, DIAMOND, DILL, FARNHAM, HASTINGS, HILL, HOBBINS, KATZ, LANGLEY, MARTIN, MASON, MCCORMICK, PLOWMAN, RECTOR, ROSEN, SAVIELLO, SCHNEIDER, SNOWE-MELLO, THIBODEAU, THOMAS, WHITTEMORE, WOODBURY, THE PRESIDENT - KEVIN L. RAYE

Representatives 9 Richardson of Carmel, Edgecomb of Caribou, Johnson of Greenville, Maker of Calais, McClellan of Raymond, McFadden of Dennysville, Nelson of Falmouth, Rankin of Hiram, Wagner of Lewiston

NAYS 0

ABSENT 3 Sen. Alfond of Cumberland, Rep. Lovejoy of Portland, Sen. Mason of Androscoggin

11 Senators having voted in the affirmative and 24 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Heidi H. Sampson** of Alfred for appointment to the State Board of Education was **CONFIRMED**.

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

The Following Communication: S.C. 820

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

April 2, 2012

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Education and Cultural Affairs has had under consideration the nomination of Kristin K. Bishop of Madison, for appointment to the State Board of Education.

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

YEAS Senators 1 Langley of Hancock

Ten members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Kristin K. Bishop of Madison, for appointment to the State Board of Education be confirmed.

Signed,

S/Brian D. Langley
Senate Chair

S/David E. Richardson
House Chair

READ and ORDERED PLACED ON FILE.

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#422)

YEAS: Senators: None

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

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Kristin K. Bishop** of Madison for appointment to the State Board of Education was **CONFIRMED**. The Secretary has so informed the Speaker of the House of Representatives.

S/David R. Hastings III
Senate Chair

S/Joan M. Nass
House Chair

READ and ORDERED PLACED ON FILE.

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

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

The Secretary opened the vote.

The Following Communication: S.C. 816

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

April 2, 2012

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Susan Roy of Waterville, for appointment to the Maine Commission on Indigent Legal Services.

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

YEAS	Senators	3	Hastings of Oxford, Dill of Cumberland, Woodbury of Cumberland
	Representatives	8	Nass of Acton, Beaulieu of Auburn, Fossel of Alna, Maloney of Augusta, Monaghan-Derrig of Cape Elizabeth, Moulton of York, Priest of Brunswick, Waterhouse of Bridgton
NAYS		0	
ABSENT		2	Rep. Rochelo of Biddeford, Rep. Sarty of Denmark

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 Susan Roy of Waterville, for appointment to the Maine Commission on Indigent Legal Services be confirmed.

Signed,

ROLL CALL (#423)

YEAS: Senators: None

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

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Susan Roy** of Waterville for appointment to the Maine Commission on Indigent Legal Services was **CONFIRMED**.

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

The Following Communication: S.C. 810

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

March 30, 2012

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Labor, Commerce, Research & Economic Development has had under consideration the nomination of Katharine I. Rand of Portland, for appointment to the Maine Labor Relations Board.

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

YEAS	Senators	2	Rector of Knox, Jackson of Aroostook
	Representatives	8	Prescott of Topsham, Dow of Waldoboro, Driscoll of Westbrook, Gilbert of Jay, Newendyke of Litchfield, Tuttle of Sanford, Volk of Scarborough, Wallace of Dexter

NAYS 0

ABSENT		3	Rep. Herbig of Belfast, Rep. Hunt of Buxton, Sen. Martin of Kennebec
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Ten members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Katharine I. Rand of Portland, for appointment to the Maine Labor Relations Board be confirmed.

Signed,

S/Christopher W. Rector
Senate Chair

S/Kerri L. Prescott
House Chair

READ and ORDERED PLACED ON FILE.

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#424)

YEAS: Senators: None

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

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Katharine I. Rand** of Portland for appointment to the Maine Labor Relations Board was **CONFIRMED**.

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

The Following Communication: S.C. 811

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

March 30, 2012

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Labor, Commerce, Research & Economic Development has had under consideration the nomination of Peter T. Dawson of Hallowell, for reappointment to the Maine Labor Relations Board.

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

YEAS	Senators	2	Rector of Knox, Martin of Kennebec
	Representatives	8	Prescott of Topsham, Dow of Waldoboro, Driscoll of Westbrook, Gilbert of Jay, Newendyke of Litchfield, Tuttle of Sanford, Volk of Scarborough, Wallace of Dexter

NAYS 0
ABSENT 3 Rep. Herbig of Belfast, Rep. Hunt of Buxton, Sen. Jackson of Aroostook

Ten members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Peter T. Dawson of Hallowell, for reappointment to the Maine Labor Relations Board be confirmed.

Signed,
S/Christopher W. Rector
Senate Chair

S/Kerri L. Prescott
House Chair

READ and ORDERED PLACED ON FILE.

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#425)

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

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Peter T. Dawson** of Hallowell for reappointment to the Maine Labor Relations Board was **CONFIRMED**.

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

The Following Communication: S.C. 807

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

March 30, 2012

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Labor, Commerce, Research & Economic Development has had under consideration the nomination of Richard J. Ezzy of Caribou, for reappointment to the Loring Development Authority of Maine.

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	Rector of Knox, Jackson of Aroostook
	Representatives	8	Prescott of Topsham, Dow of Waldoboro, Driscoll of Westbrook, Gilbert of Jay, Newendyke of Litchfield, Tuttle of Sanford, Volk of Scarborough, Wallace of Dexter

NAYS 0
ABSENT 3 Rep. Herbig of Belfast, Rep. Hunt of Buxton, Sen. Martin of Kennebec

Ten members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Richard J. Ezzy of Caribou, for reappointment to the Loring Development Authority of Maine be confirmed.

Signed,
S/Christopher W. Rector
Senate Chair

S/Kerri L. Prescott
House Chair

READ and ORDERED PLACED ON FILE.

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#426)

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

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Richard J. Ezy** of Caribou for reappointment to the Loring Development Authority of Maine was **CONFIRMED**.

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

The Following Communication: S.C. 808

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

March 30, 2012

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Labor, Commerce, Research & Economic Development has had under consideration the nomination of Thomas Clowes of Stockholm, for reappointment to the Loring Development Authority of Maine.

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 Rector of Knox, Jackson of Aroostook
Representatives 8 Prescott of Topsham, Dow of Waldoboro, Driscoll of Westbrook, Gilbert of Jay, Newendyke of Litchfield, Tuttle of Sanford, Volk of Scarborough, Wallace of Dexter
NAYS 0
ABSENT 3 Rep. Herbig of Belfast, Rep. Hunt of Buxton, Sen. Martin of Kennebec

Ten members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Thomas Clowes of Stockholm, for reappointment to the Loring Development Authority of Maine be confirmed.

Signed,
S/Christopher W. Rector
Senate Chair
S/Kerri L. Prescott
House Chair

READ and ORDERED PLACED ON FILE.

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#427)

YEAS: Senators: None

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

Representatives 8 Prescott of Topsham, Dow of Waldoboro, Driscoll of Westbrook, Gilbert of Jay, Newendyke of Litchfield, Tuttle of Sanford, Volk of Scarborough, Wallace of Dexter

NAYS 0

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Thomas Clowes** of Stockholm for reappointment to the Loring Development Authority of Maine was **CONFIRMED**.

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

The Following Communication: S.C. 809

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

March 30, 2012

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Labor, Commerce, Research & Economic Development has had under consideration the nomination of Miles R. Williams of Caribou, for appointment to the Loring Development Authority of Maine.

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 Rector of Knox, Jackson of Aroostook

ABSENT 3 Rep. Herbig of Belfast, Rep. Hunt of Buxton, Sen. Martin of Kennebec

Ten members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Miles R. Williams of Caribou, for appointment to the Loring Development Authority of Maine be confirmed.

Signed,

S/Christopher W. Rector
Senate Chair

S/Kerri L. Prescott
House Chair

READ and ORDERED PLACED ON FILE.

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#428)

YEAS: Senators: None

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

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Miles R. Williams** of Caribou for appointment to the Loring Development Authority of Maine was **CONFIRMED**.

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

The Following Communication: S.C. 812

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

March 30, 2012

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Labor, Commerce, Research & Economic Development has had under consideration the nomination of Rollie Heckethorn of Auburn, for appointment to the Maine Rural Development Authority.

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	Rector of Knox, Martin of Kennebec
	Representatives	8	Prescott of Topsham, Dow of Waldoboro, Driscoll of Westbrook, Gilbert of Jay, Newendyke of Litchfield, Tuttle of Sanford, Volk of Scarborough, Wallace of Dexter
NAYS		0	
ABSENT		3	Rep. Herbig of Belfast, Rep. Hunt of Buxton, Sen. Jackson of Aroostook

Ten members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Rollie Heckethorn of Auburn, for appointment to the Maine Rural Development Authority be confirmed.

Signed,

S/Christopher W. Rector
Senate Chair

S/Kerri L. Prescott
House Chair

READ and ORDERED PLACED ON FILE.

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#429)

YEAS: Senators: None

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

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Rollie Heckethorn** of Auburn for appointment to the Maine Rural Development Authority 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 Rollie Heckethorn of Auburn. Will he please rise and accept the congratulations of the Maine Senate.

The Following Communication: S.C. 813

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

March 30, 2012

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Labor, Commerce, Research & Economic Development has had under consideration the nomination of Robert Tyler of Princeton, for reappointment to the Washington County Development Authority.

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	Rector of Knox, Jackson of Aroostook
	Representatives	8	Prescott of Topsham, Dow of Waldoboro, Driscoll of Westbrook, Gilbert of Jay, Newendyke of Litchfield, Tuttle of Sanford, Volk of Scarborough, Wallace of Dexter
NAYS		0	
ABSENT		3	Rep. Herbig of Belfast, Rep. Hunt of Buxton, Sen. Martin of Kennebec

Ten members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Robert Tyler of Princeton, for reappointment to the Washington County Development Authority be confirmed.

Signed,

S/Christopher W. Rector
Senate Chair

S/Kerri L. Prescott
House Chair

READ and ORDERED PLACED ON FILE.

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#430)

YEAS: Senators: None

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

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Robert Tyler** of Princeton for reappointment to the Washington County Development Authority was **CONFIRMED**.

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

The Following Communication: S.C. 814

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

March 30, 2012

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Labor, Commerce, Research & Economic Development has had under consideration the nomination of Ronald P. Green, Jr. of Plymouth, for appointment to the 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:

YEAS	Senators	2	Rector of Knox, Jackson of Aroostook
	Representatives	8	Prescott of Topsham, Dow of Waldoboro, Driscoll of Westbrook, Gilbert of Jay, Newendyke of Litchfield, Tuttle of Sanford, Volk of Scarborough, Wallace of Dexter
NAYS		0	
ABSENT		3	Rep. Herbig of Belfast, Rep. Hunt of Buxton, Sen. Martin of Kennebec

Ten members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Ronald P. Green, Jr. of Plymouth, for appointment to the Workers' Compensation Board be confirmed.

Signed,

S/Christopher W. Rector
Senate Chair

S/Kerri L. Prescott
House Chair

READ and ORDERED PLACED ON FILE.

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#431)

YEAS: Senators: None

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

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Ronald P. Green, Jr.** of Plymouth for appointment to the 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 Ronald P. Green, Jr. of Plymouth. Would he please rise and accept the congratulations of the Maine Senate.

The Following Communication: H.C. 352

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

April 2, 2012

The Honorable Joseph G. Carleton, Jr.
Secretary of the Senate
125th Maine Legislature
Augusta, Maine 04333
Dear Secretary Carleton:

House Paper 128, Legislative Document 145, "An Act To Clarify and Streamline Foreclosure Proceedings," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

69 voted in favor and 69 against, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

Sincerely,

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

READ and ORDERED PLACED ON FILE.

The President requested the Sergeant-At-Arms escort the Senator from Oxford, Senator **HASTINGS** 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 **DAVID R. HASTINGS III** of Oxford County.

REPORTS OF COMMITTEES

Senate

Ought to Pass As Amended

Senator MASON for the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act Regarding the Interstate Compact for Adult Offender Supervision"
S.P. 603 L.D. 1755

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-513)**.

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

READ ONCE.

Committee Amendment "A" (S-513) **READ** and **ADOPTED**.

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

Ordered sent down forthwith for concurrence.

Divided Report

The Majority of the Committee on **JUDICIARY** on Bill "An Act To Amend the Laws Governing Freedom of Access"
S.P. 456 L.D. 1465

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-514)**.

Signed:

Senators:
HASTINGS of Oxford
WOODBURY of Cumberland
DILL of Cumberland

Representatives:
NASS of Acton
BEAULIEU of Auburn
FOSSEL of Alna
MALONEY of Augusta
MONAGHAN-DERRIG of Cape Elizabeth

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 Not To Pass**.

Signed:

Representative:
WATERHOUSE of Bridgton

Reports **READ**.

On motion by Senator **PLOWMAN** of Penobscot, the Majority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**.

READ ONCE.

Committee Amendment "A" (S-514) **READ** and **ADOPTED**.

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

Ordered sent down forthwith for concurrence.

Divided Report

The Majority of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Restore Departmental Management over Costs of State-paid Child Care"
S.P. 671 L.D. 1894

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-515)**.

Signed:

Senators:
RECTOR of Knox
MARTIN of Kennebec

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

The Minority of the same Committee on the same subject reported that the same **Ought Not 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, the Majority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**.

READ ONCE.

Committee Amendment "A" (S-515) **READ**.

On motion by Senator **ALFOND** of Cumberland, **TABLED** until Later in Today's Session, pending **ADOPTION** of Committee Amendment "A" (S-515).

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

Senate at Ease.

Senate called to order by President Pro Tem **DAVID R. HASTINGS III** of Oxford County.

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

PAPERS FROM THE HOUSE

Non-Concurrent Matter

SENATE REPORTS - from the Committee on **JUDICIARY** on Bill "An Act To Amend the Laws Governing the Deference Afforded to Agency Decisions"

S.P. 493 L.D. 1546
(C "A" S-394)

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-394)** (8 members)

Minority - **Ought Not to Pass** (5 members)

In Senate, March 30, 2012, the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED**.

In Senate, April 2, 2012, **READ A SECOND TIME. FAILED PASSAGE TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-394)**.

Comes from the House, the Minority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**, in **NON-CONCURRENCE**.

Senator **PLOWMAN** of Penobscot moved the Senate **RECEDE** and **CONCUR**.

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

Senator **PLOWMAN:** Thank you Mr. President. Men and women of the Senate, this bill was something that I worked very hard on and I'm sad to see it die, but it has died. The only thing I hope is that we have not emboldened agencies in any way. Thank you.

On motion by Senator **PLOWMAN** of Penobscot, the Senate **RECEDED** and **CONCURRED**.

Non-Concurrent Matter

SENATE REPORTS - from the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Streamline the Process for Minors To Obtain a Work Permit"

S.P. 668 L.D. 1890
(C "A" S-505)

Majority - **Ought Not to Pass** (10 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (S-505)** (3 members)

In Senate, April 2, 2012, the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-505)**.

Comes from the House, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**, in **NON-CONCURRENCE**.

On motion by Senator **RECTOR** of Knox, the Senate **RECEDED** and **CONCURRED**.

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Amend the Sex Offender Registration Laws" H.P. 1117 L.D. 1514

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-873)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-873)**.

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

READ ONCE.

Committee Amendment "A" (H-873) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Implement Certain Recommendations of the Criminal Law Advisory Commission"

H.P. 1374 L.D. 1856

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-872)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-872)**.

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

READ ONCE.

Committee Amendment "A" (H-872) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Implement Recommendations To Reform Telecommunications Regulation"

H.P. 1309 L.D. 1784

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-869)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-869)**.

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

READ ONCE.

Committee Amendment "A" (H-869) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Amend the Charter of the Bingham Water District" (EMERGENCY)

H.P. 1363 L.D. 1842

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-879)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-879)**.

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

READ ONCE.

Committee Amendment "A" (H-879) **READ** and **ADOPTED**, in concurrence.

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

Divided Report

The Majority of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Establish the St. John Valley Regional Planning Commission" H.P. 578 L.D. 771

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-864)**.

Signed:

Senators:

RECTOR of Knox
MARTIN of Kennebec

Representatives:

PRESCOTT of Topsham
DRISCOLL of Westbrook
HERBIG of Belfast
HUNT of Buxton
NEWENDYKE of Litchfield
VOLK of Scarborough
WALLACE of Dexter

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "B" (H-865)**.

Signed:

Representatives:

DOW of Waldoboro
GILBERT of Jay
TUTTLE of Sanford

Comes from the House with the Minority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "B" (H-865)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-865)**.

Reports **READ**.

Senator **RECTOR** of Knox moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-864)** Report, in **NON-CONCURRENCE**.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-864)** Report, in **NON-CONCURRENCE**.

ENACTORS

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

Acts

An Act To Remove the \$100 Reporting Fee for Fertilizer and Agricultural Liming Materials Sold

H.P. 1211 L.D. 1602
(C "A" H-854)

An Act To Amend Statutory Post-conviction Review

H.P. 1378 L.D. 1861
(C "A" H-857)

An Act To Allow Abatement of Property Taxes Due to Hardship

H.P. 1389 L.D. 1878
(C "A" H-855)

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

Ordered sent down forthwith.

An Act To Fund the Computer Crimes Unit and Combat Human Sex Trafficking

S.P. 591 L.D. 1731
(C "A" S-502)

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

Resolve

Resolve, Creating an Honorable Service Plaque To Honor Maine Veterans

H.P. 1385 L.D. 1871
(C "A" H-853)

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

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act Making Supplemental Appropriations and Allocations for the Expenditures of State Government, Highway Fund and Other Funds, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2012 and June 30, 2013" (EMERGENCY)

H.P. 1412 L.D. 1907

Presented by Representative CEBRA of Naples. (GOVERNOR'S BILL)

Cosponsored by Senator COLLINS of York and Senator: DIAMOND of Cumberland, Representative: MAZUREK of Rockland.

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

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

REPORTS OF COMMITTEES

House

Ought to Pass

The Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Amend the Charter of the Lewiston-Auburn Water Pollution Control Authority"

H.P. 1403 L.D. 1901

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.

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

Divided Report

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Privatize the Inspection of Amusement Rides in Maine"

H.P. 1287 L.D. 1745

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-874)**.

Signed:

Senators:

MASON of Androscoggin
GERZOFKY of Cumberland
WHITTEMORE of Somerset

Representatives:

PLUMMER of Windham
BLODGETT of Augusta
BURNS of Whiting
CLARKE of Bath
HANLEY of Gardiner
HASKELL of Portland
LAJOIE of Lewiston
MORISSETTE of Winslow
SANDERSON of Chelsea

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "B" (H-875)**.

Signed:

Representative:

LONG of Sherman

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-874)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-874)**.

Reports **READ**.

On motion by Senator **MASON** of Androscoggin, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-874)** Report **ACCEPTED**, in concurrence.

READ ONCE.

Committee Amendment "A" (H-874) **READ** and **ADOPTED**, in concurrence.

On motion by Senator **ALFOND** of Cumberland, **TABLED** until Later in Today's Session, pending **FURTHER CONSIDERATION**.

Divided Report

The Majority of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Facilitate Rapid Response by Out-of-state Businesses to State Disasters" (EMERGENCY)

H.P. 1357 L.D. 1836

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-868)**.

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
WALLACE of Dexter

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

Signed:

Senator:

JACKSON of Aroostook

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-868)**.

Reports **READ**.

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

READ ONCE.

Committee Amendment "A" (H-868) **READ**.

On motion by Senator **ALFOND** of Cumberland, supported by a Division of one-fifth of the members present and voting, a Roll Call was ordered.

Senate at Ease.

Senate called to order by President Pro Tem
DAVID R. HASTINGS III of Oxford County.

Senator **ALFOND** of Cumberland requested and received leave of the Senate to withdraw his request for a Roll Call.

On motion by Senator **ALFOND** of Cumberland, **TABLED** until Later in Today's Session, pending **ADOPTION** of Committee Amendment "A" (H-868), in concurrence.

ENACTORS

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

Emergency Measure

An Act To Create the Maine Board of Tax Appeals
H.P. 1291 L.D. 1750
(C "A" H-860)

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

Mandate

An Act To Amend the Maine Tree Growth Tax Law and the Open Space Tax Law

H.P. 844 L.D. 1138
(C "A" H-859)

This being a Mandate, in accordance with the provisions of Section 21 of Article IX of the Constitution, having received the affirmative vote of 35 Members of the Senate, with no Senators having voted in the negative, and 35 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President Pro Tem, was presented by the Secretary to the Governor for his approval.

Senate at Ease.

Senate called to order by President Pro Tem
DAVID R. HASTINGS III of Oxford County.

ORDERS OF THE DAY

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

HOUSE REPORTS - from the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Privatize the Inspection of Amusement Rides in Maine"
H.P. 1287 L.D. 1745

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-874)** (12 members)

Minority - **Ought To Pass as Amended by Committee Amendment "B" (H-875)** (1 member)

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

Pending - **FURTHER CONSIDERATION**

(In House, April 3, 2012, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-874)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-874).**)

(In Senate, April 3, 2012, Reports **READ**. On motion by Senator **MASON** of Androscoggin, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-874)** Report **READ** and **ACCEPTED**, in concurrence. **READ ONCE**. Committee Amendment "A" (H-874) **READ** and **ADOPTED**, in concurrence.)

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

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

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

On motion by Senator **COURTNEY** of York, **ADJOURNED** to Wednesday, April 4, 2012, at 10:00 in the morning.