

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

In Senate Chamber  
Thursday  
March 11, 2010

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

Prayer by Reverend Dr. David Anderman, First Congregational  
Church, UCC of Waterville.

**REVEREND ANDERMAN:** Let us pray. God of all nations and  
peoples, as we begin the day's business we pause to give thanks  
for the blessings of the day and for the blessing of our state and  
land. We give thanks for all who serve in this Senate and we  
open ourselves to the guidance of Your spirit so that we may  
progress in justice and freedom and equality for all. Open our  
eyes, oh God, to see the plight of those around us who are too  
often hidden and to see the abundance You provide even in  
difficult economic times. Open our hearts, oh God, to the agonies  
of our neighbors. Remind us that in our land of plenty there are  
those who struggle for basic food, clothing, and shelter. Open our  
ears, oh God, to hear the cries of those whose voices are  
drowned out in the cacophony and confusion of the political  
process. Help us to hear the whispers of those who suffer quietly.  
We pray, oh God, for loving spirits. May we show tolerance and  
forbearance towards those with whom we disagree. We pray, oh  
God, for wisdom. Give us the insight to discern right from wrong  
and the courage to make difficult decisions. Remind us that we  
are all brothers and sisters, as we are all Your children. We pray,  
oh God, for vision. For vision to move beyond petty divisions and  
to unity of purpose for the good of our common life together as  
peoples of this state. Amen.

Reading of the Journal of Tuesday, March 9, 2010.

Doctor of the day, Dr. Dustin Sulak, DO of Manchester.

Off Record Remarks

Out of order and under suspension of the Rules, on motion by  
Senator **BARTLETT** of Cumberland, the following Joint Order:  
S.P. 732

Ordered, the House concurring, that when the House and Senate  
adjourn, they do so until Tuesday, March 16, 2010 at 10:00 in the  
morning.

**READ and PASSED.**

Ordered sent down forthwith for concurrence.

**COMMUNICATIONS**

The Following Communication: S.P. 726

**STATE OF MAINE  
124<sup>TH</sup> MAINE LEGISLATURE**

March 8, 2010

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

Dear Senator Alfond and Representative Sutherland:

Please be advised that Governor John E. Baldacci has nominated  
Lance Meadows of Penobscot for appointment to the Maine  
Maritime Academy, Board of Trustees as a Student Member.  
Pursuant to Public Law 1975, Chapter 771 §428 this nomination  
will require review by the Joint Standing Committee on Education  
and Cultural Affairs and confirmation by the Senate.

Sincerely,

S/Elizabeth H. Mitchell  
President of the Senate

S/Hannah M. Pingree  
Speaker of the House

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

Sent down for concurrence.

The Following Communication: S.P. 727

**STATE OF MAINE  
124<sup>TH</sup> MAINE LEGISLATURE**

March 8, 2010

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

Dear Senator Bowman and Representative Treat:

Please be advised that Governor John E. Baldacci has nominated William Lund of Portland for reappointment as the Superintendent of the Bureau of Consumer Credit Protection.

Pursuant to Title 9-A M.R.S.A. §6-103, this nomination will require review by the Joint Standing Committee on Insurance and Financial Services and confirmation by the Senate.

Sincerely,

S/Elizabeth H. Mitchell  
President of the Senate

S/Hannah M. Pingree  
Speaker of the House

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

Sent down for concurrence.

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The Following Communication: S.P. 728

**STATE OF MAINE**  
**124<sup>TH</sup> MAINE LEGISLATURE**

March 8, 2010

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

Dear Senator Bowman and Representative Treat:

Please be advised that Governor John E. Baldacci has nominated Lloyd P. LaFountain III of Biddeford for reappointment as the Superintendent of the Maine Bureau of Financial Institutions.

Pursuant to Title 9-B M.R.S.A. §211, this nomination will require review by the Joint Standing Committee on Insurance and Financial Services and confirmation by the Senate.

Sincerely,

S/Elizabeth H. Mitchell  
President of the Senate

S/Hannah M. Pingree  
Speaker of the House

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

Sent down for concurrence.

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The Following Communication: S.P. 729

**STATE OF MAINE**  
**124<sup>TH</sup> MAINE LEGISLATURE**

March 8, 2010

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

Dear Senator Bowman and Representative Treat:

Please be advised that Governor John E. Baldacci has nominated Mila Kofman of Augusta for reappointment as the Superintendent of Insurance.

Pursuant to Title 24-A M.R.S.A. §201, this nomination will require review by the Joint Standing Committee on Insurance and Financial Services and confirmation by the Senate.

Sincerely,

S/Elizabeth H. Mitchell  
President of the Senate

S/Hannah M. Pingree  
Speaker of the House

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

Sent down for concurrence.

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The Following Communication: S.P. 730

**STATE OF MAINE**  
**124<sup>TH</sup> MAINE LEGISLATURE**

March 8, 2010

Sen. Lawrence Bliss  
Senate Chair, Joint Standing Committee on Judiciary  
Rep. Charles R. Priest  
House Chair, Joint Standing Committee on Judiciary  
124<sup>th</sup> Legislature  
Augusta, ME 04333

Dear Senator Bliss and Representative Priest:

Please be advised that Governor John E. Baldacci has nominated the following to the Maine Indian Tribal State Commission:

Cushman Anthony of North Yarmouth, appointment  
Paul Jacques of Waterville, reappointment  
Paul Thibeault of East Machias, appointment  
H. Roy Partridge of Scarborough, appointment

Pursuant to 30 M.R.S.A. §6212, these nominations will require review by the Joint Standing Committee on Judiciary and confirmation by the Senate.

Sincerely,

S/Elizabeth H. Mitchell  
President of the Senate

S/Hannah M. Pingree  
Speaker of the House

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

Sent down for concurrence.

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The Following Communication: S.P. 731

**STATE OF MAINE  
124<sup>TH</sup> MAINE LEGISLATURE**

March 8, 2010

Sen. Seth A. Goodall  
Senate Chair, Joint Standing Committee on Natural Resources  
Rep. Robert S. Duchesne  
House Chair, Joint Standing Committee on Natural Resources  
124<sup>th</sup> Legislature  
Augusta, ME 04333

Dear Senator Goodall and Representative Duchesne:

Please be advised that Governor John E. Baldacci has nominated M. Wing Goodale of Falmouth and Richard Gould of Greenville for reappointment to the Board of Environmental Protection.

Pursuant to Title 38 M.R.S.A. §341-C, these nominations will require review by the Joint Standing Committee on Natural Resources and confirmation by the Senate.

Sincerely,

S/Elizabeth H. Mitchell  
President of the Senate

S/Hannah M. Pingree  
Speaker of the House

**READ and REFERRED** to the Committee on **NATURAL RESOURCES**.

Sent down for concurrence.

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The Following Communication: S.C. 682

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

March 9, 2010

The Honorable Elizabeth H. Mitchell  
President of the Senate of Maine  
124th Maine Legislature  
State House  
Augusta, Maine 04333-0003

Dear Madame President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 124th Maine Legislature, the Joint Standing Committee on Agriculture, Conservation and Forestry has had under consideration the nomination of Honorable Elizabeth Townsend of Portland, for appointment as the Commissioner of the Department of Conservation.

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	Nutting of Androscoggin, Bryant of Oxford
	Representatives	7	Pieh of Bremen, Cray of Palmyra, Edgecomb of Caribou, McCabe of Skowhegan, O'Brien of Lincolnville, Pratt of Eddington, Smith of Monmouth
NAYS	Senators	1	Sherman of Aroostook
	Representatives	1	Gifford of Lincoln
ABSENT		2	Rep. Kent of Woolwich, Rep. Percy of Phippsburg

Nine members of the Committee having voted in the affirmative and two in the negative, it was the vote of the Committee that the nomination of Honorable Elizabeth Townsend of Portland, for appointment as the Commissioner of the Department of Conservation be confirmed.

Signed,

S/John M. Nutting  
Senate Chair

S/Wendy Pieh  
House Chair

**READ and ORDERED PLACED ON FILE.**

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

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The Following Communication: S.C. 677

**STATE OF MAINE  
ONE HUNDRED AND TWENTY FOURTH LEGISLATURE  
COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY**

March 8, 2010

Honorable Elizabeth H. Mitchell, President of the Senate  
Honorable Hannah M. Pingree, Speaker of the House  
124th Legislature  
State House  
Augusta, Maine 04333

Dear President Mitchell and Speaker Pingree:

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

L.D. 1777 An Act To Display the Homeland Security  
Advisory System at Public Transportation  
Facilities

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

Sincerely,

S/Sen. Stanley J. Gerzofsky  
Senate Chair

S/Rep. Anne M. Haskell  
House Chair

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

The Following Communication: S.C. 678

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

March 5, 2010

Honorable Elizabeth H. Mitchell, President of the Senate  
Honorable Hannah M. Pingree, Speaker of the House  
124th Legislature  
State House  
Augusta, Maine 04333

Dear President Mitchell and Speaker Pingree:

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 bill out "Ought Not to Pass":

L.D. 1600 Resolve, To Allow for the Proper Disposal of  
Medical Supplies

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

Sincerely,

S/Sen. Joseph C. Brannigan  
Senate Chair

S/Rep. Anne C. Perry  
House Chair

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

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The Following Communication: S.C. 679

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

March 3, 2010

Honorable Elizabeth H. Mitchell, President of the Senate  
Honorable Hannah M. Pingree, Speaker of the House  
124th Legislature  
State House  
Augusta, Maine 04333

Dear President Mitchell and Speaker Pingree:

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 bill out "Ought Not to Pass":

L.D. 1625 An Act To Establish a Policy of Communication and Consultation on Issues Affecting Tribal Communities of the Passamaquoddy Tribe

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

Sincerely,

S/Sen. Lawrence S. Bliss  
Senate Chair

S/Rep. Charles R. Priest  
House Chair

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

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The Following Communication: S.C. 680

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

March 9, 2010

Honorable Elizabeth H. Mitchell, President of the Senate  
Honorable Hannah M. Pingree, Speaker of the House  
124th Legislature  
State House  
Augusta, Maine 04333

Dear President Mitchell and Speaker Pingree:

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

L.D. 1785 An Act To Bolster Maine's Social Safety Net through Voluntary Sales Tax Contributions (EMERGENCY)

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

Sincerely,

S/Sen. Joseph C. Perry  
Senate Chair

S/Rep. Thomas R. Watson  
House Chair

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

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The Following Communication: S.C. 681

**STATE OF MAINE  
ONE HUNDRED AND TWENTY FOURTH LEGISLATURE  
COMMITTEE ON UTILITIES AND ENERGY**

March 8, 2010

Honorable Elizabeth H. Mitchell, President of the Senate  
Honorable Hannah M. Pingree, Speaker of the House  
124th Legislature  
State House  
Augusta, Maine 04333

Dear President Mitchell and Speaker Pingree:

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

L.D. 1571 An Act To Ensure That Maine's Energy Corridor Policy Does Not Harm Maine's Renewable Power Development (EMERGENCY)

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

Sincerely,

S/Sen. Barry J. Hobbins  
Senate Chair

S/Rep. Jon Hinck  
House Chair

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

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**SENATE PAPERS**

**Pursuant to Resolve  
Joint Standing Committee on Criminal Justice and Public Safety**

Senator GERZOFKY for the **Joint Standing Committee on Criminal Justice and Public Safety**, pursuant to Resolve 2009, chapter 86 asked leave to report that the accompanying Bill "An Act To Implement the Recommendations of the Working Group Concerning Domestic Violence and Firearms"

S.P. 725 L.D. 1817

Be **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed pursuant to Joint Rule 218.

Report **READ**.

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

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

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**REPORTS OF COMMITTEES**

**House**

**Pursuant to Resolve**

The Committee on **JUDICIARY** on Bill "An Act To Implement Recommendations Concerning Domestic Violence and Parental Rights and Responsibilities"

H.P. 1298 L.D. 1814

Reported that the same be **REFERRED** to the Committee on **JUDICIARY**, pursuant to Resolve 2009, chapter 120.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **JUDICIARY**.

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

Bill and accompanying papers **REFERRED** to the Committee on **JUDICIARY**, in concurrence.

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**Ought to Pass As Amended**

The Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act To Amend the Animal Welfare Laws"  
H.P. 1125 L.D. 1587

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-684)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-684)**.

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

**READ ONCE.**

Committee Amendment "A" (H-684) **READ** and **ADOPTED**, in concurrence.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.**

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The Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Resolve, Regarding Legislative Review of Portions of Chapter 28: Notification Provisions for Outdoor Pesticide Applications, a Major Substantive Rule of the Department of Agriculture, Food and Rural Resources, Board of Pesticides Control (EMERGENCY)

H.P. 1225 L.D. 1726

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-683)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-683)**.

Report **READ**.

On motion by Senator **RAYE** of Washington, **TABLED** until Later in Today's Session, pending **ACCEPTANCE OF THE REPORT**, in concurrence.

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The Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Improve the Delivery of Community Corrections Services"

H.P. 1121 L.D. 1583

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-679)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-679)**.

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

**READ ONCE.**

Committee Amendment "A" (H-679) **READ** and **ADOPTED**, in concurrence.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.**

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The Committee on **JUDICIARY** on Bill "An Act Concerning Litigation Brought by the Attorney General To Enforce Provisions of the Forest Practices Laws"

H.P. 1211 L.D. 1710

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-682)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-682)**.

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

**READ ONCE.**

Committee Amendment "A" (H-682) **READ** and **ADOPTED**, in concurrence.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.**

The Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act To Improve Access to Data in the Central Voter Registration System"

H.P. 1155 L.D. 1627

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-656)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-656) AS AMENDED BY HOUSE AMENDMENT "A" (H-687)** thereto.

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

**READ ONCE.**

Committee Amendment "A" (H-656) **READ**.

House Amendment "A" (H-687) to Committee Amendment "A" (H-656) **READ** and **ADOPTED**, in concurrence.

Committee Amendment "A" (H-656) as Amended by House Amendment "A" (H-687) thereto, **ADOPTED**, in concurrence.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.**

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The Committee on **UTILITIES AND ENERGY** on Bill "An Act To Direct the Public Utilities Commission To Adopt Rules To Improve the Safety of Multiunit Rental Dwellings"

H.P. 1196 L.D. 1695

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-680)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-680)**.

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

**READ ONCE.**

Committee Amendment "A" (H-680) **READ** and **ADOPTED**, in concurrence.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.**

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**Divided Report**

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Include All Children in the Conditions of Education Report"

H.P. 1261 L.D. 1771

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

Signed:

Senators:

ALFOND of Cumberland  
SCHNEIDER of Penobscot

Representatives:

SUTHERLAND of Chapman  
FINCH of Fairfield  
CASAVANT of Biddeford  
WAGNER of Lewiston  
LOVEJOY of Portland  
NELSON of Falmouth  
RANKIN of Hiram  
RICHARDSON of Carmel

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

Signed:

Senator:

WESTON of Waldo

Representatives:

McFADDEN of Dennysville  
JOHNSON of Greenville

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

Reports **READ**.

On motion by Senator **ALFOND** of Cumberland, the Majority **OUGHT TO PASS** Report **ACCEPTED**, in concurrence.

**READ ONCE.**

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.**

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**Divided Report**

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

H.P. 1192 L.D. 1691

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

Signed:

Senators:

GOODALL of Sagadahoc  
PLOWMAN of Penobscot

Representatives:

BEAULIEU of Auburn  
PINKHAM of Lexington Township  
TUTTLE of Sanford  
FITTS of Pittsfield  
CAREY of Lewiston  
NASS of Acton

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-681)**.

Signed:

Senator:

SULLIVAN of York

Representatives:

VALENTINO of Saco  
TRINWARD of Waterville  
RUSSELL of Portland  
CORNELL du HOUX of Brunswick

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

Reports **READ**.

On motion by Senator **SULLIVAN** of York, **TABLED** Unassigned, pending **ACCEPTANCE OF EITHER REPORT**.

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**Divided Report**

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Clarify the Informed Growth Act" (EMERGENCY)

H.P. 1106 L.D. 1569

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-654)**.

Signed:

Senators:

SIMPSON of Androscoggin  
JACKSON of Aroostook  
COURTNEY of York

Representatives:

CELLI of Brewer  
WILLETTE of Presque Isle  
HAYES of Buckfield  
BEAUDETTE of Biddeford  
COTTA of China  
CLARK of Easton  
HARVELL of Farmington  
KAENRATH of South Portland

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

Signed:

Representatives:

BOLAND of Sanford  
SCHATZ of Blue Hill

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-654)**.

Reports **READ**.

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

**READ ONCE**.

Committee Amendment "A" (H-654) **READ** and **ADOPTED**, in concurrence.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY**.

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**Senate**

**Ought to Pass As Amended**

Senator JACKSON for the Committee on **LABOR** on Bill "An Act To Protect Teacher Retirement Income"

S.P. 683 L.D. 1776

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-405)**.

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

**READ ONCE**.

Committee Amendment "A" (S-405) **READ** and **ADOPTED**.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY**.

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Senator GOODALL for the Committee on **NATURAL RESOURCES** on Bill "An Act To Improve Maine's Air Quality and Reduce Regional Haze at Acadia National Park and Other Federally Designated Class I Areas"

S.P. 627 L.D. 1662

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-402)**.

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

**READ ONCE**.

Committee Amendment "A" (S-402) **READ** and **ADOPTED**.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.**

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Senator GOODALL for the Committee on **NATURAL RESOURCES** on Bill "An Act To Provide for Legislative Review of Recently Proposed Revisions to Certain Rules Adopted Pursuant to the Site Location of Development Laws"

S.P. 698 L.D. 1787

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-403)**.

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

**READ ONCE.**

Committee Amendment "A" (S-403) **READ** and **ADOPTED**.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.**

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Senator PERRY for the Committee on **TAXATION** on Bill "An Act To Improve the Seed Capital Investment Tax Credit Program"

S.P. 631 L.D. 1666

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-404)**.

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

**READ ONCE.**

Committee Amendment "A" (S-404) **READ** and **ADOPTED**.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.**

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

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**SECOND READERS**

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

**House**

Resolve, Regarding Legislative Review of Portions of MaineCare Benefits Manual, Chapter III, Section 97, Private Non-Medical Institution Services, a Major Substantive Rule of the Department of Health and Human Services (EMERGENCY)

H.P. 1243 L.D. 1749

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

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**House As Amended**

Bill "An Act To Amend the Unemployment Compensation Laws Regarding Vacation Pay"

H.P. 1154 L.D. 1626  
(C "A" H-648)

Bill "An Act To Implement the Recommendations of the Joint Standing Committee on Agriculture, Conservation and Forestry Regarding Review of the Department of Agriculture, Food and Rural Resources under the State Government Evaluation Act"

H.P. 1293 L.D. 1806  
(H "A" H-686)

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

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Bill "An Act To Amend the Laws Governing the Somerset County Budget Procedure" (EMERGENCY)

H.P. 1061 L.D. 1512  
(C "B" H-640)

**READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in **NON-CONCURRENCE**.

Sent down for concurrence.

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Bill "An Act To Distribute Funds Received from the Racino in Bangor to the Department of Health and Human Services, Office of Substance Abuse"

H.P. 569 L.D. 833  
(C "A" H-612)

**READ A SECOND TIME.**

On motion by Senator **RAYE** of Washington, **TABLED** until Later in Today's Session, pending **PASSAGE TO BE ENGROSSED AS AMENDED**, in **NON-CONCURRENCE**.

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**Senate**

Bill "An Act To Clarify the Child Abuse or Neglect Substantiation Process"

S.P. 609 L.D. 1602

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

Sent down for concurrence.

**Senate As Amended**

Bill "An Act To Establish Emergency Zones on Public Ways To Minimize Accidents"

S.P. 581 L.D. 1503  
(C "A" S-398)

Bill "An Act To Create Jobs and Stimulate Economic Development by Making Captive Insurers Eligible for Pine Tree Development Zone Benefits for 10 Years" (EMERGENCY)

S.P. 651 L.D. 1679  
(C "A" S-400)

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

Sent down for concurrence.

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

**ENACTORS**

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

**Emergency Measure**

An Act Regarding Liquor Licenses for Qualified Catering Services

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

This being an Emergency Measure and having received the affirmative vote of 29 Members of the Senate, with 1 Senator having voted in the negative, and 29 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

**Emergency Measure**

An Act To Amend the Lobster Meat Laws and Expand Economic Opportunity for Maine's Lobster Industry

H.P. 1131 L.D. 1593  
(C "A" H-643)

This being an Emergency Measure and having received the affirmative vote of 30 Members of the Senate, with no Senators having voted in the negative, and 30 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

**Emergency Measure**

An Act Regarding Maine Public Employees Retirement System Life Insurance Policies

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

This being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with no Senators having voted in the negative, and 32 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

**Emergency Resolve**

Resolve, Regarding Legislative Review of Chapter 2: Change of Use, Downsizing, or Closure of Correctional Facilities, a Major Substantive Rule of the State Board of Corrections

H.P. 1237 L.D. 1740

This being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with no Senators having voted in the negative, and 32 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

**Emergency Resolve**

Resolve, Naming the Bridge over Pattagumpus Stream the Nicatou Bridge

H.P. 1248 L.D. 1754

This being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with no Senators having voted in the negative, and 32 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

**Acts**

An Act To Adopt a Drug Benefit Equity Law

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

An Act To Amend the Charter of the Dexter Utility District

H.P. 1065 L.D. 1516

An Act To Create the Buckfield Water District

H.P. 1075 L.D. 1525  
(C "A" H-649)

An Act To Enhance Cooperation between the Workers' Compensation Board's Abuse Investigation Unit and Other State Agencies and To Ensure Equal Application of the Requirement To Obtain Coverage

S.P. 586 L.D. 1528

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

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

An Act To Modernize the Bingo Laws

H.P. 1229 L.D. 1731  
(C "A" H-646)

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

An Act To Include Independent Practice Dental Hygienists in MaineCare

H.P. 187 L.D. 233  
(C "B" H-647)

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

An Act Regarding Accidental Death Benefits for Beneficiaries of Deceased Firefighters

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

Senator **RAYE** of Washington requested a Roll Call.

On motion by same Senator, **TABLED** until Later in Today's Session, pending **ENACTMENT**, in concurrence. (Roll Call Requested)

An Act To Provide Leadership Regarding the Responsible Recycling of Consumer Products

H.P. 1159 L.D. 1631  
(C "A" H-673)

Senator **RAYE** of Washington requested a Roll Call.

On motion by same Senator, **TABLED** until Later in Today's Session, pending **ENACTMENT**, in concurrence. (Roll Call Requested)

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**Resolves**

Resolve, To Promote Geothermal Energy  
S.P. 455 L.D. 1222  
(C "A" S-369)

Resolve, Regarding Waste-to-energy Power  
H.P. 1221 L.D. 1720  
(C "A" H-650)

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

Resolve, To Create a Working Group To Review the Property Tax Exemption for Veterans

H.P. 60 L.D. 71  
(C "B" H-644)

On motion by Senator **BARTLETT** of Cumberland, **TABLED** until Later in Today's Session, pending **FINAL PASSAGE**, in concurrence.

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Senate at Ease.

Senate called to order by the President.

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Off Record Remarks

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**ORDERS OF THE DAY**

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

NOMINATION - of the Honorable Elizabeth Townsend of Portland for appointment as the Commissioner of the Department of Conservation

Tabled - March 11, 2010, by Senator **BARTLETT** of Cumberland

Pending - **CONSIDERATION**

(In Senate, March 11, 2010, Communication (S.C. 682) from the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY, READ and ORDERED PLACED ON FILE.**)

The President laid before the Senate the following: "Shall the recommendation of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 124<sup>th</sup> Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#303)**

YEAS: Senators: GOOLEY, SHERMAN

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

2 Senators having voted in the affirmative and 33 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 the Honorable **Elizabeth Townsend** of Portland for appointment as the Commissioner of the Department of Conservation 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 Elizabeth Townsend. Would she please stand and accept the congratulations of the Maine Senate.

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

HOUSE REPORT - from the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Resolve, Regarding Legislative Review of Portions of Chapter 28: Notification Provisions for Outdoor Pesticide Applications, a Major Substantive Rule of the Department of Agriculture, Food and Rural Resources, Board of Pesticides Control (EMERGENCY)  
H.P. 1225 L.D. 1726

Report - **Ought to Pass as Amended by Committee Amendment "A" (H-683).**

Tabled - March 11, 2010, by Senator **RAYE** of Washington

Pending - **ACCEPTANCE OF REPORT**, in concurrence

(In House, March 9, 2010, Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-683).**)

(In Senate, March 11, 2010, Report **READ.**)

Report **ACCEPTED**, in concurrence.

**READ ONCE.**

Committee Amendment "A" (H-683) **READ** and **ADOPTED**, in concurrence.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.**

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

Bill "An Act To Distribute Funds Received from the Racino in Bangor to the Department of Health and Human Services, Office of Substance Abuse"

H.P. 569 L.D. 833  
(C "A" H-612)

Tabled - March 11, 2010, by Senator **RAYE** of Washington

Pending - **PASSAGE TO BE ENGROSSED AS AMENDED**, in **NON-CONCURRENCE.**

(In House, February 22, 2010, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-613) AS AMENDED BY HOUSE AMENDMENT "A" (H-635)** thereto.)

(In Senate, March 9, 2010, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-612)** Report **ACCEPTED**, in **NON-CONCURRENCE. READ ONCE.** Committee Amendment "A" (H-612) **READ** and **ADOPTED.**)

(In Senate, March 11, 2010, **READ A SECOND TIME.**)

**PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-612)**, in **NON-CONCURRENCE.**

Sent down for concurrence.

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

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

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

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Senator **TRAHAN** of Lincoln was granted unanimous consent to address the Senate on the Record.

Senator **TRAHAN:** Thank you, Madame President. Last week, I believe, a flyer went out with my name attached to it dealing with the saltwater fishing issue. It was an e-mail from Forbes Darby from NOAA. There has been some confusion over his title at the

bottom of that piece of paper. I think that both sides that brought this to my attention were right in their own way but I want this Senate chamber to have accurate information. Forbes Darby, who it says at the bottom is the Chair of NOAA Fisheries Service, is not Chair of NOAA Fisheries Service. I don't even know if they have a Chair. He is Chair of their Communications and Education Committee. That should have been on the flyer. For that I apologize.

**THE PRESIDENT:** The Chair thanks the Senator for clarifying and remind all members that as we are getting into tougher and tougher issues to please be very careful about what your name is on that is distributed for information. I'm sure things like this will happen more frequently as we get busier and the issues get tougher.

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Off Record Remarks

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

After Recess

Senate called to order by the President.

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

An Act Regarding Accidental Death Benefits for Beneficiaries of Deceased Firefighters

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

Tabled - March 11, 2010, by Senator **RAYE** of Washington

Pending - **ENACTMENT**, in concurrence (Roll Call Requested)

(In Senate, February 25, 2010, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-379)**.)

(In House, March 9, 2010, **PASSED TO BE ENACTED**.)

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#304)**

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

NAYS: Senators: SHERMAN, WESTON

33 Senators having voted in the affirmative and 2 Senators having voted in the negative, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

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An Act To Provide Leadership Regarding the Responsible Recycling of Consumer Products

H.P. 1159 L.D. 1631  
(C "A" H-673)

Tabled - March 11, 2010, by Senator **RAYE** of Washington

Pending - **ENACTMENT**, in concurrence (Roll Call Requested)

(In Senate, March 4, 2010, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-673)**, in concurrence.)

(In House, March 9, 2010, **PASSED TO BE ENACTED**.)

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#305)**

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

NAYS: Senators: None

35 Senators having voted in the affirmative and No Senator having voted in the negative, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

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

**REPORTS OF COMMITTEES**

**House**

**Ought to Pass**

The Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Resolve, Regarding Legislative Review of Chapter 15: Batterer Intervention Program Certification, a Major Substantive Rule of the Department of Corrections (EMERGENCY)  
H.P. 1256 L.D. 1766

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.**

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The Committee on **HEALTH AND HUMAN SERVICES** on Resolve, Regarding Legislative Review of Portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 21, Allowances for Home and Community Benefits for Members with Mental Retardation or Autistic Disorder, a Major Substantive Rule of the Department of Health and Human Services (EMERGENCY)

H.P. 1257 L.D. 1767

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.**

---

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

**REPORTS OF COMMITTEES**

**House**

**Ought to Pass As Amended**

The Committee on **UTILITIES AND ENERGY** on Bill "An Act To Create a Smart Grid Policy in the State" (EMERGENCY)  
H.P. 1079 L.D. 1535

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-695)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-695)**.

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

**READ ONCE.**

Committee Amendment "A" (H-695) **READ** and **ADOPTED**, in concurrence.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.**

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The Committee on **UTILITIES AND ENERGY** on Bill "An Act To Provide for Equitable Sharing by Service Providers of the Costs of the Public Utilities Commission and the Office of the Public Advocate"

H.P. 1116 L.D. 1578

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-697)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-697)**.

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

**READ ONCE.**

Committee Amendment "A" (H-697) **READ** and **ADOPTED**, in concurrence.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.**

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The Committee on **UTILITIES AND ENERGY** on Bill "An Act To Streamline Collections for Consumer-owned Consolidated Water and Wastewater Utilities"

H.P. 1173 L.D. 1645

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-698)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-698)**.

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

**READ ONCE.**

Committee Amendment "A" (H-698) **READ** and **ADOPTED**, in concurrence.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.**

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

**REPORTS OF COMMITTEES**

**House**

**Ought to Pass As Amended**

The Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act To Facilitate Voting by Uniformed Service and Overseas Voters"

H.P. 1117 L.D. 1579

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-689)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-689)**.

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

**READ ONCE.**

Committee Amendment "A" (H-689) **READ** and **ADOPTED**, in concurrence.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.**

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The Committee on **NATURAL RESOURCES** on Bill "An Act To Establish Biofuel and Ultra-low Sulfur Requirements for Number 2 Home Heating Oil"

H.P. 1160 L.D. 1632

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-690)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-690)**.

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

**READ ONCE.**

Committee Amendment "A" (H-690) **READ** and **ADOPTED**, in concurrence.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.**

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

**REPORTS OF COMMITTEES**

**House**

**Ought to Pass As Amended**

The Committee on **TRANSPORTATION** on Resolve, Directing the Department of Transportation To Place Signs at the Interstate Exits in Pittsfield Directing Motorists to Maine Central Institute  
H.P. 1254 L.D. 1763

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-694)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-694)**.

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

**READ ONCE.**

Committee Amendment "A" (H-694) **READ** and **ADOPTED**, in concurrence.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.**

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

**REPORTS OF COMMITTEES**

**House**

**Ought to Pass As Amended**

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Waive Certain Penalties Imposed against School Administrative Units if the State Has Not Fulfilled Its Goal of Paying 55% of Costs" (EMERGENCY)  
H.P. 1233 L.D. 1735

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-691)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-691)**.

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

**READ ONCE.**

Committee Amendment "A" (H-691) **READ** and **ADOPTED**, in concurrence.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.**

---

The Committee on **HEALTH AND HUMAN SERVICES** on Resolve, Regarding Legislative Review of Portions of Chapter 11: Rules Governing the Controlled Substances Prescription Monitoring Program, a Major Substantive Rule of the Department of Health and Human Services, Office of Substance Abuse (EMERGENCY)

H.P. 1226 L.D. 1727

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-696)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-696)**.

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

**READ ONCE.**

Committee Amendment "A" (H-696) **READ** and **ADOPTED**, in concurrence.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.**

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#### ORDERS OF THE DAY

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

HOUSE REPORTS - from the Committee on **TAXATION** on Bill "An Act To Base the Excise Tax on Vehicles on a Percentage of the Manufacturer's Suggested Retail Price"

H.P. 160 L.D. 195

Majority - **Ought Not to Pass** (9 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (H-592)** (4 members)

Tabled - February 2, 2010, by Senator **PERRY** of Penobscot

Pending - **ACCEPTANCE OF EITHER REPORT**

(In House, January 28, 2010, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.)

(In Senate, February 2, 2010, Reports **READ**.)

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

---

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

SENATE REPORT - from the Committee on **TAXATION**, pursuant to Joint Rule 204, on Bill "An Act To Conform the Maine Tax Laws for 2009 to the United States Internal Revenue Code" (EMERGENCY)

S.P. 578 L.D. 1500

Report - **Ought to Pass**

Tabled - February 2, 2010, by Senator **COURTNEY** of York

Pending - **ACCEPTANCE OF REPORT**

(In Senate, February 2, 2010, Report **READ**.)

On motion by Senator **PERRY** of Penobscot, Report **ACCEPTED**.

**READ ONCE.**

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.**

---

The Chair laid before the Senate the following Tabled and Later (2/4/10) Assigned matter:

HOUSE REPORTS - from the Committee on **TAXATION** on Bill "An Act To Authorize an Alternative Calculation of the Property Growth Factor for Municipalities with Exempt Personal Property" H.P. 575 L.D. 839

Majority - **Ought to Pass** (11 members)

Minority - **Ought Not to Pass** (1 member)

Tabled - February 4, 2010, by Senator **PERRY** of Penobscot

Pending - **ACCEPTANCE OF EITHER REPORT**

(In House, February 2, 2010, the Majority **OUGHT TO PASS** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.)

(In Senate, February 4, 2010, Reports **READ**.)

On motion by Senator **PERRY** of Penobscot, the Majority **OUGHT TO PASS** Report **ACCEPTED**, in concurrence.

**READ ONCE.**

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.**

---

The Chair laid before the Senate the following Tabled and Later (3/4/10) Assigned matter:

HOUSE REPORT - from the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Stimulate the Economy by Expanding Opportunities for Personal Assistance Workers"  
H.P. 954 L.D. 1364

Report - **Ought to Pass as Amended by Committee Amendment "A" (H-674)**

Tabled - March 4, 2010, by Senator **RAYE** of Washington

Pending - **ACCEPTANCE OF REPORT**, in concurrence

(In House, March 4, 2010, Report **READ** and **ACCEPTED** and Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-674)**.)

(In Senate, March 4, 2010, Report **READ**.)

Report **ACCEPTED**, in concurrence.

**READ ONCE.**

Committee Amendment "A" (H-674) **READ** and **ADOPTED**, in concurrence.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.**

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The Chair laid before the Senate the following Tabled and Later (3/9/10) Assigned matter:

Bill "An Act Relating to the Membership of the Workers' Compensation Board"

H.P. 1103 L.D. 1566

Tabled - March 9, 2010, by Senator **RAYE** of Washington

Pending - motion by Senator **BRYANT** of Oxford to **ADOPT** Senate Amendment "A" (S-399) to Committee Amendment "A" (H-659)

(In House, March 2, 2010, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-659)**.)

(In Senate, March 9, 2010, Report **READ** and **ACCEPTED**, in concurrence. **READ ONCE.** Committee Amendment "A" (H-659) **READ.** On motion by Senator **BRYANT** of Oxford, Senate Amendment "A" (S-399) to Committee Amendment "A" (H-659) **READ**.)

Senator **MILLS** of Somerset moved the Bill and accompanying papers be **COMMITTED** to the Committee on **LABOR**, in **NON-CONCURRENCE**.

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

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

Senator **TRAHAN:** Thank you, Madame President. May I pose a question through the Chair?

**THE PRESIDENT:** The Senator may pose his question.

Senator **TRAHAN:** Thank you, Madame President. Could someone please explain what just happened? I was reading a document and I know the item that is on the calendar and whatnot, but the issue of why we wouldn't want the committee to have this bill. Could somebody just explain that for me?

**THE PRESIDENT:** The Senator from Lincoln, Senator Trahan poses a question through the Chair to anyone who may wish to answer. The Chair recognizes the Senator from Somerset, Senator Mills.

Senator **MILLS:** Thank you, Madame President. The Senator from Oxford, Senator Bryant, raises an issue by his amendment as to whether this legislature should remove the term limits provision that has been part of the Workers' Compensation law since its passage in 1992. This is an issue that has, to my knowledge, been discussed in the committee of jurisdiction nor have we heard from the Workers' Compensation Board in any formal way as to whether they think this is an appropriate thing to do. In fact, whatever the underlying problem is hasn't been presented to us. The current law says that a member of the board may serve two four-year terms. There is an eight year term limit, just the sort that we live under here in the legislature. That provision has been in the law, to my knowledge, since 1992. The amendment that has been presented to this Body would remove that requirement and I understand that there is some concern that because of recent turnover in board membership, that is they lose a couple of the more senior people because of term limits, that there won't be very much depth of experience on the board and that this measure is being proposed at this time in order to make sure that a couple of people, I don't even know who they are, that are presently serving have the ability to continue serving on reappointment. Frankly, this is a matter that is need of exploration by the Labor Committee. We're just about done with all of our work. If this matter is referred to the Labor Committee I'm reasonably confident that we can spend half an hour looking at it and then come back to this chamber and the other chamber with an intelligent recommendation about the merits of the proposed amendment.

On motion by Senator **BARTLETT** of Cumberland, **TABLED** until Later in Today's Session, pending the motion by Senator **MILLS** of Somerset to **COMMIT** the Bill and accompanying papers to the Committee on **LABOR**, in **NON-CONCURRENCE**. (Roll Call Ordered)

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Off Record Remarks

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Senate at Ease.

Senate called to order by the President.

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Senator **MARRACHÉ** of Kennebec was granted unanimous consent to address the Senate off the Record.

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

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On motion by Senator **RAYE** of Washington, **ADJOURNED**, pursuant to the Joint Order, to Tuesday, March 16, 2010, at 10:00 in the morning.