

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

In Senate Chamber
Tuesday
April 26, 2011

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

Prayer by Reverend Robert T. Carlson, President, Penobscot Community Health Care.

REVEREND CARLSON: Thank you Mr. President. Senators and gathered guests let us bow our heads in prayer. Gracious God, we remember that yesterday is history. We cannot live in the past but we honor it. We treasure the traditions that we hold. Tomorrow is a mystery. We cannot live in the future and yet we look forward with anticipation and hope, with a commitment to make a difference. Today is a gift and that is why we call it the present. In this present moment let us give thanks for these Senators, for this form of government that we have, for the sacrifices made on our behalf to be a free people. Guide us, challenge us, direct us that we might make the world in which we live a better place. Amen.

Pledge of Allegiance led by Senator Brian D. Langley of Hancock County.

Reading of the Journal of Thursday, April 14, 2011.

Off Record Remarks

The President requested the Sergeant-At-Arms escort the Senator from Kennebec, Senator **MARTIN** 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 **THOMAS H. MARTIN, JR.** of Kennebec County.

Off Record Remarks

COMMUNICATIONS

The Following Communication: S.P. 472

**STATE OF MAINE
125TH LEGISLATURE**

April 15, 2011

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

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

Dear Mr. President and Mr. Speaker:

On April 15, 2011, 4 bills were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 308.2, these bills were referred to the Joint Standing Committees on April 15, 2011, as follows:

Education and Cultural Affairs

Bill "An Act Regarding the Powers of the Director of the Maine State Museum Commission" (S.P. 469) (L.D. 1493) (Sponsored by Senator LANGLEY of Hancock) (Cosponsored by Representative RICHARDSON of Carmel and Representatives: JOHNSON of Greenville, LOVEJOY of Portland, RANKIN of Hiram, MAKER of Calais) (Submitted by the Maine State Museum pursuant to Joint Rule 204.)

Bill "An Act To Support Maine State Museum Accreditation" (S.P. 470) (L.D. 1494) (Sponsored by Senator LANGLEY of Hancock) (Cosponsored by Representative RICHARDSON of Carmel and Representatives: JOHNSON of Greenville, LOVEJOY of Portland, RANKIN of Hiram, MAKER of Calais) (Submitted by the Maine State Museum pursuant to Joint Rule 204.)

State and Local Government

Bill "An Act To Ensure Accountability in State Contracts" (S.P. 468) (L.D. 1492) (Sponsored by Senator ALFOND of Cumberland) (Cosponsored by Representative FLEMINGS of Bar Harbor and Senators: BARTLETT of Cumberland, GERZOFKY of Cumberland, JACKSON of Aroostook, Representative: TREAT of Hallowell)

Transportation

Bill "An Act To Allow 45 Days To Register a Newly Acquired Motor Vehicle" (S.P. 471) (L.D. 1495) (Sponsored by Senator JACKSON of Aroostook) (Cosponsored by Senator: GERZOFKY of Cumberland)

Sincerely,

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

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

READ and ORDERED PLACED ON FILE.

Sent down for concurrence.

The Following Communication: S.P. 474

**STATE OF MAINE
125TH LEGISLATURE**

April 20, 2011

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

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

Dear Mr. President and Mr. Speaker:

On April 20, 2011, 1 bill was received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 308.2, this bill was referred to a Joint Standing Committee on April 20, 2011, as follows:

Education and Cultural Affairs

Bill "An Act To Promote School Attendance and Increase School Achievement" (S.P. 473) (L.D. 1503) (Sponsored by Senator ALFOND of Cumberland) (Cosponsored by Senator: JACKSON of Aroostook, Representatives: RANKIN of Hiram, RICHARDSON of Carmel, WAGNER of Lewiston)

Sincerely,

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

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

READ and ORDERED PLACED ON FILE.

Sent down for concurrence.

The Following Communication: S.C. 265

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

April 14, 2011

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

Dear Secretary Carleton:

Pursuant to my authority under Senate Rule 201.3, I am pleased to appoint Senator Bartlett, to the Joint Standing Committee on Judiciary, effective April 20, 2011. With this appointment the Senator from Cumberland, Senator Bartlett, will be replacing the Senator from Cumberland, Senator Bliss.

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

Sincerely,

S/Kevin L. Raye
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 266

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

April 14, 2011

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

Dear President Raye and Speaker Nutting:

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

- L.D. 548 An Act To Provide Regular Funding for the Land for Maine's Future Fund
- L.D. 599 An Act To Move the Land for Maine's Future Board to the Department of Conservation
- L.D. 1249 An Act To Require the Land for Maine's Future Fund To Expend Funds for Deer Wintering Areas

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

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

Sincerely,

S/Sen. Roger L. Sherman
Senate Chair

S/Rep. Peter E. Edgecomb
House Chair

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

The Following Communication: S.C. 267

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

April 14, 2011

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

Dear President Raye and Speaker Nutting:

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

L.D. 885 An Act To Increase Penalties for Operating a Motor Vehicle under the Influence of Drugs or Alcohol

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

Sincerely,

S/Sen. Garrett P. Mason
Senate Chair

S/Rep. Gary E. Plummer
House Chair

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

The Following Communication: S.C. 268

April 14, 2011

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

Dear President Raye and Speaker Nutting:

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

L.D. 110 An Act To Support Large-scale Marketing and Research and Development for Bulk Sales of Maine Seafood Worldwide

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

Sincerely,

S/Sen. Lois A. Snowe-Mello
Senate Chair

S/Rep. Windol C. Weaver
House Chair

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

The Following Communication: S.C. 269

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

April 14, 2011

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

Dear President Raye and Speaker Nutting:

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

L.D. 33 An Act To Prohibit Constitutional Officers from Endorsing Candidates for the Legislature

L.D. 113 RESOLUTION, Proposing an Amendment to the Constitution of Maine To Provide 4-year Terms and a Term Limit of 2 Terms for Legislators

L.D. 1079 An Act To Authorize Peaks Island, House Island, Pumpkin Knob and Catnip Island To Secede from the City of Portland

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

Sincerely,

S/Sen. Douglas A. Thomas
Senate Chair

S/Rep. H. David Cotta
House Chair

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

The Following Communication: S.C. 270

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

April 14, 2011

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

Dear President Raye and Speaker Nutting:

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

L.D. 868 An Act To Reform Maine Revenue Services Procedures

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

Sincerely,

S/Sen. A. David Trahan
Senate Chair

S/Rep. L. Gary Knight
House Chair

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

Senate at Ease.

Senate called to order by President Pro Tem
THOMAS H. MARTIN, JR. of Kennebec County.

SENATE PAPERS

Bill "An Act To Protect Consumer Information at the Efficiency Maine Trust"

S.P. 478 L.D. 1516

Presented by Senator THIBODEAU of Waldo.
Submitted by the Efficiency Maine Trust pursuant to Joint Rule 204.

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

Sent down for concurrence.

Bill "An Act To Clarify the Workers' Compensation Insurance Notification Process for Public Construction Projects"

S.P. 477 L.D. 1515

Presented by Senator RECTOR of Knox.
Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.

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

Sent down for concurrence.

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

ORDERS

Joint Resolutions

On motion by Senator **LANGLEY** of Hancock (Cosponsored by Senators: ALFOND of Cumberland, BARTLETT of Cumberland, BLISS of Cumberland, BRANNIGAN of Cumberland, COLLINS of York, COURTNEY of York, CRAVEN of Androscoggin, DIAMOND of Cumberland, FARNHAM of Penobscot, GERZOFISKY of Cumberland, GOODALL of Sagadahoc, HASTINGS of Oxford, HILL of York, HOBBS of York, JACKSON of Aroostook, KATZ of Kennebec, MARTIN of Kennebec, MASON of Androscoggin, McCORMICK of Kennebec, PATRICK of Oxford, PLOWMAN of Penobscot, President RAYE of Washington, RECTOR of Knox, ROSEN of Hancock, SAVIELLO of Franklin, SCHNEIDER of Penobscot, SHERMAN of Aroostook, SNOWE-MELLO of Androscoggin, SULLIVAN of York, THIBODEAU of Waldo, THOMAS of Somerset, TRAHAN of Lincoln, WHITTEMORE of Somerset, WOODBURY of Cumberland, Representatives: AYOTTE of Caswell, BEAUDOIN of Biddeford, BEAULIEU of Auburn, BEAVERS of South Berwick, BECK of Waterville, BELIVEAU of Kittery, BENNETT of Kennebunk, BERRY of Bowdoinham, BICKFORD of Auburn, BLACK of Wilton, BLODGETT of Augusta, BOLAND of Sanford, BOLDUC of Auburn, BRIGGS of Mexico, BRYANT of Windham, BURNS of Whiting, BURNS of Alfred, CAIN of Orono, CAREY of Lewiston, CASAVANT of Biddeford, CEBRA of Naples, CELLI of Brewer, CHAPMAN of Brooksville, CHASE of Wells, CHIPMAN of Portland, CLARK of Millinocket, CLARK of Easton, CLARKE of Bath, CORNELL du HOUX of Brunswick, COTTA of China, CRAFTS of Lisbon, CRAY of Palmyra, CROCKETT of Bethel, CURTIS of Madison, CUSHING of Hampden, DAMON of Bangor, DAVIS of Sangerville, DILL of Cape Elizabeth, DILL of Old Town, DION of Portland, DOW of Waldoboro, DRISCOLL of Westbrook, DUCHESNE of Hudson, DUNPHY of Embden, EBERLE of South Portland, EDGECOMB of Caribou, ESPLING of New Gloucester, EVES of North Berwick, FITTS of Pittsfield, FITZPATRICK of Houlton, FLEMINGS of Bar Harbor, FLOOD of Winthrop, FOSSEL of Alna, FOSTER of Augusta, FREDETTE of Newport, GIFFORD of Lincoln, GILBERT of Jay, GILLWAY of Searsport, GOODE of Bangor, GRAHAM of North Yarmouth, GUERIN of Glenburn, HAMPER of Oxford, HANLEY of Gardiner, HARLOW of Portland, HARMON of Palermo, HARVELL of Farmington, HASKELL of Portland, HAYES of Buckfield, HERBIG of Belfast, HINCK of Portland, HOGAN of Old Orchard Beach, HUNT of Buxton, INNES of Yarmouth, JOHNSON of Eddington, JOHNSON of Greenville, KAENRATH of South Portland, KENT of Woolwich, KESCHL of Belgrade, KNAPP of Gorham, KNIGHT of Livermore Falls, KRUGER of Thomaston, KUMIEGA of Deer Isle, LAJOIE of Lewiston, LIBBY of Waterboro, LONG of Sherman, LONGSTAFF of Waterville, LOVEJOY of Portland, LUCHINI of Ellsworth, MacDONALD of Boothbay, MAKER of Calais, MALABY of Hancock, MALONEY of Augusta, MARTIN of Eagle Lake, MAZUREK of Rockland, McCABE of Skowhegan, McCLELLAN of Raymond, McFADDEN of Dennysville, McKANE of Newcastle, MITCHELL of the Penobscot Nation, MORISSETTE of Winslow, MORRISON of South Portland, MOULTON of York, NASS of Acton, NELSON of Falmouth, NEWENDYKE of Litchfield, Speaker NUTTING of Oakland, O'BRIEN of Lincolnville, O'CONNOR of Berwick, OLSEN of Phippsburg, PARKER of Veazie, PARRY of Arundel, PEOPLES of Westbrook, PETERSON of Rumford, PICCHIOTTI of Fairfield, PILON of Saco, PLUMMER of Windham, PRESCOTT of Topsham, PRIEST of Brunswick, RANKIN of Hiram, RICHARDSON of Carmel, RICHARDSON of Warren, RIOUX of Winterport, ROCHELO of Biddeford, ROSEN of Bucksport, ROTUNDO of Lewiston,

RUSSELL of Portland, SANBORN of Gorham, SANDERSON of Chelsea, SARTY of Denmark, SHAW of Standish, SIROCKI of Scarborough, SOCTOMAH of the Passamaquoddy Tribe, STEVENS of Bangor, STRANG BURGESS of Cumberland, STUCKEY of Portland, THERIAULT of Madawaska, TILTON of Harrington, TIMBERLAKE of Turner, TREAT of Hallowell, TURNER of Burlington, TUTTLE of Sanford, VALENTINO of Saco, VOLK of Scarborough, WAGNER of Lewiston, WATERHOUSE of Bridgton, WEAVER of York, WEBSTER of Freeport, WELSH of Rockport, WILLETTE of Mapleton, WILLETTE of Presque Isle, WINSOR of Norway, WINTLE of Garland, WOOD of Sabattus), the following Joint Resolution:
S.P. 475

**JOINT RESOLUTION
DESIGNATING THE WEEK OF APRIL 25, 2011 LOCAL
SCHOOL BOARD RECOGNITION WEEK**

WHEREAS, school boards are charged under law with the all-important responsibility of being accountable for the education of Maine children in order to prepare them for a rewarding and productive future; and

WHEREAS, school boards must articulate a vision and direction for their school districts, set high academic standards and approve the hiring of qualified staff most capable of making that vision a reality; and

WHEREAS, school boards must adopt a budget that balances student needs with the community's ability to pay and advocate for passage of that budget to ensure adequate funding to provide all children with the opportunity to learn; and

WHEREAS, all of these responsibilities and more are done by volunteer board members, who put in countless hours in meetings and in the community advocating for their schools, representing the interests of children, parents and all citizens of the district and preserving the valued tradition of local control over kindergarten to grade 12 public education; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-fifth Legislature now assembled in the First Regular Session, on behalf of the people we represent, take this opportunity to designate the week of April 25, 2011 as Local School Board Recognition Week, and we encourage local school districts and community leaders to appropriately recognize dedicated school board members across the State.

READ.

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

Senator **LANGLEY:** Thank you Mr. President. Men and women of the Senate, I rise today to recognize a group of unsung heroes who today are known as our school boards. Today's school boards are made up of citizens who have taken the plunge into public service with one focus; to provide the best possible education to our youth. It is often a thankless job, taking up far more time than the monthly public meeting would suggest. The job is incredibly difficult in the best of times and has become nearly impossible in today's economy. As legislators we have

tough decisions to make, knowing our actions have consequences for our citizens. Our school boards make decisions with the unenviable position of trying to do more with less and with pressure coming from every conceivable angle. They do all this with little or no recognition. Today, on behalf of the men and women of the Senate, I would like to publicly thank our school boards across this great state of Maine. Thank you.

On motion by Senator **LANGLEY** of Hancock, the Joint Resolution was **ADOPTED**.

Sent down for concurrence.

On motion by Senator **GOODALL** of Sagadahoc (Cosponsored by Representative **PRESCOTT** of Topsham and Senators: **GERZOFKY** of Cumberland, **MASON** of Androscoggin, President **RAYE** of Washington, Representatives: **BERRY** of Bowdoinham, **CLARKE** of Bath, **CORNELL** du **HOUX** of Brunswick, **CRAFTS** of Lisbon, **ESPLING** of New Gloucester, **FOSEL** of Alna, **KENT** of Woolwich, **MacDONALD** of Boothbay, **OLSEN** of Phippsburg, **PRIEST** of Brunswick, **WEBSTER** of Freeport) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 214.), the following Joint Resolution:

S.P. 476

**JOINT RESOLUTION
MEMORIALIZING THE UNITED STATES SECRETARY OF
DEFENSE NOT TO CLOSE THE COMMISSARY AND
EXCHANGE AT NAVAL AIR STATION BRUNSWICK**

WE, your Memorialists, the Members of the One Hundred and Twenty-fifth Legislature of the State of Maine now assembled in the First Regular Session, most respectfully present and petition the United States Secretary of Defense as follows:

WHEREAS, at least 300 active duty personnel will remain in service within a 20-mile radius of Naval Air Station Brunswick; and

WHEREAS, United States Department of Defense policy states that commissaries and exchanges are an integral element of the pay and benefit package for active duty personnel; and

WHEREAS, the Defense Commissary Agency states that commissaries provide a military family an average annual savings of \$4,000; and

WHEREAS, commissaries and exchanges improve the quality of life of military families and positively affect military retention and recruitment; and

WHEREAS, based on Defense Eligibility Enrollment Reporting System data, more than 11,000 eligible patrons will reside within 20 miles of the site of Naval Air Station Brunswick; and

WHEREAS, we recognize the enormous sacrifices our active duty military members make, and military retirees have made, and it is extremely important to the citizens of Maine to maintain and improve the morale and welfare of these groups; and

WHEREAS, there is no other commissary or exchange within 20 miles or a 30-minute drive of Naval Air Station Brunswick; and

WHEREAS, sales at the exchange are projected to increase once the Armed Forces Reserve Center opens in Brunswick in 2012; and

WHEREAS, the local reuse committee is willing to rent space for the commissary at an affordable rate; and

WHEREAS, an exchange and commissary complement the plan of the local reuse committee and have the strong support of the surrounding communities; now, therefore, be it

RESOLVED: That We, your Memorialists, respectfully urge and request that the United States Department of Defense keep the exchange and commissary at Naval Air Station Brunswick open until such time as a suitable alternative for those personnel who depend upon them is available; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable Robert Gates, Secretary of Defense, and to each Member of the Maine Congressional Delegation.

READ.

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

Senator **GOODALL:** Thank you Mr. President. Men and women of the Senate, I rise today in support of the Joint Resolution memorializing the Secretary of Defense not to close the commissary and military exchange at the Brunswick Naval Air Station. This is an extremely important facility to the entire state of Maine, especially the mid-coast region. There are over 11,000 eligible patrons that reside within 20 miles of the Brunswick Naval Air Station. Commissaries nationwide provide an average savings of \$4,000 to military families on average each year. This plays an integral role in keeping military retirees and families in the district, in the region, and in our great state. In addition to that it is important to note that our federal delegation has been working to make sure that this stays open for our military families and the people of the state of Maine. I urge you to support this and do whatever you can to work with our federal delegation to make sure that the Secretary of Defense keeps this open.

THE PRESIDENT PRO TEM: The Chair recognizes the Senator from Kennebec, Senator McCormick.

Senator **McCORMICK:** Thank you Mr. President. Men and women of the Senate, I rise this morning to thank the Senator from Sagadahoc, Senator Goodall, for sponsoring this Joint Resolution. As someone who is eligible for and uses the commissary at the Brunswick Naval Air Station, I fully support any encouragement we can provide to our Congressional delegation to keep this facility open. We all have constituents who are friends, neighbors, or family members who will be affected by this closing. I encourage your strong support. Thank you, Mr. President.

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

Senator **FARNHAM:** Thank you Mr. President. Members of the Senate, I'm also a regular shopper at a commissary. This one is in the Bangor area at the Air National Guard base. I also understand the importance of the commissary to our military population and will also support this Joint Resolution.

On motion by Senator **GOODALL** of Sagadahoc, the Joint Resolution was **ADOPTED**.

Sent down for concurrence.

Off Record Remarks

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

REPORTS OF COMMITTEES

Senate

Ought to Pass

Senator MASON for the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Allow for Timely Credit for Driver's License Suspensions Imposed by a Court"
S.P. 178 L.D. 595

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator WHITTEMORE for the Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Terminate the Authorization of the Maine Self-Insurance Guarantee Association To Serve as a Statistical Advisory Organization for Self-insurers"
S.P. 221 L.D. 731

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator WHITTEMORE for the Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Amend the Maine Consumer Credit Code Regarding Interest Charged on Deferred Payments"

S.P. 279 L.D. 891

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator WHITTEMORE for the Committee on **INSURANCE AND FINANCIAL SERVICES** on Resolve, To Direct the Bureau of Consumer Credit Protection To Recommend Changes to Credit Reporting Laws Concerning Paid Debts

S.P. 364 L.D. 1243

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator RECTOR for the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Clarify the Scope of Maine's Franchise Laws for Dealers of Power Equipment, Machinery and Appliances" (EMERGENCY)
S.P. 96 L.D. 316

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Ought to Pass As Amended

Senator TRAHAN for the Committee on **TAXATION** on Bill "An Act To Create the Maine Fishery Infrastructure Tax Credit Program"

S.P. 125 L.D. 421

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-42)**.

Report **READ**.

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

Senator **HOBBS:** Thank you Mr. President. May I pose a question through the Chair?

THE PRESIDENT PRO TEM: The Senator may pose his question.

Senator **HOBBS:** Thank you Mr. President. I'd like to ask through the Chair whether or not a fiscal note is required with respect to L.D. 421?

THE PRESIDENT PRO TEM: The Senator from York, Senator Hobbins poses a question through the Chair to anyone who may wish to answer. The Chair recognizes the Senator from Lincoln, Senator Trahan.

Senator **TRAHAN:** Thank you Mr. President. The answer to that question is yes. I did go down to the Fiscal Office just a few minutes ago and did get a hand-delivered fiscal note. It is in 2011 and 2012 \$106, 875. Fiscal year 2012 - 2013 \$142,500.

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

Senator COLLINS for the Committee on **TRANSPORTATION** on Bill "An Act Relating to Indemnity Agreements in Motor Carrier Transportation Contracts"

S.P. 216 L.D. 727

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-43)**.

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

READ ONCE.

Committee Amendment "A" (S-43) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator COLLINS for the Committee on **TRANSPORTATION** on Bill "An Act To Continue the Axle Fine Waiver during the Midwinter Season"

S.P. 240 L.D. 796

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-40)**.

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

READ ONCE.

Committee Amendment "A" (S-40) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senate at Ease.

Senate called to order by President Pro Tem **THOMAS H. MARTIN, JR.** of Kennebec County.

Off Record Remarks

Divided Report

The Majority of the Committee on **TAXATION** on Bill "An Act To Provide an Income Tax Credit for Logging Companies That Hire Maine Residents"

S.P. 100 L.D. 338

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

Signed:

Senators:

TRAHAN of Lincoln
WOODBURY of Cumberland

Representatives:

KNIGHT of Livermore Falls
BENNETT of Kennebunk
BICKFORD of Auburn
BURNS of Alfred
HARMON of Palermo
WATERHOUSE of Bridgton

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-41)**.

Signed:

Representatives:

BERRY of Bowdoinham
BRYANT of Windham
FLEMINGS of Bar Harbor
PILON of Saco

Reports **READ**.

Senator **TRAHAN** of Lincoln moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

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

THE PRESIDENT PRO TEM: The Chair recognizes the Senator from Aroostook, Senator Jackson.

Senator **JACKSON:** Thank you Mr. President. Ladies and gentlemen of the Senate, I would encourage you to vote against the pending motion. We've had a lot of discussion on this in past sessions and not too long ago in this session. There is a group of people that think that it is hard to get Maine workers to do these jobs even though there is an extremely high unemployment rate and an even higher unemployment rate in the logging industry. As I've said before, I don't believe this is a case of the jobs being too far away. This is a case of companies just wanting to hire their countrymen. This bill would give them an incentive to hire Maine workers. We do this in a lot of other industries, as we've seen in the past. I guess with all this debate about residency for welfare recipients and stuff like that, how it's not thought of as a very good thing, it seems like a lot of people are pushing for Maine residence on a lot of other different issues. I certainly would think we would want to do everything we could to make sure that Maine residents are hired in this field. This would be a very small encouragement to do that. Like I said, with everything else going on I think this Body is doing everything it can to create Maine jobs and this bill would do that. I would ask you to vote against the pending motion.

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

Senator **TRAHAN:** Thank you Mr. President. Ladies and gentlemen of the Senate, I rise not to ask you to vote against loggers but maybe to vote for a little bit better process and a little bit better policy when it comes to encouraging Maine logging companies to hire Maine loggers. I just want to give you a brief description, from being a logger and from my perspective, of the issue at hand. That is a regional issue between Canadian and American workers in Northern Maine. I think all of us would sympathize and want Maine companies to hire Maine loggers and for all the jobs to go to Maine loggers. I'm one of them. I don't think this bill accomplishes that goal. It is just a very small credit per employee. I think we need to understand what the driving costs are for these companies that would hire Canadian or American loggers. It isn't the need for a credit. It's the cost of fuel. It's the long transportation costs from harvesting the wood and getting it to the mills. Obviously there is an advantage to the Canadians because they have a shorter distance to travel. Secondly there are the Workers' Comp rates that are outrageous for the logging companies. If we really want to do something to encourage American companies to hire American loggers we need to do something to drive those Workers' Comp rates down. There is the issue of mills being very reluctant to offer up bonuses at the time of high fuel cost to companies that hire American workers. There are issues like the cost of equipment. If you think a \$250 credit is going to do anything for a company that has \$2 million invested in their equipment, sadly, I think you are going to be mistaken. I have reached out to the Senator from Aroostook not too long ago and I said if he was willing to work with me we could try to put together a comprehensive package to try to create incentives to hire American workers. He has not reached back. I did not make that offer casually. I made it as a suggestion to reach across the aisle and work on a common interest and I did not get anything in return. I do think that all of us want the same thing. It's just that I think this small item is not going to get the job

done but if people are willing to work on the bigger picture, work together, I think we could do something to make this a better situation for American companies. Thank you, Mr. President.

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

Senator **SULLIVAN:** Thank you Mr. President. Men and women of the Senate, first I think I'd like to pose a question through the Chair, if I may?

THE PRESIDENT PRO TEM: The Senator may pose her question.

Senator **SULLIVAN:** Thank you Mr. President. I've heard the Senator from Aroostook say that this is not the first time on the Senate agenda. I would agree with that. I know very little about logging but I know I've heard it more than once on this particular issue. I also heard that we need to have a better process. I'm just curious, if we have had this more than one session why have we not done a process to fix the problem? Why do we wait every year and start over again from scratch? That would be the question.

THE PRESIDENT PRO TEM: The Senator from York, Senator Sullivan poses a question through the Chair to anyone who may wish to answer. The Chair recognizes the Senator from Lincoln, Senator Trahan.

Senator **TRAHAN:** Thank you Mr. President. In answer to that question, we have had a process by which the Senator from Aroostook and I both served on a committee to try to address this issue. Unfortunately I was a Minority Party member and I really couldn't influence a lot of what happened during those discussions but I can tell you that we are both on the same page with trying to bring American jobs cutting in our woods. There was a process. What I, again, would stress to you is that I reached out and was willing to go down that road of trying to work together to come up with something more significant and I'm still waiting.

THE PRESIDENT PRO TEM: The Chair recognizes the Senator from Aroostook, Senator Jackson.

Senator **JACKSON:** Thank you Mr. President. Ladies and gentlemen of the Senate, I'm not sure. I certainly don't want to say anything that would upset anyone. I really don't know what else I'm supposed to do. I've put in numerous bills on this issue. This bill was in front of Taxation. The original bill was for a \$2,500 tax credit and that was rejected. I don't know if it is the amount of how much it is or anything like that. I don't think anyone in here doesn't know what a huge issue this is for me and what a huge issue it is for my district. I really don't know what else I'm supposed to do with reaching out. We've had bills that would fix or resolve this issue and everyone says it's a problem but this is not the right bill. I'm out of ideas. I don't know what else to do. I know it's a problem. I know that there are people in Northern Maine, I think not only Northern Maine but Western Maine and all over Maine, that are missing jobs because it's cheaper to hire Canadians. We can fiddle around and carry on and all that, but it is the simple truth. We heard in the other Body last week that the reason why we need this program is because it

keeps wages down. That was said on the floor, it keeps wages down. It was said by an attorney. If anyone should know the law an attorney should know the law. The bonded labor program says that you cannot adversely affect wages and working conditions of American workers. This law does. There are people that adversely affected all the time because they can't get work. Don't tell me that people are reaching out. If somebody has a better idea then present it because I've gone as far as I can with this. I'm such a big idiot that I actually blocked the border for a week, protesting the use of this program. I don't know what else to do. There it is. If you've got a better idea please help me because I don't know. I've tried everything that I know of.

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

Senator **SULLIVAN:** Thank you Mr. President. I'm somewhat concerned that we've heard, "Well, I wasn't in the Majority Party, the Minority Party." I'm in the Minority Party now. I think I'm equally as effective. Some of you may say non-effective, but which ever you choose to believe it's equal whether I was on this side of the aisle or that side of the aisle. I believe that good government comes when we both sit down and work things out. That does not mean I'm the one in power so I want everything and I'm going to insist on it. We have a problem with Maine workers, Maine workers. It's sad when people can bring complete homes and travel them down our roads from Canada, already built, and set them up. It is cheaper. In fact, a neighbor four times removed, sort of like cousins, has a house that he actually brought down from Canada because it was cheaper. I'm hearing, "Well, this is just a small amount. There's fuel cost and there's equipment cost." You know what? I have that in my home and I would be happy to take anything, even that little tiny bit of tax break. We're trying here. I have watched this young man from Aroostook struggle. These are his people. He is part of them. I resent hearing one party or the other has blocked it. A good committee will work on something and come up with a compromise in the committee. I've seen my own Chairs struggle to work with me, God love both of you. We need to handle this. You want to make government more efficient? Let's not bring the same issues up over and over again. Let's put our best heads together and let's come up and do something that helps Aroostook, Maine, because you and I all pay for that. Wherever you live we take care of Aroostook. That's family. If this bill isn't right then send it back to the committee and make them come up with something. It's time we move forward and not continue to debate these issues over and over and over again and blame each other one way or the other. Personalities cannot come into play. Listen, my husband and I have been married 32 years. Let me tell you, he made a lot of compromises to put up with me, but we worked them out. This bill has been before us and there are too many Maine people waiting for us to do something. I would love to see a motion putting this back and recommitting it to committee and coming out with something everybody can live with. Put a sunset on it. Find something and make sure we do something in this area. Thank you.

THE PRESIDENT PRO TEM: The Chair recognizes the Senator from Somerset, Senator Thomas.

Senator **THOMAS:** Thank you Mr. President. Ladies and gentlemen of the Senate, we were off last week and I talked to

one of the contractors that cuts the wood that I process. He is absolutely unable to hire American workers. He has advertised and advertised in the paper. He's done everything that he can. He has been a person that has hired some of these bonded Canadians because that is the only way he can get this equipment to work so that he can pay for it. The Canadians that he's been hiring are done playing the games. They are going back home. They have found work up there. He's put that equipment up for sale. We're going to have mills that aren't going to have wood because we can't seem to get it right and we want to play games here in Augusta. It's time that we stopped playing games. It's time we start letting the market work the way it should so we can supply these mills and keep Maine workers working down here. Thank you.

THE PRESIDENT PRO TEM: The Senator from Lincoln, Senator Trahan, requests unanimous consent of the Senate to address the Senate a third time on this matter. Hearing no objection, the Senator may proceed.

Senator **TRAHAN:** Thank you Mr. President. Ladies and gentlemen of the Senate, I just wanted to rise briefly to talk about a little bit or address the outrage that I've heard in the previous speakers on the side of the so called American workers. There is nobody in this Chamber that I've talked to or people that I know of that don't support American workers but it is not as easy as the previous speakers have made it out to be. We're dealing with two different countries. We have agreements at the federal level. We have federal laws that we have to deal with. It's not as easy as just saying we're going to hire American workers. We have to deal with those federal issues. To be honest with you, it'd be nice if we could just waive all that federal law but it's not going to happen here. To think that any of us are trying to make it easier to hire Canadian workers is just not true and I want to object to that. Secondly, I want to address what can we do? Well I believe the issues, regionally, for this area where the Senator from Aroostook is trying to create jobs is transportation and the location of both the mills and where the wood is that needs to be harvested. What we could do, and what I was interested in talking with him about, is try to create a package that addresses the high cost of Workers' Comp, addresses transportation issues, and we could use the tax code to do that. I just wanted to make sure that whatever we did was constitutional, did not violate any of those federal agreements. I was interested in reaching out to the Congressional Delegation, both the House members and the Senate members, to work with us to discuss possibly what we could do for incentive packages to neutralize the subsidies that the Canadians get. I think one of our biggest issues that hasn't been mentioned is the cost of health insurance. When you are dealing with a socialized country with its own health care system that is provided free to its employees and to its citizens, we are at a serious disadvantage when it comes to health care. There are some federal tax credits that are allowed in health care for small businesses that might be applied in this case. There is a whole array of issues that we could look at but I think that to stand in outrage may look good or sound good here or in the newspapers but it doesn't address the fundamental policy issues that need to be addressed to get to the place the previous speakers want to be, and that is on an even playing field. It might surprise some of you that I'm not a NAFTA supporter. I don't believe we'll ever have free trade until all countries play off an even playing field. These national agreements that are pushed at the federal level do

nothing to help our companies or our workers. If folks want to reach out, which I have already indicated I wanted to, we could have a broader discussion in creating a formal way to do that, I am in support of. I just want folks here, folks that are listening and watching on the internet, to know that there is no discrepancy between anyone here. We all want American workers and we all want them to benefit from jobs here. Thank you, Mr. President.

THE PRESIDENT PRO TEM: The Senator from Aroostook, Senator Jackson, requests unanimous consent of the Senate to address the Senate a third time on this matter. Hearing no objection, the Senator may proceed.

Senator **JACKSON:** Thank you Mr. President. Ladies and gentlemen of the Senate, I just find that all this talk of smaller government, less regulation, letting the free market work, and here we are debating a program that does not let the free market work. I would like to have names of companies that can't find American workers to do these jobs because I've heard that a lot and I know a lot of people that have filed applications with some of these so-called companies that can't find American workers. Everything that you could think of was done to reject those. I spoke on this floor last year. Thirteen different companies I filed applications to. Nine I didn't get any response, zero response from. The other four sent me on goose chases to do skills tests on equipment that I have run for 22 years all over Northern Maine. The other thing, last year there was 36 companies that were applying for alien certification under the H-2A program. Twenty-eight of them listed their place of business as Quebec. It's Quebec people hiring their countrymen, their brothers, their cousins. I don't blame them. I would do the same thing if I had a Maine business. I would hire people that were from my town and people that I knew. I understand very well why they do it and I don't blame them for it. It's illegal and it's wrong and it doesn't do anything to help the state of Maine. The argument, it's infuriating and forgive me if I came off anyway but it infuriates me to hear about how it's so far and all that. In less than an hour I can be in St. Pamphile from my house. I've worked all over this state logging and an hour's drive I will do every day of the week. That doesn't bother me at all. I can be in Canada in an hour. I can be in Quebec in an hour. New Brunswick, I can throw a rock across the river and hit it. That argument, for all the people that I know and represent, is totally false. It's too far. As a matter of fact, there is a State lot that's about from here to Applebee's from my house. A couple of years ago there were Canadians cutting on that. That was for the State. Don't make that argument that it's too far. The simple fact is that it's Canadians hiring Canadians to come to Maine to cut our wood and most often send it back to Canada. You can't get in there. You can't break into that. There is just absolutely no way that they want you there and they've done everything they can to discourage Maine people from taking those jobs. Like I said, was heard in the other Body last week, sound bites or not, but it was finally the truth. It keeps the prices down. That's the way at least some people in this state want the program to continue.

On motion by Senator **COURTNEY** of York, **TABLED** until Later in Today's Session, pending the motion by Senator **TRAHAN** of Lincoln to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report. (Roll Call Ordered)

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

SECOND READERS

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

House

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

Resolve, To Leverage Federal Opportunities for Job Creation in Maine
H.P. 506 L.D. 679

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

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

House As Amended

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

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

Resolve, Directing the Department of Health and Human Services To Complete the Redesign of a Shared Living Program for Adults with Intellectual Disabilities (EMERGENCY)
H.P. 302 L.D. 376
(C "A" H-81)

Bill "An Act To Allow the Transfer of Whitewater Rafting Allocations When Water Levels in a River Are Not Suitable for Whitewater Rafting" (EMERGENCY)
H.P. 304 L.D. 378
(C "A" H-75)

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

RESOLUTION, Proposing an Amendment to the Constitution of
Maine To Change the Schedule for Redistricting
H.P. 387 L.D. 494
(C "A" H-76)

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

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

Senate As Amended

Bill "An Act To Improve Harbor Safety by Clarifying Requirements
for Maintenance Dredging Permits"

S.P. 91 L.D. 311
(C "A" S-30)

Bill "An Act Relating to the Status of a Private Investigator as an
Independent Contractor"

S.P. 95 L.D. 315
(C "A" S-38)

Bill "An Act To Appropriate Funds for the Maine Downtown
Center"

S.P. 176 L.D. 584
(C "A" S-37)

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

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

**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.

Senate at Ease.

Senate called to order by President Pro Tem
THOMAS H. MARTIN, JR. of Kennebec County.

ORDERS OF THE DAY

Unfinished Business

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

The Chair laid before the Senate the following Tabled and Later
(4/14/11) Assigned matter:

Bill "An Act To Require the State To Transfer Employee Pension
Premium Payments to the Employee's Pension Plan within 2
Business Days"

S.P. 462 L.D. 1481

Tabled - April 14, 2011, by Senator **ALFOND** of Cumberland

Pending - motion by Senator **COURTNEY** of York to **REFER** to
the Committee on **STATE AND LOCAL GOVERNMENT**

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

On motion by Senator **COURTNEY** of York, **REFERRED** to the
Committee on **STATE AND LOCAL GOVERNMENT.**

Sent down for concurrence.

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Amend the Sex Offender Registration Laws"
H.P. 1117 L.D. 1514

Presented by Representative **HASKELL** of Portland.
Cosponsored by Senator **GERZOFISKY** of Cumberland and
Senators: **MASON** of Androscoggin, **WHITTEMORE** of Somerset,
Representatives: **BLODGETT** of Augusta, **BURNS** of Whiting,
CLARKE of Bath, **HANLEY** of Gardiner, **PLUMMER** of Windham,
SANDERSON of Chelsea.

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

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

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act Regarding Information Provided to Consumers by Competitive Electricity Providers"

H.P. 1113 L.D. 1510

Presented by Representative FITTS of Pittsfield.
Submitted by the Public Utilities Commission pursuant to Joint Rule 204.

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

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

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Impose a Lifetime Maximum on the Receipt of Welfare Benefits"

H.P. 1114 L.D. 1511

Presented by Representative GUERIN of Glenburn.
Cosponsored by Representatives: BICKFORD of Auburn, EDGECOMB of Caribou, ESPLING of New Gloucester, MORISSETTE of Winslow, O'CONNOR of Berwick, OLSEN of Phippsburg, SIROCKI of Scarborough.

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

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

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Enhance Enforcement of Fish and Game Laws By Authorizing Maine To Enter into an Interstate Wildlife Violator Compact"

H.P. 1112 L.D. 1509

Presented by Representative SARTY of Denmark.
Cosponsored by Senators: MARTIN of Kennebec, TRAHAN of Lincoln, Representatives: CLARK of Millinocket, DAVIS of Sangerville, EBERLE of South Portland, GUERIN of Glenburn, SHAW of Standish, WOOD of Sabattus.
Submitted by the Department of Inland Fisheries and Wildlife pursuant to Joint Rule 204.

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

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

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act Regarding Service Contracts"

H.P. 1109 L.D. 1507

Presented by Representative CUSHING of Hampden.
Cosponsored by Senator PLOWMAN of Penobscot and Representatives: CURTIS of Madison, FITTS of Pittsfield, KNIGHT of Livermore Falls, McCLELLAN of Raymond, MORISSETTE of Winslow, RICHARDSON of Warren.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

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

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Ensure Cultchless American Oyster Growers Licenses Are Issued by the Department of Marine Resources Only to Individuals Who Are Growers of American Oysters" (EMERGENCY)

H.P. 1110 L.D. 1508

Presented by Representative WEBSTER of Freeport.
Cosponsored by Senator GERZOFKY of Cumberland and Representative: WEAVER of York.

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

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

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

PAPERS FROM THE HOUSE

On motion by Senator **COURTNEY** of York, **ADJOURNED** to Wednesday, April 27, 2011, at 10:00 in the morning.

House Paper

Bill "An Act To Ensure That the State Is in Compliance with Certain Federal Motor Carrier Safety Regulations"
H.P. 1115 L.D. 1512

Presented by Representative CEBRA of Naples.
Submitted by the Department of Public Safety pursuant to Joint Rule 204.

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

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

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Clarify the Maine State Lottery Agent Licensing Process"
H.P. 1116 L.D. 1513

Presented by Representative CAREY of Lewiston.
Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.

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

REFERRED to the Committee on **VETERANS AND LEGAL AFFAIRS** and ordered printed, in concurrence.

Off Record Remarks

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

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

Off Record Remarks
