

# MAINE STATE LEGISLATURE

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Senate Legislative Record  
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State of Maine

Daily Edition

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The appointment of Representative Aaron F. Libby of Waterboro to the Joint Standing Committee on Energy, Utilities and Technology was rescinded and Representative Philip A. Curtis of Madison was appointed to the Joint Standing Committee on Energy, Utilities and Technology.

The appointment of Representative Sara R. Stevens of Bangor to the Joint Standing Committee on Appropriations and Financial Affairs was rescinded and Representative Emily Ann Cain of Orono was appointed to the Joint Standing Committee on Appropriations and Financial Affairs.

Should you have any questions please do not hesitate to contact me.

Sincerely,

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

**READ and ORDERED PLACED ON FILE.**

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#### ORDERS OF THE DAY

The Chair laid before the Senate the following Tabled and Later (4/11/12) Assigned matter:

HOUSE REPORT - from the Committee on **JUDICIARY**, pursuant to the Maine Revised Statutes, Title 1, section 94, on Bill "An Act To Correct Errors and Inconsistencies in the Laws of Maine" (EMERGENCY)

H.P. 1383 L.D. 1868

Report - **Ought to Pass as Amended by Committee Amendment "A" (H-928)**

Tabled - April 11, 2012, by Senator **HASTINGS** of Oxford

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

(In House, April 10, 2012, Report **READ** and **ACCEPTED** and Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-928)**.)

(In Senate, April 11, 2012, Report **READ**.)

Report **ACCEPTED**, in concurrence.

**READ ONCE.**

Committee Amendment "A" (H-928) **READ**.

On motion by Senator **HASTINGS** of Oxford, Senate Amendment "B" (S-566) to Committee Amendment "A" (H-928) **READ**.

**THE PRESIDENT PRO TEM:** The Chair recognizes the Senator from Oxford, Senator Hastings.

Senator **HASTINGS:** Thank you Mr. President. Ladies and gentlemen, when the Errors Bill hits the floor it's the sign that

things are nearly wrapped up. I am going to present a few amendments to the bill. I will explain them briefly. I am going to start off by saying the Judiciary Committee has, for my entire eight years here, under Senator Hobbins, under Senator Bliss, and now under my Chairmanship has done its best to avoid sneaking anything that would be considered substantive or that should have gone through the process elsewhere. I think have cured the Bodies of the habit of trying to use the Errors Bill for that. That being said, these amendments will be of low level substance. This amendment does a lot. It deletes a comma. It deletes one comma from a bill that we all passed earlier this year, which allows emergency responders who are from out-of-state and who come into Maine to help to be absolved from certain fees. They were intended to be absolved from unemployment insurance taxes while they were here. The bill as pass, though, had a comma after "unemployment insurance" so it said that they were excused from "unemployment insurance, taxes." You could read that to say that they were excused from all taxes. The intent was to excuse them from unemployment insurance tax. The committee has indicated to us that they unanimously are in agreement that they made a mistake and that they would like that corrected. That's what this amendment does. Thank you very much, Mr. President.

On motion by Senator **HASTINGS** of Oxford, Senate Amendment "B" (S-566) to Committee Amendment "A" (H-928) **ADOPTED**.

On further motion by same Senator, Senate Amendment "D" (S-585) to Committee Amendment "A" (H-928) **READ**.

**THE PRESIDENT PRO TEM:** The Chair recognizes the Senator from Oxford, Senator Hastings.

Senator **HASTINGS:** Thank you Mr. President. This amendment is even easier. It deletes from the Errors Bill, as was initially presented to the Body, certain sections which were fixed, if you will. The Errors Bill was fixed in the last supplemental budget that we passed. The sections that should have been corrected, I think, were taken out in that budget. Anyhow, this section of the Errors Bill is not necessary any longer. This amendment simply deletes that from the Errors Bill. Thank you.

On further motion by same Senator, Senate Amendment "D" (S-585) to Committee Amendment "A" (H-928) **ADOPTED**.

On further motion by same Senator, Senate Amendment "E" (S-586) to Committee Amendment "A" (H-928) **READ**.

**THE PRESIDENT PRO TEM:** The Chair recognizes the Senator from Oxford, Senator Hastings.

Senator **HASTINGS:** Thank you Mr. President. Men and women of the Senate, you can see the excitement we have in the Judiciary Committee when we go through the Errors Bill. We get to do this about 55 times. This amendment is really all about mahogany cohogs and mussels. This Body and the entire Legislature earlier this session unanimously, as an emergency, adopted regulations that streamlined the process by which the Department of Marine Resources can close contaminated shellfish flats. Much to the consternation of the Marine Resources Committee, they have since discovered that the definition of shellfish used in that law left out mahogany cohogs

and mussels. This amendment to Errors Bill will include those two creatures into the definition of shellfish in the emergency legislation that we passed earlier this year. Thank you.

On further motion by same Senator, Senate Amendment "E" (S-586) to Committee Amendment "A" (H-928) **ADOPTED**.

Committee Amendment "A" (H-928) as Amended by Senate Amendments "B" (S-566); "D" (S-585) and "E" (S-586) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-928) AS AMENDED BY SENATE AMENDMENTS "B" (S-566); "D" (S-585) AND "E" (S-586)** thereto, in **NON-CONCURRENCE**.

Ordered sent down forthwith 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 Making Supplemental Appropriations and Allocations from the Highway Fund for the Expenditures of State Government To Address Revenue Shortfalls Projected for the Fiscal Years Ending June 30, 2012 and June 30, 2013" (EMERGENCY)  
H.P. 1420 L.D. 1916

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

Committee on **TRANSPORTATION** suggested and ordered printed.

Comes from the House, under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, without reference to a Committee.

Under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, without reference to a Committee, in concurrence.

Ordered sent forthwith to the Engrossing Division.

Senate at Ease.

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

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

The President Pro Tem requested the Sergeant-At-Arms escort the Senator from Washington, Senator **RAYE** to the rostrum where he resumed his duties as President.

The Sergeant-At-Arms escorted the Senator from York, Senator **COURTNEY** to his seat on the floor.

Senate called to order by the President.

Off Record Remarks

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

Off Record Remarks

**RECESSED** until the sound of the bell.

After Recess

Senate called to order by the President.

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

**PAPERS FROM THE HOUSE**

**Non-Concurrent Matter**

Bill "An Act To Make Supplemental Appropriations and Allocations for the Expenditures of State Government and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2012 and June 30, 2013" (EMERGENCY)

S.P. 600 L.D. 1746  
(S "H" S-587; S "J" S-589  
to C "A" S-572)

In Senate, May 15, 2012, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-572) AS AMENDED BY SENATE AMENDMENTS "H" (S-587) AND "J" (S-589)** thereto.

Comes from the House, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-572) AS AMENDED BY SENATE AMENDMENTS "H" (S-587) AND "J" (S-589) AND HOUSE AMENDMENT "L" (H-974)** thereto, in **NON-CONCURRENCE**.