

MAINE STATE LEGISLATURE

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One Hundred and Twenty-Fifth Legislature

State of Maine

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THE PRESIDENT: The pending question before the Senate is the motion by the Senator from York, Senator Collins to Accept the Minority Ought to Pass as Amended Report. A Roll Call has been ordered. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#17)

YEAS: Senators: COLLINS, COURTNEY, HASTINGS, LANGLEY, MARTIN, MASON, MCCORMICK, PLOWMAN, RECTOR, SAVIELLO, SCHNEIDER, SHERMAN, SNOWE-MELLO, THIBODEAU, THOMAS, TRAHAN, WHITTEMORE, THE PRESIDENT - KEVIN L. RAYE

NAYS: Senators: ALFOND, BARTLETT, BLISS, BRANNIGAN, CRAVEN, DIAMOND, FARNHAM, GERZOFOSKY, GOODALL, HILL, HOBBS, JACKSON, KATZ, PATRICK, ROSEN, SULLIVAN, WOODBURY

18 Senators having voted in the affirmative and 17 Senators having voted in the negative, the motion by Senator COLLINS of York to **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-4)** Report, **PREVAILED.**

READ ONCE.

Committee Amendment "A" (S-4) **READ** and **ADOPTED.**

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

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

SECOND READERS

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

House As Amended

Bill "An Act To Amend the Laws Governing the Maine Potato Board" (EMERGENCY)

H.P. 34 L.D. 41
(C "A" H-5)

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

Senate

Bill "An Act To Extend a Deadline under the Regional Economic Development Revolving Loan Program" (EMERGENCY)
S.P. 167 L.D. 575

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

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:

Acts

An Act Related to Family Law Magistrates
H.P. 32 L.D. 39

An Act To Allow Marriage and Family Therapists To Serve as Mental Health Professionals in the Civil Service System
H.P. 39 L.D. 46

An Act To Repeal the Sunset on the Law Relating to the Landing of Dragg Crabs
S.P. 40 L.D. 85

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

Senate at Ease.

Senate called to order by the President.

ORDERS OF THE DAY

Unfinished Business

The following matters 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 (3/1/11) Assigned matter:

Bill "An Act To Assist Nonprofit Corporations Harmed by a Casino"
S.P. 249 L.D. 846

Tabled - March 1, 2011, by Senator **FARNHAM** of Penobscot

Pending - REFERENCE

(Committee on **VETERANS AND LEGAL AFFAIRS** suggested and ordered printed.)

Senator **COURTNEY** of York posed a parliamentary inquiry as to whether this Bill was **PROPERLY BEFORE THE BODY**.

THE CHAIR MADE THE FOLLOWING RULING

A question has been posed to the Chair as to whether L.D. 846 is properly before this Body, in light of Article 4, Part 3, Section 9 of the Maine Constitution. The Chair will answer in the negative. L.D. 846 is not properly before this Body. The principal sponsor of L.D. 846 is the Senator from Oxford, Senator Patrick. L.D. 846 requires that 2% of the revenue from gaming activities go into a casino remedial fund, whose purpose is to disburse monies to non-profit corporations harmed by the operation of a casino licensed under this chapter. Funds in excess of \$2 million from this fund lapse into the General Fund, according to the bill. Therefore the bill would potentially increase the amount of unencumbered revenue coming into the State. Article 4, Part 3, Section 9 of the Maine Constitution provides that all bills raising revenues shall originate in the House of Representatives. A lapse of monies over \$2 million to the State, as provided in the bill, would clearly increase revenues to the State and therefore disqualify this bill from prime sponsorship by a Senator. For this reason the Chair rules that this bill and accompanying papers are not properly before the Body.

THE CHAIR RULED THE BILL AND ACCOMPANYING PAPERS NOT PROPERLY BEFORE THE BODY.

Ordered sent down forthwith for concurrence.

The Chair laid before the Senate the following Tabled and Later (3/3/11) Assigned matter:

Emergency

Resolve, Regarding Legislative Review of the Final Repeal of Chapter 270: Adjustment of Volume Fees, a Major Substantive Rule of the Department of Professional and Financial Regulation
H.P. 6 L.D. 14

Tabled - March 3, 2011, by Senator **COURTNEY** of York

Pending - **FINAL PASSAGE**, in concurrence

(In Senate, March 1, 2011, **PASSED TO BE ENGROSSED**, in concurrence.)

(In House, March 3, 2011, **FINALLY PASSED**.)

This being an Emergency Measure and having received the affirmative vote of 35 Members of the Senate, with no Senators having voted in the negative, and 35 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

The Chair laid before the Senate the following Tabled and Later (3/3/11) Assigned matter:

Emergency

Resolve, Regarding Legislative Review of Chapter 285: Adjustment of Non-bank Mortgage Lending Fees, a Major Substantive Rule of the Department of Professional and Financial Regulation

H.P. 7 L.D. 15

Tabled - March 3, 2011, by Senator **COURTNEY** of York

Pending - **FINAL PASSAGE**, in concurrence

(In Senate, March 1, 2011, **PASSED TO BE ENGROSSED**, in concurrence.)

(In House, March 3, 2011, **FINALLY PASSED**.)

This being an Emergency Measure and having received the affirmative vote of 35 Members of the Senate, with no Senators having voted in the negative, and 35 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

The Chair laid before the Senate the following Tabled and Later (3/8/11) Assigned matter:

Bill "An Act To Establish the Maine Science Advisory Board"
S.P. 299 L.D. 953

Tabled - March 8, 2011, by Senator **COLLINS** of York

Pending - **REFERENCE**

(Committee on **STATE AND LOCAL GOVERNMENT** suggested and ordered printed.)

On motion by Senator **COLLINS** of York, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

Sent down for concurrence.