

MAINE STATE LEGISLATURE

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Senate Legislative Record
One Hundred and Twenty-Second Legislature

State of Maine

Daily Edition

First Regular Session
December 4, 2004 to March 30, 2005

Pages 1 - 410

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

In Senate Chamber
Tuesday
February 15, 2005

Senate called to order by President Beth Edmonds of
Cumberland County.

Prayer by Reverend Paul Basham of the Penney Memorial
Baptist Church in Augusta.

THE PRESIDENT: In observance of Black History Month,
Reverend Paul Basham, an Interim Minister at the Penny
Memorial United Baptist Church of Augusta, has written a poem
as a tribute to the legacy of Dr. Martin Luther King, Jr. entitled
"The Prejudice Wall." The poem won a First Place Award in the
poetry contest recently sponsored by a local newspaper.
Reverend Basham will share that poem with us as we begin our
session today.

REVEREND BASHAM:

Deep in the heart of an American City
Where all the residents were black,
The news that Martin Luther King was shot
Came like a sharp stab in the back.

Fear flashed from the eyes of the people
As they joined neighbors in the streets,
Words were not even necessary
As they walked along with heavy feet.

The clusters of young men who gathered,
Ready for a cause to fight,
Were on the verge of a bloody riot
To turn a wrong into a "right".

They were all expecting to hear
A rumor-enflamed battle cry
To use their houses and cars as fuel
For lighting up the dark night sky.

Where is the one to rally the gang,
A knock-down uproar to inspire?
Where is the angry voice demanding
That they set their city on fire?

But the voice that they heard
Came from an unexpected place.
It was the sobbing sound of a crying child
With tears flowing down his black face.

An age-old question was in his cry,
It's the word that's on the lips
Of every little guy.
"Why? Why? Why?"

The people pushing the panic button
Paused to comfort the boy,
And in his eyes his future they saw!
His trust they could not destroy.

A riot that night was averted,
Even though walls of distrust remained.
On that night there was calmness of spirit
That a child had helped them regain.

That child is now a fully-grown man
Fulfilling the prophet's dream,
Living his heart-felt conviction
That appearances are not what they seem.

For the differences on the surface
Are not real differences at all.
Because we are one in heart and soul
Lord, help us tear down the "prejudice wall".

Amen.

Pledge of Allegiance led by Senator Elizabeth H. Mitchell of
Kennebec County.

Doctor of the day, Dr. Andrew Tenenbaum of Portland.

Reading of the Journal of Thursday, February 10, 2005.

Off Record Remarks

Out of order and under suspension of the Rules, on motion by
Senator **BRENNAN** of Cumberland, the following Senate Order:
S.O. 15

Ordered, that a message be sent to the House of Representatives
proposing a Convention of the two branches of the Legislature be
held at 11:00 this morning, in the Hall of the House for the
purpose of extending to the Honorable Joseph W. Westphal,
Chancellor of the University of Maine System, and the Honorable
John Fitzsimmons, President of the Maine Community College
System, and invitation to attend and to make such communication
as pleases them.

READ and PASSED.

The Chair appointed the Senator from Cumberland, Senator
BRENNAN to deliver the message to the House of
Representatives. The Sergeant-At-Arms escorted the Senator to
the House of Representatives.

Senate at Ease.

Senate called to order by the President.

Subsequently, the Senator from Cumberland, Senator **BRENNAN** reported that he had delivered the message with which he was charged.

PAPERS FROM THE HOUSE

Non-Concurrent Matter

JOINT ORDER - relative to Amending the Joint Rules to Restrict Changes to Certain Budget Items

H.P. 297

In House, January 27, 2005, **READ** and **REFERRED** to the Joint Select Committee on **JOINT RULES**.

In Senate, February 8, 2005, **READ** and **INDEFINITELY POSTPONED**, in **NON-CONCURRENCE**.

Comes from the House, that Body **ADHERED**.

On motion by Senator **MARTIN** of Aroostook, the Senate **ADHERED**.

House Papers

Bill "An Act To Create a Limited License for Solar Electric Generation System Installers"

H.P. 474 L.D. 641

Bill "An Act To Ensure the Success of Pine Tree Development Zones"

H.P. 532 L.D. 737

Come from the House, **REFERRED** to the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed.

On motion by Senator **HOBBS** of York, **REFERRED** to the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed, in concurrence.

Bill "An Act To Increase Sentences of Imprisonment for Repeat Sex Offenders"

H.P. 497 L.D. 702

Bill "An Act To Clarify the Offense of Burglary of a Motor Vehicle"

H.P. 498 L.D. 703

Resolve, To Benefit Public Safety Using Retired Law Enforcement Officers (EMERGENCY)

H.P. 509 L.D. 714

Bill "An Act To Protect Victims of Domestic Violence and Sexual Assault"

H.P. 514 L.D. 719

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

On motion by Senator **DIAMOND** of Cumberland, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed, in concurrence.

At this point a message was received from the House of Representatives, borne by Representative DUPLESSIE of Westbrook informing the Senate that the House concurred with the proposition for a Convention of the two branches of the Legislature to be held in the Hall of the House at 11:00 in the morning for the purpose of extending to the Honorable Joseph W. Westphal, Chancellor of the University of Maine System, and the Honorable John Fitzsimmons, President of the Maine Community College System, and invitation to attend and to make such communication as pleases them.

Bill "An Act To Ensure Equality in School Funding"

H.P. 496 L.D. 701

Bill "An Act Regarding Transferability of Credits Earned at All Campuses within the University of Maine System"

H.P. 503 L.D. 708

Bill "An Act To Amend the Maximum Allowable Tuition for Students in the Unorganized Territory"

H.P. 519 L.D. 724

Bill "An Act To Require Legislative Review of Any Rules Governing Private Schools"

H.P. 521 L.D. 726

Come from the House, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.

On motion by Senator **MITCHELL** of Kennebec, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed, in concurrence.

Bill "An Act To Improve Care for Adults with Mental Retardation"

H.P. 502 L.D. 707

Bill "An Act To Require Notice of Clinical Trials"

H.P. 505 L.D. 710

Bill "An Act To Require the Disclosure of Certain Financial Information from Hospitals and Their Affiliates"

H.P. 520 L.D. 725

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

On motion by Senator **MAYO** of Sagadahoc, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed, in concurrence.

Bill "An Act To Amend Laws Pertaining to Commercial Fishing and Baitfish"

H.P. 518 L.D. 723

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

On motion by Senator **BRENNAN** of Cumberland, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed, in concurrence.

Bill "An Act To Amend the Laws Governing De Minimis Infractions of the Maine Criminal Code"

H.P. 499 L.D. 704

Bill "An Act To Amend Maine's Divorce Laws"

H.P. 508 L.D. 713

Bill "An Act To Provide Support for Legal Services for Low-income Mainers"

H.P. 510 L.D. 715

Bill "An Act To Increase the Amount of Equity in a Principal Residence That Is Exempt from Attachment"

H.P. 513 L.D. 718

Bill "An Act Regarding the Appointment of the Director of Investigations in the Office of the Attorney General"

H.P. 517 L.D. 722

Bill "An Act To Provide a Defense in Protection from Abuse Orders"

H.P. 527 L.D. 732

Come from the House, **REFERRED** to the Committee on **JUDICIARY** and ordered printed.

On motion by Senator **HOBBS** of York, **REFERRED** to the Committee on **JUDICIARY** and ordered printed, in concurrence.

Bill "An Act To Make the Minimum Wage a Livable Wage"

H.P. 516 L.D. 721

Bill "An Act To Require Proof of Equipment Ownership for Employers Using Foreign Laborers"

H.P. 525 L.D. 730

Come from the House, **REFERRED** to the Committee on **LABOR** and ordered printed.

On motion by Senator **STRIMLING** of Cumberland, **REFERRED** to the Committee on **LABOR** and ordered printed, in concurrence.

Bill "An Act To Restrict a Nominated Political Candidate in an Election from Changing Political Parties during the Elected Term"

H.P. 501 L.D. 706

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

On motion by Senator **MITCHELL** of Kennebec, **REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS** and ordered printed, in concurrence.

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Give the Supreme Judicial Court Authority To Decide Contested Elections Results

H.P. 515 L.D. 720

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

On motion by Senator **MITCHELL** of Kennebec, **TABLED** until Later in Today's Session, pending **REFERENCE**.

Bill "An Act To Change the Noncommercial Scallop Season"

H.P. 523 L.D. 728

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

On motion by Senator **DAMON** of Hancock, **REFERRED** to the Committee on **MARINE RESOURCES** and ordered printed, in concurrence.

Bill "An Act To Clarify State Auditor Qualifications"

H.P. 512 L.D. 717

Bill "An Act To Amend the Knox County Budget Process"

H.P. 522 L.D. 727

Come from the House, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

On motion by Senator **SCHNEIDER** of Penobscot, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed, in concurrence.

Bill "An Act To Relieve the Income Tax Burden in the State through Revenue-neutral Means"

H.P. 500 L.D. 705

Bill "An Act Promoting Excise Tax Fairness by Allowing Refunds for Excise Taxes Paid on Vehicles"

H.P. 504 L.D. 709

Bill "An Act To Create an Income Tax Checkoff To Support Veterans' Cemeteries"

H.P. 511 L.D. 716

Bill "An Act To Simplify the Maine Residents Property Tax Program"

H.P. 526 L.D. 731

Bill "An Act To Establish a Long-term Capital Gains Tax Rate"

H.P. 529 L.D. 734

Bill "An Act To Provide Property Tax Relief to County Taxpayers"

H.P. 531 L.D. 736

Come from the House, **REFERRED** to the Committee on **TAXATION** and ordered printed.

On motion by Senator **STRIMLING** of Cumberland, **REFERRED** to the Committee on **TAXATION** and ordered printed, in concurrence.

Bill "An Act To Reimburse the Town of St. Agatha and Other Towns in Category II for Costs Incurred in Erecting a Salt and Gravel Storage Shed as Mandated by the State"

H.P. 507 L.D. 712

Bill "An Act To Clarify the City of Portland's Interest in the Maine State Pier"

H.P. 524 L.D. 729

Bill "An Act To Reward Veterans for Their Service"

H.P. 528 L.D. 733

Bill "An Act To Clarify Registration for Noncommercial Trucks and Registration Requirements for Nonresidents"

H.P. 530 L.D. 735

Bill "An Act To Make Additional Allocations from the Highway Fund and Other Funds for the Expenditures of State Government and To Change Certain Provisions of State Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2005" (EMERGENCY)

H.P. 533 L.D. 738

Bill "An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, Highway Funds and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2006 and June 30, 2007" (EMERGENCY)

H.P. 534 L.D. 739

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

On motion by Senator **DAMON** of Hancock, **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed, in concurrence.

Bill "An Act To Improve the Energy Efficiency of Buildings To Be Owned or Occupied by the State"

H.P. 506 L.D. 711

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

On motion by Senator **COWGER** of Kennebec, **REFERRED** to the Committee on **UTILITIES AND ENERGY** and ordered printed, in concurrence.

Joint Orders

The following Joint Order:

H.P. 494

ORDERED, the Senate concurring, that the Joint Standing Committee on State and Local Government shall study issues related to the State Archives with a goal of establishing a long-term plan for the State Archives. The committee shall invite the participation of the Secretary of State and the State Archivist in the study. In developing a plan, the committee shall consider, at a minimum, the following issues:

1. Preservation of records, information and material;
2. Use of technology and technological solutions;
3. Storage, including storage of records and documents of government agencies and political subdivisions of the State; and
4. Facilities, including an assessment of options to expand, renovate or otherwise increase the physical space for the State Archives; and be it further

ORDERED, that the committee shall submit a bill by March 17, 2006 to the Second Regular Session of the 122nd Legislature based upon its study.

Come from the House, **READ** and **PASSED**.

READ and **PASSED**, in concurrence.

SENATE PAPERS

The following Joint Order:

H.P. 495

ORDERED, the Senate concurring, that all roll call votes be posted to the Legislature's publicly accessible site on the Internet no later than one hour after the vote is taken.

Comes from the House, **READ** and **REFERRED** to the Joint Select Committee on **JOINT RULES**.

READ.

On motion by Senator **MARTIN** of Aroostook, **REFERRED** to the Joint Select Committee on **JOINT RULES**, in concurrence.

COMMUNICATIONS

The Following Communication: S.P. 268

**122ND MAINE LEGISLATURE
3 STATE HOUSE STATION
AUGUSTA, MAINE 04333**

February 10, 2005

Sen. Ethan Strimling
Senate Chair, Joint Standing Committee on Labor
Rep. William J. Smith
House Chair, Joint Standing Committee on Labor
122nd Legislature
Augusta, ME 04333

Dear Senator Strimling and Representative Smith:

Please be advised that Governor John E. Baldacci has nominated Glenn Burroughs of Lewiston for appointment and Joan Kirkpatrick of Lincoln, John Cooney of Brunswick, Rodney Hiltz of Monmouth, Paul Dionne of Lewiston, James Mingo of Holden, and Gary Koocher of Portland for reappointment as members of the Workers' Compensation Board.

Pursuant to Title 39-A M.R.S.A. Chapter 3 §151, these nominations will require review by the Joint Standing Committee on Labor.

Sincerely,

S/Beth Edmonds
President of the Senate

S/John Richardson
Speaker of the House

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

Sent down for concurrence.

Bill "An Act To Authorize a General Fund Bond Issue To Allow Municipalities To Purchase Fishing Rights and Equipment"
S.P. 261 L.D. 794

Sponsored by Senator STRIMLING of Cumberland.
Cosponsored by Representative DUDLEY of Portland and Senator: DAMON of Hancock, Representatives: COLLINS of Wells, MARLEY of Portland.

Bill "An Act To Authorize a General Fund Bond Issue for Bulkhead Restoration at the Former United States Coast Guard Site in Portland"

S.P. 262 L.D. 795

Sponsored by Senator TURNER of Cumberland.
Cosponsored by Representative BRANNIGAN of Portland and Senators: DAMON of Hancock, STRIMLING of Cumberland, Representatives: DAVIS of Falmouth, DUDLEY of Portland, DUPLESSIE of Westbrook.

Bill "An Act To Authorize a General Fund Bond Issue To Create a Holocaust Human Rights Center at the University of Maine at Augusta"

S.P. 266 L.D. 799

Sponsored by Senator MITCHELL of Kennebec.
Cosponsored by Representative LERMAN of Augusta and Senators: President EDMONDS of Cumberland, MARTIN of Aroostook, ROSEN of Hancock, TURNER of Cumberland, Representatives: DAVIS of Augusta, GOLDMAN of Cape Elizabeth, MILLS of Farmington, NORTON of Bangor.

Bill "An Act To Authorize a General Fund Bond Issue for the Land for Maine's Future Program"

S.P. 267 L.D. 800

Sponsored by Senator ANDREWS of York.
Cosponsored by Representative WHEELER of Kittery and Senators: BARTLETT of Cumberland, BRYANT of Oxford, COWGER of Kennebec, DAMON of Hancock, DIAMOND of Cumberland, DOW of Lincoln, President EDMONDS of Cumberland, GAGNON of Kennebec, HOBBS of York, MARTIN of Aroostook, MAYO of Sagadahoc, MILLS of Somerset, MITCHELL of Kennebec, NUTTING of Androscoggin, PERRY of Penobscot, RAYE of Washington, ROSEN of Hancock, ROTUNDO of Androscoggin, SAVAGE of Knox, SCHNEIDER of Penobscot, STRIMLING of Cumberland, SULLIVAN of York, TURNER of Cumberland, Representatives: ADAMS of Portland, ASH of Belfast, BABBIDGE of Kennebunk, BARSTOW of Gorham, BLISS of South Portland, BRANNIGAN of Portland, BRAUTIGAM of Falmouth, BRYANT of Windham, BURNS of Berwick, CAIN of Orono, CANAVAN of Waterville, CEBRA of Naples, CRAVEN of Lewiston, DAIGLE of Arundel, DAVIS of Falmouth, DUCHESNE of Hudson, DUGAY of Cherryfield, EBERLE of South Portland, EDER of Portland, FAIRCLOTH of Bangor, FINCH of Fairfield, FISCHER of Presque Isle, FITTS of Pittsfield, FLETCHER of Winslow, GERZOFISKY of Brunswick, GROSE of Woolwich, HARLOW of Portland, HUTTON of Bowdoinham, JENNINGS of Leeds, KOFFMAN of Bar Harbor, LERMAN of Augusta, LUNDEEN of Mars Hill, MAKAS of

Lewiston, MARLEY of Portland, MAZUREK of Rockland, MILLER of Somerville, MILLS of Farmington, MOODY of Manchester, NASS of Acton, O'BRIEN of Lewiston, PATRICK of Rumford, PELLETIER-SIMPSON of Auburn, PINEAU of Jay, PINGREE of North Haven, PIOTTI of Unity, RECTOR of Thomaston, RINES of Wiscasset, SAMPSON of Auburn, SAVIELLO of Wilton, SEAVEY of Kennebunkport, SMITH of Monmouth, THOMPSON of China, TRAHAN of Waldoboro, TWOMEY of Biddeford, WALCOTT of Lewiston, WATSON of Bath.

On motion by Senator **ROTUNDO** of Androscoggin, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed.

Sent down for concurrence.

Bill "An Act To Implement the Recommendations of the Commission To Study Public Health That Concern Schools, Children and Nutrition"

S.P. 263 L.D. 796

Sponsored by Senator **MARTIN** of Aroostook.
Cosponsored by Representative: **CRAVEN** of Lewiston.

Bill "An Act Authorizing the State Board of Education To Mediate School Attendance Disputes"

S.P. 264 L.D. 797

Sponsored by Senator **NUTTING** of Androscoggin.
Cosponsored by Representative **BRYANT-DESCHENES** of Turner and Representative: **LANSLEY** of Sabattus.

On motion by Senator **MITCHELL** of Kennebec, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.

Sent down for concurrence.

Bill "An Act To Allow Limited Partnerships between Brewers and Wholesalers"

S.P. 259 L.D. 792

Sponsored by Senator **HOBBS** of York.
Cosponsored by Representative **FISHER** of Brewer and Senator: **MITCHELL** of Kennebec, Representatives: **OTT** of York, **PATRICK** of Rumford.

On motion by Senator **MITCHELL** of Kennebec, **REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS** and ordered printed.

Sent down for concurrence.

Bill "An Act To Reauthorize Funding for the Lobster Promotion Council"

S.P. 260 L.D. 793

Sponsored by Senator **DAMON** of Hancock.
Cosponsored by Representative **PERCY** of Phippsburg and Senators: **RAYE** of Washington, **SULLIVAN** of York, Representatives: **ADAMS** of Portland, **KOFFMAN** of Bar Harbor, **PINGREE** of North Haven.

On motion by Senator **DAMON** of Hancock, **REFERRED** to the Committee on **MARINE RESOURCES** and ordered printed.

Sent down for concurrence.

Bill "An Act To Reestablish a Maximum Water Level for Phillips Lake"

S.P. 257 L.D. 790

Sponsored by Senator **PERRY** of Penobscot.
Cosponsored by Representative **BLANCHETTE** of Bangor.

On motion by Senator **COWGER** of Kennebec, **REFERRED** to the Committee on **NATURAL RESOURCES** and ordered printed.

Sent down for concurrence.

Bill "An Act To Establish a Sunset on New State Agencies and Programs"

S.P. 265 L.D. 798

Sponsored by Senator **HOBBS** of York.
Cosponsored by Representative **PELLETIER-SIMPSON** of Auburn and Senators: **BARTLETT** of Cumberland, **BROMLEY** of Cumberland, **DIAMOND** of Cumberland, **MITCHELL** of Kennebec, **NASS** of York, **SCHNEIDER** of Penobscot.

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

Sent down for concurrence.

Bill "An Act Concerning the Taxation of Buildings in Which Nonprofit Organizations Are Housed"

S.P. 258 L.D. 791

Sponsored by Senator **MARTIN** of Aroostook.
Cosponsored by Representative **PINEAU** of Jay and Senator: **STRIMLING** of Cumberland, Representative: **CLARK** of Millinocket.

On motion by Senator **STRIMLING** of Cumberland, **REFERRED** to the Committee on **TAXATION** and ordered printed.

Sent down for concurrence.

Bill "An Act Pertaining to Internet Services" (EMERGENCY)
S.P. 256 L.D. 789

Sponsored by Senator SULLIVAN of York.
Cosponsored by Representative BLISS of South Portland and
Senators: BARTLETT of Cumberland, COWGER of Kennebec,
President EDMONDS of Cumberland, MITCHELL of Kennebec,
WESTON of Waldo, Representatives: DUPLESSIE of Westbrook,
FITTS of Pittsfield, FLETCHER of Winslow.

On motion by Senator COWGER of Kennebec, REFERRED to
the Committee on UTILITIES AND ENERGY and ordered printed.

Sent down for concurrence.

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

Off Record Remarks

Senator SCHNEIDER of Penobscot was granted unanimous
consent to address the Senate off the Record.

Senate at Ease.

Senate called to order by the President.

REPORTS OF COMMITTEES

House

Change of Committee

The Committee on **APPROPRIATIONS AND FINANCIAL
AFFAIRS** on Bill "An Act To Authorize a General Fund Bond
Issue for Stranded Costs of Transmission and Distribution
Utilities"

H.P. 29 L.D. 26

Reported that the same be REFERRED to the Committee on
UTILITIES AND ENERGY.

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

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

On motion by Senator **ROTUNDO** of Androscoggin, **REFERRED**
to the Committee on **UTILITIES AND ENERGY**, in concurrence.

Ought to Pass

The Committee on **STATE AND LOCAL GOVERNMENT** on
Resolve, Authorizing the City of Gardiner To Refinance Certain
Temporary Bond Anticipation Notes Issued for Its Wastewater
Project (EMERGENCY)

H.P. 102 L.D. 126

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.**

The Committee on **TRANSPORTATION** on Resolve, To
Designate a Certain Intersection in Sidney as the Trooper Jeffrey
S. Parola Memorial

H.P. 114 L.D. 163

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.**

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
(2/10/05) Assigned matter:

Bill "An Act To Amend the Hospital Tax"
S.P. 224 L.D. 687

Tabled - February 10, 2005, by Senator **STRIMLING** of
Cumberland

Pending - **REFERENCE**

(Committee on **TAXATION** suggested and ordered printed.)

On motion by Senator **STRIMLING** of Cumberland, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (2/10/05) Assigned matter:

Bill "An Act To Repeal Tax and Match"
S.P. 236 L.D. 699

Tabled - February 10, 2005, by Senator **STRIMLING** of Cumberland

Pending - **REFERENCE**

(Committee on **TAXATION** suggested and ordered printed.)

On motion by Senator **STRIMLING** of Cumberland, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**.

Sent down for concurrence.

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

Bill "An Act To Postpone the Repeal Date on Nonhospital Expenditures in the Capital Investment Fund"
S.P. 240 L.D. 742

Tabled - February 10, 2005, by Senator **HOBBS** of York

Pending - **REFERENCE**

(Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** suggested and ordered printed.)

On motion by Senator **HOBBS** of York, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**.

Sent down for concurrence.

Senate at Ease.

Senate called to order by the President.

Senator **SNOWE-MELLO** of Androscoggin was granted unanimous consent to address the Senate off the Record.

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

RECESSED until the sound of the bell.

After Recess

Senate called to order by the President.

At this point, the Senate retired to the Hall of the House, where a Joint Convention was formed.

After Convention

In Senate Chamber

Senate called to order by the President

Off Record Remarks

On motion by Senator **BRENNAN** of Cumberland, **ADJOURNED**, to Wednesday, February 16, 2005, at 9:00 in the morning.