

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
Wednesday
March 2, 2005

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

Prayer by Reverend Kate Braestrup, Chaplain, Maine Warden Service.

REVEREND BRAESTRUP: Good morning. I wanted to say, first of all, that it is a privilege to be here representing my gender. Colonel Santaguida and I think that I may, in fact, be a historic personage. We think I'm the first female statewide law enforcement chaplain in Maine history. How cool is that?

I'm going to indulge myself in a very brief explanatory note, since most people don't understand why the Warden Service would have a chaplain. As most of you know, in addition to enforcing fish and game law, Maine's Game Wardens respond to snowmobile accidents and fresh water drowning, boating accidents and other outdoor calamities. They are also responsible for wilderness search and rescue operations. In the course of their work, Game Wardens saw the need for victims and victims' families to receive dedicated emotional and spiritual support during such crises. It was the Wardens, therefore, who created the position of chaplain so as to better serve the citizens of Maine. Thus, in my work throughout the state and my presence in this chamber this morning, I do no more and no less than to embody the kindness, compassion, and vision of these extraordinary law enforcement officers. I am proud to share their uniform and to represent them before you today.

Before I begin my prayer, I'd also like to extend a particular appreciation to those of you who may not court yourselves believers or churchgoers. Your acceptance of my presence in your chamber bespeaks tolerance and generosity. Thank you for having me.

Join me as you will in the spirit of prayer. Gracious God, St. Francis of Assisi once admonished Your people to pray without ceasing. 'If necessary,' he said, 'use words.' In this moment, with these mere words, I give You thanks. Thank You for the ceaseless prayers of human lives lived bravely in love. Thank You for the courage and compassion You have planted in the human heart. May these, Your seeds, find rich and humble soil in us. May they grow and flower. You have offered each man and woman and child in this room diverse paths and manifold opportunities to protect and serve, to work for justice, to relieve suffering, to ensure human dignity, and enhance wellbeing. May the work done here on behalf of the people of the State of Maine be the finest, most consistent, and most enduring prayer anyone could offer. May each of us learn to make prayers of our lives as well as with our words. Amen.

Reading of the Journal of Tuesday, March 1, 2005.

Doctor of the day, James Pisini, D.O. of Cumberland Foreside.

Off Record Remarks

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

ORDERS

Joint Order

On motion by Senator **BRENNAN** of Cumberland, the following Joint Order:

S.P. 391

ORDERED, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, March 8, 2005, at 10:00 in the morning.

READ and PASSED.

Sent down for concurrence.

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

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

ORDERS OF THE DAY

The Chair laid before the Senate the following Tabled and Specially (3/1/05) Assigned matter:

Constitutional Amendment

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Permit the Legislature To Allow the Current Use Valuation of Waterfront Land Used for or That Supports Commercial Fishing Activities

H.P. 224 L.D. 299

Tabled - February 24, 2005, by Senator **DAMON** of Hancock

Pending - **FURTHER CONSIDERATION**

(In House, January 27, 2005, **FINALLY PASSED.**)

(In Senate, February 3, 2005, Bill and accompanying papers **COMMITTED** to the Committee on **TAXATION**, in **NON-CONCURRENCE.**)

(In House, February 22, 2005, that Body **INSISTED**.)

On motion by Senator **MILLS** of Somerset, the Senate **RECEDED** from whereby the Bill and accompanying papers were **COMMITTED** to the Committee on **TAXATION**.

On further motion by same Senator, the Senate **RECEDED** from whereby the Bill was **PASSED TO BE ENGROSSED**.

On further motion by same Senator, Senate Amendment "A" (S-12) **READ**.

THE PRESIDENT: The Chair recognizes the Senator from Somerset, Senator Mills.

Senator **MILLS:** Madame President, the sole purpose of this is to correct a wording error. Actually, the committee had voted to propose the amendment as amended by this Senate Amendment S-12 that I am presenting now. There is a grammatical flaw in the bill as it has come up to us to the floor. I think since we are trying to amend the Constitution of the State of Maine and these words are likely to undergo considerable public scrutiny and if the amendment passes those words will persist for perhaps many generations to come. My 88-year-old mother, who is an English teacher, would have not let me not make this proposed amendment or change. She taught me sentence diagramming when I was in the 5th grade and the way this was originally worded just didn't diagram properly. If you vote to put this amendment on the bill, I think it will please her a great deal. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Gagnon.

Senator **GAGNON:** Thank you, Madame President. I would encourage folks to adopt this amendment. We found out just a little while ago that it's not a correction that can be made later since it is an amendment to the Constitution. Thank you.

On further motion by Senator **MILLS** of Somerset, Senate Amendment "A" (S-12) **ADOPTED**.

PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-12), in NON-CONCURRENCE.

Ordered sent down forthwith for concurrence.

PAPERS FROM THE HOUSE

Non-Concurrent Matter

Bill "An Act To Shelter IRAs from the Bankruptcy Law"
S.P. 323 L.D. 948

In Senate, February 22, 2005, **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES** and ordered printed.

Comes from the House, **REFERRED** to the Committee on **JUDICIARY**, in **NON-CONCURRENCE**.

On motion by Senator **HOBBS** of York, **TABLED** 1 Legislative Day, pending **FURTHER CONSIDERATION**.

House Papers

Bill "An Act To Prevent the Financial Exploitation of Vulnerable Citizens"

H.P. 665 L.D. 955

Bill "An Act To Make Certain Changes in the Laws Concerning the Family Division of District Court"

H.P. 683 L.D. 973

Bill "An Act To Amend the Guidelines Used To Determine Child Support Payments"

H.P. 684 L.D. 974

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 Improve Security at State Courthouses"
H.P. 696 L.D. 1012

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

Comes from the House, **REFERRED** to the Committee on **TAXATION**.

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

COMMUNICATIONS

The Following Communication: S.C. 84

**OFFICE OF THE PRESIDENT
3 STATEHOUSE STATION
AUGUSTA, MAINE 04333**

February 28, 2005

Honorable Joy J. O'Brien
Secretary of the Senate
3 Statehouse Station
Augusta, ME 04333

Dear Secretary O'Brien:

Pursuant to my authority under Senate Rule 201.3, I am appointing Senator John L. Martin of Aroostook as President Pro Tempore for Tuesday, March 1, 2005.

If you have any questions, please contact me.

Sincerely,

S/Beth Edmonds
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: S.P. 390

**122ND LEGISLATURE
AUGUSTA, MAINE 04333**

February 25, 2005

Sen. Kenneth T. Gagnon
Senate Chair, Joint Standing Committee on Legal and Veterans
Affairs
Rep. John L. Patrick
House Chair, Joint Standing Committee on Legal and Veterans
Affairs
122nd Legislature
Augusta, ME 04333

Dear Senator Gagnon and Representative Patrick:

Please be advised that Governor John E. Baldacci has nominated
Walter Simcock of Waterville for appointment as a member of the
State Liquor and Lottery Commission.

Pursuant to Title 5 M.R.S.A. §283-A, this nomination will require
review by the Joint Standing Committee on Legal and Veterans
Affairs.

Sincerely,

S/Beth Edmonds
President of the Senate

S/John Richardson
Speaker of the House

READ and REFERRED to the Committee on **LEGAL AND
VETERANS AFFAIRS.**

Sent down for concurrence.

The Following Communication: S.C. 80

**MAINE STATE LEGISLATURE
COMMITTEE ON LABOR
AUGUSTA, MAINE 04333**

February 22, 2005

Honorable Beth Edmonds, President of the Senate
Honorable John Richardson, Speaker of the House
122nd Maine Legislature
State House
Augusta, Maine 04333

Dear President Edmonds and Speaker Richardson:

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

L.D. 156 An Act To Adjust the Wage Base for the
Unemployment Compensation System

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

Sincerely,

S/Sen. Ethan Strimling
Senate Chair

S/Rep. William J. Smith
House Chair

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

The Following Communication: S.C. 81

**MAINE STATE LEGISLATURE
COMMITTEE ON STATE AND LOCAL GOVERNMENT
AUGUSTA, MAINE 04333**

February 15, 2005

Honorable Beth Edmonds, President of the Senate
Honorable John Richardson, Speaker of the House
122nd Maine Legislature
State House
Augusta, Maine 04333

Dear President Edmonds and Speaker Richardson:

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 bill out "Ought Not to
Pass":

L.D. 222 An Act To Undedicate County Fees for
Recording Deeds

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

Sincerely,

S/Sen. Elizabeth M. Schneider
Senate Chair

S/Rep. Christopher R. Barstow
House Chair

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

The Following Communication: S.C. 82

**MAINE STATE LEGISLATURE
COMMITTEE ON INSURANCE AND FINANCIAL SERVICES
AUGUSTA, MAINE 04333**

February 22, 2005
Honorable Beth Edmonds, President of the Senate
Honorable John Richardson, Speaker of the House
122nd Maine Legislature
State House
Augusta, Maine 04333

Dear President Edmonds and Speaker Richardson:

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

L.D. 335 An Act To Clarify the Definition of "Eligible Group" in Small Group Health Insurance Plans

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

Sincerely,

S/Sen. Nancy B. Sullivan
Senate Chair

S/Rep. Anne C. Perry
House Chair

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

The Following Communication: S.C. 83

**MAINE STATE LEGISLATURE
COMMITTEE ON NATURAL RESOURCES
AUGUSTA, MAINE 04333**

February 22, 2005

Honorable Beth Edmonds, President of the Senate
Honorable John Richardson, Speaker of the House
122nd Maine Legislature
State House
Augusta, Maine 04333

Dear President Edmonds and Speaker Richardson:

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

L.D. 193 An Act To Strengthen Wildlife Habitat Protection

L.D. 342 An Act To Encourage Reuse of Glass Bottles

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

Sincerely,

S/Sen. Scott W. Cowger
Senate Chair

S/Rep. Theodore Koffman
House Chair

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

SENATE PAPERS

Bill "An Act To Clarify the Laws Governing Agricultural Composting Operations"

S.P. 381 L.D. 1064

Sponsored by Senator WOODCOCK of Franklin.
Cosponsored by Representative CARR of Lincoln and Senator: NUTTING of Androscoggin, Representatives: PINEAU of Jay, SAVIELLO of Wilton.

Bill "An Act To Encourage the Purchase of Meat Produced without Nontherapeutic Antibiotics"

S.P. 388 L.D. 1126

Sponsored by Senator COWGER of Kennebec.
Cosponsored by Representative PIOTTI of Unity and Senators: NUTTING of Androscoggin, RAYE of Washington, WESTON of Waldo, Representatives: CARR of Lincoln, PERRY of Calais, PINGREE of North Haven, SMITH of Monmouth, TARDY of Newport.

On motion by Senator BRENNAN of Cumberland, REFERRED to the Committee on AGRICULTURE, CONSERVATION AND FORESTRY and ordered printed.

Sent down for concurrence.

LEGISLATIVE RECORD - SENATE, WEDNESDAY, MARCH 2, 2005

Bill "An Act To Provide Funds for the Preservation of Digital Records"

S.P. 360 L.D. 1043

Sponsored by President EDMONDS of Cumberland.
Cosponsored by Senator: SULLIVAN of York, Representative: SMITH of Monmouth.

Bill "An Act To Establish the Homeland Security Relief Fund"
S.P. 387 L.D. 1125

Sponsored by President EDMONDS of Cumberland.
Cosponsored by Senator: BRYANT of Oxford, Representatives: PATRICK of Rumford, TUTTLE of Sanford.

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

Sent down for concurrence.

Resolve, Directing the Plumbers' Examining Board To Adopt the International Plumbing Code

S.P. 373 L.D. 1056

Sponsored by Senator SULLIVAN of York.
Cosponsored by Representative SMITH of Monmouth and Senators: CLUKEY of Aroostook, COWGER of Kennebec, STRIMLING of Cumberland, Representatives: BARSTOW of Gorham, BEAUDETTE of Biddeford, BRAUTIGAM of Falmouth, RECTOR of Thomaston.

On motion by Senator **BROMLEY** of Cumberland, **REFERRED** to the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed.

Sent down for concurrence.

Bill "An Act To Authorize Exemptions for Certain Private Schools from Certain Requirements"

S.P. 354 L.D. 1037

Sponsored by Senator GAGNON of Kennebec.
Cosponsored by Representative PINGREE of North Haven and Senators: MAYO of Sagadahoc, ROSEN of Hancock, Representatives: GROSE of Woolwich, LEWIN of Eliot.

Resolve, Directing the State Board of Education To Review the Authorization Requirements for Educational Technicians
S.P. 365 L.D. 1048

Sponsored by Senator BARTLETT of Cumberland.
Cosponsored by Representative NORTON of Bangor and Senators: MITCHELL of Kennebec, SCHNEIDER of Penobscot, SULLIVAN of York, TURNER of Cumberland, Representatives: BARSTOW of Gorham, CAIN of Orono, FARRINGTON of Gorham, MAKAS of Lewiston.

Bill "An Act To Require Academic and Community Input into Major Decisions of the University of Maine System"
S.P. 372 L.D. 1055

Sponsored by Senator COWGER of Kennebec.
Cosponsored by Representative LERMAN of Augusta and Senators: MARTIN of Aroostook, MITCHELL of Kennebec, PLOWMAN of Penobscot, RAYE of Washington, Representatives: McCORMICK of West Gardiner, MOODY of Manchester, THOMPSON of China.

Bill "An Act To Improve the Recruitment of Teachers"
S.P. 378 L.D. 1061

Sponsored by Senator MILLS of Somerset.

Bill "An Act To Provide Financial Accommodation under the Essential Programs and Services Funding Act for School Systems with Dead-end Bus Runs"
S.P. 379 L.D. 1062

Sponsored by Senator WOODCOCK of Franklin.
Cosponsored by Representative SAVIELLO of Wilton and Representatives: KAELIN of Winterport, MILLS of Farmington.

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 Amend the Laws Governing the Burial or Cremation of Certain Persons"

S.P. 353 L.D. 1036

Sponsored by Senator MAYO of Sagadahoc.
Cosponsored by Representative BARSTOW of Gorham and Senator: ANDREWS of York, Representatives: BLANCHARD of Old Town, MUSE of Fryeburg, SCHATZ of Blue Hill.

Committee on **HEALTH AND HUMAN SERVICES** suggested and ordered printed.

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

Sent down for concurrence.

Bill "Resolve, Implementing the Recommendations of the Commission To Study the Needs and Opportunities Associated with the Production of Salmonid Sport Fish in Maine"
S.P. 356 L.D. 1039

Sponsored by Senator BRYANT of Oxford.
Cosponsored by Representative JACKSON of Fort Kent and Senator: DOW of Lincoln, Representative: WATSON of Bath.

LEGISLATIVE RECORD - SENATE, WEDNESDAY, MARCH 2, 2005

Bill "An Act To Create a Short-term All-terrain Vehicle Registration System"

S.P. 358 L.D. 1041

Sponsored by Senator BRYANT of Oxford.
Cosponsored by Representative PATRICK of Rumford and Representatives: ASH of Belfast, BLANCHETTE of Bangor, PINEAU of Jay, WATSON of Bath.

Bill "An Act To Allow a Person 18 Years of Age or Younger To Take an Antlerless Deer during Hunting Season without a Permit"

S.P. 366 L.D. 1049

Sponsored by Senator DAVIS of Piscataquis.
Cosponsored by Representative BOWLES of Sanford and Senators: CLUKEY of Aroostook, PLOWMAN of Penobscot, SNOWE-MELLO of Androscoggin, TURNER of Cumberland, WOODCOCK of Franklin, Representatives: HOTHAM of Dixfield, NASS of Acton, SAVIELLO of Wilton.

On motion by Senator BRYANT of Oxford, REFERRED to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed.

Sent down for concurrence.

Resolve, To Ensure Disclosure in Real Estate Transactions

S.P. 359 L.D. 1042

Sponsored by Senator BRYANT of Oxford.

Bill "An Act To Place Seasonal Businesses in a Lower Workers' Compensation Bracket than Year-round Businesses"

S.P. 363 L.D. 1046

Sponsored by Senator SNOWE-MELLO of Androscoggin.
Cosponsored by Senator: HASTINGS of Oxford, Representatives: BERUBE of Lisbon, CEBRA of Naples, CROSTHWAITE of Ellsworth, EDGECOMB of Caribou, FLETCHER of Winslow, LANSLEY of Sabattus.

On motion by Senator MAYO of Sagadahoc, REFERRED to the Committee on **INSURANCE AND FINANCIAL SERVICES** and ordered printed.

Sent down for concurrence.

Bill "An Act Regarding Contract Indemnification"

S.P. 362 L.D. 1045

Sponsored by Senator HOBBS of York.
Cosponsored by Senators: MARTIN of Aroostook, SULLIVAN of York, WESTON of Waldo, Representatives: CANAVAN of Waterville, RECTOR of Thomaston.

Bill "An Act To Improve the Guardian ad Litem System"
S.P. 380 L.D. 1063

Sponsored by Senator BRENNAN of Cumberland.
Cosponsored by Representative TARDY of Newport and Senators: BARTLETT of Cumberland, HOBBS of York, MITCHELL of Kennebec, Representatives: MILLS of Farmington, MOODY of Manchester, PINGREE of North Haven.

Resolve, To Establish the Task Force To Study and Design a Child Protection Mediation System (EMERGENCY)

S.P. 384 L.D. 1067

Sponsored by Senator MITCHELL of Kennebec.
Cosponsored by Representative PELLETIER-SIMPSON of Auburn and Senators: BARTLETT of Cumberland, BROMLEY of Cumberland, HOBBS of York, Representative: BRYANT-DESCHENES of Turner.

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

Sent down for concurrence.

Bill "An Act To Care for Families"

S.P. 361 L.D. 1044

Sponsored by President EDMONDS of Cumberland.
Cosponsored by Speaker RICHARDSON of Brunswick and Senators: BARTLETT of Cumberland, MITCHELL of Kennebec, STRIMLING of Cumberland, Representatives: CLARK of Millinocket, CUMMINGS of Portland, HUTTON of Bowdoinham, TUTTLE of Sanford.

Bill "An Act To Promote Enforcement of Labor Laws Affecting Employers"

S.P. 367 L.D. 1050

Sponsored by President EDMONDS of Cumberland.
Cosponsored by Representative SMITH of Van Buren and Senator: BRYANT of Oxford, Representatives: PATRICK of Rumford, PINEAU of Jay.

Resolve, Directing the Maine State Retirement System To Amend Its Rules To Clarify That Officers of the State Police Who Reach Retirement Age May Continue Working and Receiving Retirement Benefits

S.P. 371 L.D. 1054

Sponsored by Senator HOBBS of York.
Cosponsored by Senators: CLUKEY of Aroostook, DAVIS of Piscataquis.

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

Sent down for concurrence.

LEGISLATIVE RECORD - SENATE, WEDNESDAY, MARCH 2, 2005

Bill "An Act To Protect Maine Harness Racing from Illegal Wagering"

S.P. 370 L.D. 1053

Sponsored by Senator MARTIN of Aroostook.
Cosponsored by Senator: HASTINGS of Oxford, Representatives: SAVIELLO of Wilton, SHERMAN of Hodgdon.

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

Bill "An Act To Establish and Implement the Maine STEP-UP Program"

S.P. 374 L.D. 1057

Sponsored by Senator SNOWE-MELLO of Androscoggin.
Cosponsored by Representative DAIGLE of Arundel.
Submitted by the Department of Environmental Protection pursuant to Joint Rule 204.

Bill "An Act To Regulate the Use of Batteries Containing Mercury"

S.P. 375 L.D. 1058

Sponsored by Senator COWGER of Kennebec.
Cosponsored by Representative TWOMEY of Biddeford and Senator: MARTIN of Aroostook, Representatives: DUCHESNE of Hudson, DUPLESSIE of Westbrook, EBERLE of South Portland, KOFFMAN of Bar Harbor, PERCY of Phippsburg, PINGREE of North Haven, THOMPSON of China.

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 Prevent the Short-term Rental of Unlicensed Properties"

S.P. 357 L.D. 1040

Sponsored by Senator BRYANT of Oxford. (BY REQUEST)
Cosponsored by Representative LERMAN of Augusta.

Resolve, To Establish a Pilot Project To Assist Towns Interested in Multitown Cooperation and Governance

S.P. 389 L.D. 1127

Sponsored by Senator ANDREWS of York.
Cosponsored by Representative BARSTOW of Gorham and Senators: NASS of York, SCHNEIDER of Penobscot, Representative: MOULTON of York.

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 To Reduce Maine's Income Tax Burden" (EMERGENCY)

S.P. 376 L.D. 1059

Sponsored by Senator NASS of York.
Cosponsored by Senators: COURTNEY of York, SNOWE-MELLO of Androscoggin, Representative GLYNN of South Portland.

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Value Land Based on Its Current Use

S.P. 377 L.D. 1060

Sponsored by Senator COWGER of Kennebec.
Cosponsored by Representative PERCY of Phippsburg and Senators: CLUKEY of Aroostook, DAMON of Hancock, Representatives: BOWEN of Rockport, LERMAN of Augusta, PINGREE of North Haven, SMITH of Monmouth, THOMPSON of China.

Bill "An Act To Repeal the Homestead Property Tax Exemption and Redirect Property Tax Relief Funds to the Maine Residents Property Tax Program"

S.P. 383 L.D. 1066

Sponsored by Senator TURNER of Cumberland.

Bill "An Act To Strengthen Maine's Small Business Economy"

S.P. 385 L.D. 1068

Sponsored by Senator BROMLEY of Cumberland.
Cosponsored by Representative SMITH of Monmouth and Senator: DAMON of Hancock, Representatives: AUSTIN of Gray, BEAUDETTE of Biddeford, BRYANT of Windham, CANAVAN of Waterville, CROSBY of Topsham, FARRINGTON of Gorham, JACOBSEN of Waterboro.

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

Sent down for concurrence.

Bill "An Act To Improve Landowners' Access to Their Land"

S.P. 355 L.D. 1038

Sponsored by Senator MAYO of Sagadahoc. (BY REQUEST)

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

Sent down for concurrence.

Bill "An Act To Allow the Secretary of State To Review License Suspensions"

S.P. 386 L.D. 1124

Sponsored by Senator HOBBS of York.
Cosponsored by Senator: SULLIVAN of York, Representatives:
BEAUDETTE of Biddeford, PILON of Saco, VALENTINO of Saco.

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

On motion by Senator **DAMON** of Hancock, **REFERRED** to the Committee on **JUDICIARY**.

Sent down for concurrence.

Resolve, To Study the Feasibility of Expanding the Market for American Fuels

S.P. 364 L.D. 1047

Sponsored by Senator BARTLETT of Cumberland.
Cosponsored by Representative BLISS of South Portland and Senator: President EDMONDS of Cumberland, Representatives: ADAMS of Portland, BARSTOW of Gorham, CURTIS of Madison, DUDLEY of Portland, FITTS of Pittsfield, McLEOD of Lee, RINES of Wiscasset.

Resolve, Establishing a Study Commission To Examine Water District Fees Assessed for Fire Suppression

S.P. 368 L.D. 1051

Sponsored by Senator COURTNEY of York.
Cosponsored by Representative CAMPBELL of Newfield and Representative: JACOBSEN of Waterboro.

Bill "An Act To Require Municipalities To Institute Sewer Service Charges"

S.P. 369 L.D. 1052

Sponsored by Senator DAMON of Hancock.
Cosponsored by Representative PINGREE of North Haven and Senator: COWGER of Kennebec, Representatives: BABBIDGE of Kennebunk, KOFFMAN of Bar Harbor.

Bill "An Act To Promote Economic Development and Sustainable Energy"

S.P. 382 L.D. 1065

Sponsored by Senator BRENNAN of Cumberland.
Cosponsored by Representative BLISS of South Portland and Senators: BARTLETT of Cumberland, COWGER of Kennebec, MITCHELL of Kennebec, Representatives: BRAUTIGAM of Falmouth, CURTIS of Madison, FITTS of Pittsfield, KOFFMAN of Bar Harbor, PINGREE of North Haven.

On motion by Senator **BARTLETT** of Cumberland, **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.

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 (2/10/05) Assigned matter:

Bill "An Act To Provide Funding for the New Century Community Program"

H.P. 397 L.D. 521

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

Pending - motion by same Senator to **RECONSIDER**

(Committee on **EDUCATION AND CULTURAL AFFAIRS** suggested and ordered printed.)

(In House, February 1, 2005, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**.)

(In Senate, February 10, 2005, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed, in concurrence.)

Senator **BRENNAN** of Cumberland requested and received leave of the Senate to withdraw his motion to **RECONSIDER** whereby the Bill was **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**, in concurrence.

Senator **WOODCOCK** of Franklin was granted unanimous consent to address the Senate off the Record.

Off Record Remarks

Senate at Ease.

Senate called to order by the President.

LEGISLATIVE RECORD - SENATE, WEDNESDAY, MARCH 2, 2005

On motion by Senator **BRENNAN** of Cumberland, **ADJOURNED**, pursuant to the Joint Order, to Tuesday, March 8, 2005, at 10:00 in the morning.