

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 23, 2005

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

Prayer by Reverend Elizabeth Herrinton-Hodge of Leeds and
Hartford Community Churches.

REVEREND HERRINTON-HODGE: Good morning. I bring you
greetings from both the Leeds Community Church and the
Hartford Community Church, a yoked pair of Presbyterian
churches in the center of our state. They are quite pleased to be
able to share me with you today to come and say thank you to
each of you for the work you do on behalf of the people of this
state. I ask if you will join me now as we pray together.

God of all people, on this week, which many of us call holy,
we walk with You in times of trial, in times of challenge; in times of
triumph and in times of cooperation. You know these vast and
varied experiences for You have lived them, oh God. So give us
courage to face our responsibilities with honor and humility. Give
us strength to stand for our convictions, even if these are
unpopular. Give us wisdom to work for our constituents, to
strengthen this state, and serve her people. God of mercy and
justice, we commend our state to Your gracious care. Bless the
elderly, the children, the farmers, the business people; bless our
families, her workers, her disabled; bless the officers in this
Senate, that they may do their work in a spirit of mercy, kindness,
and justice. Where politics may pull them apart, unite them for
the common good and help them to use their experience and
authority to serve You faithfully, to listen and deliberate, to
negotiate and compromise towards an end of promoting the
general welfare of Your people. Bless our work this day, oh God.
May Your spirit be a palpable presence with us as we go about
the tasks set before us, that together we may serve Your will, oh
One and Holy God. Amen.

Doctor of the day, Dr. A. Jan Berlin of South Freeport.

Reading of the Journal of Tuesday, March 22, 2005.

Off Record Remarks

PAPERS FROM THE HOUSE

Non-Concurrent Matter

"Resolve, To Ensure the Effective Implementation of Alewife
Restoration on the Sebasticook River Watershed"
H.P. 921 L.D. 1322

Committee on **MARINE RESOURCES** suggested and ordered
printed.

In House, March 15, 2005, **REFERRED** to the Committee on
INLAND FISHERIES AND WILDLIFE.

In Senate, March 17, 2005, **REFERRED** to the Committee on
MARINE RESOURCES, in **NON-CONCURRENCE**.

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

On motion by Senator **DAMON** of Hancock, the Senate
ADHERED.

(See action later today.)

House Papers

Bill "An Act To Preserve the Integrity of the Fund for a Healthy
Maine" (EMERGENCY)

H.P. 909 L.D. 1311

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

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

Bill "An Act To Require Standardized Reporting of the Prices for
Certain Health Care Services and To Repeal the Confidentiality of
Sentinel Events"

H.P. 975 L.D. 1411

Bill "An Act To Amend the Law Banning Smoking in Buildings
Where Bingo or Beano Is Played"

H.P. 981 L.D. 1417

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 Regarding Confidentiality in Litigation"

H.P. 979 L.D. 1415

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

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

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

Bill "An Act To Address the Constitutionality of Maine's Resident-only Lobster License"

H.P. 985 L.D. 1421

Comes 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 Conform the Remedies under the Maine Family Medical Leave Requirements with Those Available under Federal Law"

H.P. 977 L.D. 1413

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

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

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

Bill "An Act To Increase Civil and Criminal Penalties for Animal Cruelty"

H.P. 1011 L.D. 1447

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

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

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

**Pursuant to Statute
Maine Health Data Organization**

The **Maine Health Data Organization**, pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Chapter 100: Enforcement Procedures, a Major Substantive Rule of the Maine Health Data Organization (EMERGENCY)

H.P. 966 L.D. 1389

Be **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed pursuant to Joint Rule 218.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed pursuant to Joint Rule 218.

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

On motion by Senator **MAYO** of Sagadahoc, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed pursuant to Joint Rule 218, in concurrence.

**Pursuant to Statute
Maine Health Data Organization**

The **Maine Health Data Organization**, pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Chapter 120: Release of Data to the Public, a Major Substantive Rule of the Maine Health Data Organization (EMERGENCY)

H.P. 967 L.D. 1390

Be **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed pursuant to Joint Rule 218.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed pursuant to Joint Rule 218.

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

On motion by Senator **MAYO** of Sagadahoc, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed pursuant to Joint Rule 218, in concurrence.

Joint Resolutions

The following Joint Resolution:

H.P. 970

**JOINT RESOLUTION REQUESTING MAINE'S
CONGRESSIONAL DELEGATION TO SUBMIT LEGISLATION
TO SECURE THE CONSENT OF CONGRESS REGARDING
GREENHOUSE GAS REDUCTIONS**

WE, your Memorialists, the Members of the One Hundred and Twenty-second Legislature of the State of Maine now assembled in the First Regular Session, most respectfully present and petition the Maine Congressional Delegation as follows:

WHEREAS, the State of Maine has signed the 2001 New England Governors and Eastern Canadian Premiers Climate Change Action Plan; and

WHEREAS, the Climate Change Action Plan requires greater coordination of common strategies for the resolution of energy issues to achieve the goal to reduce the effects of climate change; and

WHEREAS, the State of Maine has passed legislation to implement the greenhouse gas reduction goals of that agreement; and

WHEREAS, the United States Constitution, Article 1, Section 10 forbids such agreements without the consent of the United States Congress; and

WHEREAS, litigation challenging the State of Maine's implementation of the climate change agreement would damage efforts to reduce the harmful effects of greenhouse gas emissions; and

RESOLVED: That We, your Memorialists, on behalf of the people we represent, take this opportunity to request that the Maine Congressional Delegation submit legislation to the United States Congress to secure the consent necessary for the State of Maine to proceed with its commitment to the 2001 New England Governors and Eastern Canadian Premiers Climate Change Action Plan; and be it further

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

Comes from the House, **READ** and **ADOPTED**.

READ.

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

The following Joint Resolution:

H.P. 1014

JOINT RESOLUTION MEMORIALIZING THE PRESIDENT AND CONGRESS OF THE UNITED STATES TO SUPPORT THE REFORM OF THE SOCIAL SECURITY OFFSETS OF THE GOVERNMENT PENSION OFFSET AND THE WINDFALL ELIMINATION PROVISION

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

WHEREAS, under current federal law, individuals who receive a Social Security benefit and a public retirement benefit derived from employment not covered under Social Security are subject to a reduction in the Social Security benefits; and

WHEREAS, these laws, contained in the federal Social Security Act, 42 United States Code, Chapter 7, Subchapter II, Federal Old-Age, Survivors, and Disability Insurance Benefits,

and known as the Government Pension Offset and the Windfall Elimination Provision, greatly affect public employees, particularly women; and

WHEREAS, the Windfall Elimination Provision reduces by a formula the Social Security benefit of a person who is also receiving a pension from a public employer that does not participate in Social Security; and

WHEREAS, the Government Pension Offset and the Windfall Elimination Provision are particularly burdensome on the finances of low-income and moderate-income public service workers, such as school teachers, clerical workers and school cafeteria employees, whose wages are low to start; and

WHEREAS, the Government Pension Offset and the Windfall Elimination Provision both unfairly reduce benefits for those public employees and their spouses whose careers cross the line between the private and public sectors; and

WHEREAS, since many lower-paying public service jobs are held by women, both the Government Pension Offset and the Windfall Elimination Provision have a disproportionately adverse effect on women; and

WHEREAS, in some cases, additional support in the form of income, housing, heating and prescription drug and other safety net assistance from state and local governments is needed to make up for the reductions imposed at the federal level; and

WHEREAS, other participants in Social Security do not have their benefits reduced in this manner; and

WHEREAS, to participate or not to participate in Social Security in public sector employment is a decision of employers, even though both the Government Pension Offset and the Windfall Elimination Provision directly punish employees and their spouses; and

WHEREAS, although the Government Pension Offset was enacted in 1977 and the Windfall Elimination Provision was enacted in 1983, many of the benefits in dispute were paid into Social Security prior to that time; and

WHEREAS, bills are present in Congress in both the House of Representatives and the Senate, known as "The Social Security Fairness Acts," that would amend the federal Social Security Act, 42 United States Code, Chapter 7, Subchapter II and totally repeal both the Government Pension Offset and the Windfall Elimination Provision; now, therefore, be it

RESOLVED: That We, your Memorialists, request that the President of the United States and the United States Congress work together to support reform proposals that include the following protections for low-income and moderate-income government retirees:

1. Protections permitting retention of a combined public pension and Social Security benefit with no applied reductions;
2. Protections permanently ensuring that level of benefits by indexing it to inflation; and

3. Protections ensuring that no current recipient's benefit is reduced by the reform legislation; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable George W. Bush, President of the United States; the President of the United States Senate; the Speaker of the House of Representatives of the United States; and each Member of the Maine Congressional Delegation.

Comes from the House, **READ** and **ADOPTED**.

READ and **ADOPTED**, in concurrence.

Off Record Remarks

COMMUNICATIONS

The Following Communication: S.C. 112

**MAINE STATE LEGISLATURE
COMMITTEE ON LEGAL AND VETERANS' AFFAIRS
AUGUSTA, MAINE 04333**

March 21, 2005

The Honorable Beth Edmonds
President of the Senate of Maine
122nd Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Madame President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 122nd Maine Legislature, the Joint Standing Committee on Legal and Veterans Affairs has had under consideration the nomination of Walter J. Simcock of Waterville, for appointment to the State Liquor and Lottery Commission.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	3	Gagnon of Kennebec, Mitchell of Kennebec, Plowman of Penobscot
	Representatives	9	Blanchette of Bangor, Brown of South Berwick, Fisher of Brewer, Hotham of Dixfield, Moore of Standish, Ott of York, Patrick of Rumford, Pinkham of Lexington Township, Valentino of Saco

NAYS 0

ABSENT 1 Rep. Tuttle of Sanford

Twelve members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Walter J. Simcock of Waterville, for appointment to the State Liquor and Lottery Commission be confirmed.

Signed,

S/Kenneth T. Gagnon
Senate Chair

S/John L. Patrick
House Chair

READ and **ORDERED PLACED ON FILE**.

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

The Following Communication: S.C. 113

**OFFICE OF THE PRESIDENT
3 STATE HOUSE STATION
AUGUSTA, MAINE 04333**

March 17, 2005

Honorable Joy O'Brien
3 State House Station
Augusta, ME 04333-0003

Dear Secretary O'Brien:

Pursuant to my authority under Executive Order 32 FY 04/05, I am pleased to appoint Senator Bill Diamond of Cumberland and Senator Karl Turner of Cumberland to the Task Force on Passenger Rail Funding, representing the Senate.

If you have any questions regarding this appointment please don't hesitate to contact my office.

Sincerely,

S/Beth Edmonds
President of the Senate

READ and **ORDERED PLACED ON FILE**.

The Following Communication: S.C. 114

**OFFICE OF THE PRESIDENT
3 STATE HOUSE STATION
AUGUSTA, MAINE 04333**

March 16, 2005

The Honorable Joy O'Brien
Secretary of the Senate
3 State House Station
Augusta, ME 04333-0003

Dear Secretary O'Brien:

Pursuant to my authority under Title 38, Chapter 16-B Section 1670, I am pleased to appoint Senator John Martin of Aroostook and Senator Scott Cowger of Kennebec to the Mercury Products Advisory Committee. They will be representing senators on the Committee on Natural Resources.

Please let me know if you have any questions regarding this appointment.
Sincerely,

S/Beth Edmonds
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 110

**MAINE STATE LEGISLATURE
COMMITTEE ON LEGAL AND VETERANS' AFFAIRS
AUGUSTA, MAINE 04333**

March 17, 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 Legal and Veterans Affairs has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 470 An Act To Amend the Way Beverages Are Sold on Golf Courses
- L.D. 779 An Act Allowing Certain Clean Election Campaign Reports To Be Filed by Telephone

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

Sincerely

S/Sen. Kenneth T. Gagnon
Senate Chair

S/Rep. John L. Patrick
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 111

**MAINE STATE LEGISLATURE
COMMITTEE ON UTILITIES AND ENERGY
AUGUSTA, MAINE 04333**

March 17, 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 Utilities and Energy has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 497 An Act To Amend the Charter of the Boothbay Region Water District
- L.D. 499 An Act To Amend the Charter of the Boothbay Harbor Sewer District

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

Sincerely,

S/Sen. Philip L. Bartlett II
Senate Chair

S/Rep. Lawrence Bliss
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 115

**MAINE STATE LEGISLATURE
COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY
AUGUSTA, MAINE 04333**

March 22, 2005

LEGISLATIVE RECORD - SENATE, WEDNESDAY, MARCH 23, 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 Criminal Justice and Public Safety has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 502 An Act To Enable Police Departments To Solicit Donations for Colleagues Suffering from Catastrophic Illnesses
- L.D. 530 An Act To Prevent Convicted Felons from Possessing Firearms
- L.D. 714 Resolve, To Benefit Public Safety Using Retired Law Enforcement Officers
- L.D. 719 An Act To Protect Victims of Domestic Violence and Sexual Assault
- L.D. 760 An Act To Assist Municipalities in Recruiting Emergency Services Personnel

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

Sincerely,

S/Sen. Bill Diamond
Senate Chair

S/Rep. Patricia A. Blanchette
House Chair

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

The Following Communication: S.C. 116

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

March 17, 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 bill out "Ought Not to Pass":

- L.D. 605 An Act To Revise the Site Location of Development Laws

We have also notified the sponsor and cosponsors 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

Resolve, To Reform the Maine Education System
S.P. 499 L.D. 1457

Sponsored by Senator BRENNAN of Cumberland.
Cosponsored by Representative NORTON of Bangor and
Senators: BROMLEY of Cumberland, MITCHELL of Kennebec,
SCHNEIDER of Penobscot, STRIMLING of Cumberland,
Representatives: CAIN of Orono, CUMMINGS of Portland,
DUPLESSIE of Westbrook, FAIRCLOTH of Bangor.

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

Sent down for concurrence.

Resolve, Directing the Department of Inland Fisheries and Wildlife To Increase Turkey Hunting Opportunities (EMERGENCY)
S.P. 498 L.D. 1456

Sponsored by Senator BRYANT of Oxford.
Cosponsored by Representative TRAHAN of Waldoboro,
Representative BRYANT of Windham.

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

Sent down for concurrence.

Resolve, Regarding the Conveyance of a Right-of-way across the Elizabeth Levinson Center in Bangor

S.P. 500 L.D. 1458

Sponsored by Senator SCHNEIDER of Penobscot.
Cosponsored by Representative BARSTOW of Gorham.
Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.

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

Sent down for concurrence.

All matters thus acted upon, with exception of those matters being held, were ordered sent down forthwith for concurrence.

ORDERS

Joint Resolution

On motion by Senator **MAYO** of Sagadahoc (Cosponsored by Representative **WATSON** of Bath and Representatives: **GROSE** of Woolwich, **PERCY** of Phippsburg), the following Joint Resolution:

S.P. 497

JOINT RESOLUTION HONORING THE BATH MASONIC LODGE ON THE OCCASION OF ITS BICENTENNIAL

WHEREAS, before Maine achieved statehood and 75 years before Bath became a city, the Solar Lodge 14 of the Order of Free and Accepted Masons was established; and

WHEREAS, the order was founded many centuries earlier in Europe as a labor organization for masons, stone craftsman and others who designed and built the great cathedrals of Europe; and

WHEREAS, the tradition was brought to America by colonists who were active Masons, including Paul Revere, Benjamin Franklin and George Washington; and

WHEREAS, the ancient democratic systems of freemasonry came to Bath, then known as "The Reach," in 1804 when the Grand Lodge of Massachusetts chartered Solar Lodge on September 10, 1804; and

WHEREAS, William King was elected as the first master of the lodge and later became the first Governor of Maine in 1820 when Maine became a state under the Missouri Compromise and then became Grand Master of Masons in Maine that same year; and

WHEREAS, the first meetings were held at Winship's Hall, where the current Maxwell's Restaurant stands, and later meetings were held at various locations around Bath until the Masons built their own Masonic Temple in 1911; and

WHEREAS, in 1921, with about 400 Masons in attendance, the cornerstone was laid for the current temple at the former McClennan Mansion, which is now shared with other Masonic bodies, including the Polar Star Lodge; and

WHEREAS, Solar Lodge is now celebrating its 200th Anniversary with 120 members, all working the degrees in the traditional custom; and

WHEREAS, from its origin as a labor organization, the Masons have developed into a fraternal society, where membership is distinguished based on strength of character and willingness to continually refine those qualities that serve society; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-second Legislature now assembled on behalf of the people we represent, take this opportunity to extend our congratulations to the good members of Solar Lodge 14 of the Order of Free and Accepted Masons on this bicentennial celebration and our best wishes for future success; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to Solar Lodge 14 of the Order of Free and Accepted Masons of Bath.

READ and ADOPTED.

Sent down for concurrence.

REPORTS OF COMMITTEES

House

Ought to Pass

The Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Amend the Budget Timetable for Oxford County" H.P. 406 L.D. 551

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

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Ought to Pass As Amended

The Committee on **LABOR** on Bill "An Act To Establish the Administrative Operating Budget for the Maine State Retirement System for the Fiscal Year Ending June 30, 2006" (EMERGENCY)

H.P. 34 L.D. 31

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-29)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-29)**.

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

READ ONCE.

Committee Amendment "A" (H-29) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Set the Base Legislative Salary at \$15,000 Per Year"

H.P. 241 L.D. 317

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

Signed:

Senators:

SCHNEIDER of Penobscot
ROTUNDO of Androscoggin
ANDREWS of York

Representatives:

BARSTOW of Gorham
McFADDEN of Dennysville
MOULTON of York
HARLOW of Portland
BISHOP of Boothbay
CROSTHWAITE of Ellsworth
BLANCHARD of Old Town
MUSE of Fryeburg
SCHATZ of Blue Hill

The Minority of the same Committee on the same subject reported that the same **Ought To Pass**.

Signed:

Representative:

SAMPSON of Auburn

Comes from the House with the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

Reports **READ**.

On motion by Senator **SCHNEIDER** of Penobscot, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

Divided Report

Ten members of the Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act To Require Valid Identification for All Purchases of Liquor"

H.P. 73 L.D. 77

Reported in Report "A" that the same **Ought to Pass as Amended by Committee Amendment "A" (H-28)**.

Signed:

Senators:

GAGNON of Kennebec
MITCHELL of Kennebec

Representatives:

FISHER of Brewer
OTT of York
VALENTINO of Saco
PATRICK of Rumford
TUTTLE of Sanford
HOTHAM of Dixfield
MOORE of Standish
BROWN of South Berwick

Two members of the same Committee on the same subject reported in Report "B" that the same **Ought Not to Pass**.

Signed:

Senator:

PLOWMAN of Penobscot

Representative:

PINKHAM of Lexington Township

One member of the same Committee on the same subject reported in Report "C" that the same **Ought to Pass**.

Signed:

Representative:

BLANCHETTE of Bangor

(Representative MOORE of the Passamaquoddy Tribe supports Report "A", **Ought to Pass as Amended by Committee Amendment "A" (H-28)**.)

Comes from the House with Report "A", **OUGHT TO PASS AS AMENDED READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-28)**.

Reports **READ**.

On motion by Senator **GAGNON** of Kennebec, Report "**A**", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-28) ACCEPTED**, in concurrence.

READ ONCE.

Committee Amendment "A" (H-28) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

SECOND READERS

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

House

Bill "An Act To Allow Animal Control Officers and Individuals Who Collect Trash To Use Flashing Amber Lights on Their Vehicles" H.P. 89 L.D. 113

Bill "An Act To Promote Education in the Unorganized Territory" H.P. 427 L.D. 594

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

House As Amended

Bill "An Act Relating to the Treatment of Employers and Military Personnel in Connection with 'Call to Duty' Activity" H.P. 141 L.D. 190 (C "A" H-26)

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

Senate

Bill "An Act To Provide Public Health Protection Authority to the Department of Marine Resources" S.P. 228 L.D. 691

READ A SECOND TIME.

On motion by Senator **DAMON** of Hancock, **TABLED** until Later in Today's Session, pending **PASSAGE TO BE ENGROSSED**.

Senate As Amended

Bill "An Act To Make Sexual Exploitation of Minors a Crime Compensable by the Victims' Compensation Board" S.P. 71 L.D. 218 (C "A" S-21)

Bill "An Act To Encourage Parties To Agree to the Selection of Independent Medical Examiners in Workers' Compensation Cases" S.P. 97 L.D. 302 (C "A" S-20)

"Resolve, To Declare That April 6, 2005 Be National Day of Hope" (EMERGENCY) S.P. 158 L.D. 532 (C "A" S-19)

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

Sent down for concurrence.

All matters thus acted upon, with exception of those matters being held, were ordered sent down forthwith for concurrence.

ENACTORS

The Committee on **Engrossed Bills** reported as truly and strictly engrossed the following:

Emergency

An Act To Rename the Jobs for Maine's Graduates Program To Create InspireME-WE S.P. 109 L.D. 347 (S "A" S-15)

Comes From the House, Bill and accompanying papers **INDEFINITELY POSTPONED**.

Senator **MITCHELL** of Kennebec moved to **INDEFINITELY POSTPONE** the Bill and accompanying papers, in concurrence.

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

Senator **MITCHELL:** Thank you, Madame President and colleagues of the Senate. The Board of Jobs For Maine's Graduates, because of confusion with the same name of a small businesswoman and the state, has decided to withdraw its name and requested that the measure be indefinitely postponed. They will go back to the drawing board and get back to you later with a new name that more reflects their mission and their duty. Thank you.

On motion by Senator **MITCHELL** of Kennebec, Bill and accompanying papers **INDEFINITELY POSTPONED**, in concurrence.

Acts

An Act To Establish Community Giving Week
H.P. 26 L.D. 23
(C "A" H-24)

An Act To Amend the Law Pertaining to Nitrous Oxide Systems
H.P. 67 L.D. 71

An Act To Codify Senate Districts in Statute
S.P. 40 L.D. 98

An Act To Change the Name of T8 SD to Fletchers Landing
Township
S.P. 46 L.D. 140
(C "A" S-14)

An Act To Amend the Law Governing Student Rates on Maine
State Ferry Service Ferries
S.P. 77 L.D. 224

An Act Concerning Street Rod Standards
H.P. 298 L.D. 395

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

Off Record Remarks

Senate at Ease.

Senate called to order by the President.

On motion by Senator **DAMON** of Hancock, the Senate
RECONSIDERED whereby it **ADHERED** on the following:

Non-Concurrent Matter

"Resolve, To Ensure the Effective Implementation of Alewife
Restoration on the Sebasticook River Watershed"
H.P. 921 L.D. 1322

(Committee on **MARINE RESOURCES** suggested and ordered
printed.)

(In House, March 15, 2005, **REFERRED** to the Committee on
INLAND FISHERIES AND WILDLIFE.)

(In Senate, March 17, 2005, **REFERRED** to the Committee on
MARINE RESOURCES, in **NON-CONCURRENCE**.)

(In House, March 22, 2005, that Body **ADHERED**.)

On further motion by same Senator, **TABLED** Unassigned,
pending the motion by same Senator to **ADHERE**.

Off Record Remarks

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

Senator **DAVIS** of Piscataquis was granted unanimous consent to
address the Senate off the Record.

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

On motion by Senator **BRENNAN** of Cumberland, **ADJOURNED**,
to Thursday, March 24, 2005, at 10:00 in the morning.