

MAINE STATE LEGISLATURE

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Senate Legislative Record
One Hundred and Twenty-Second Legislature

State of Maine

Daily Edition

Second Regular Session
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STATE OF MAINE
ONE HUNDRED AND TWENTY-SECOND LEGISLATURE
SECOND REGULAR SESSION
JOURNAL OF THE SENATE

Off Record Remarks

In Senate Chamber
Wednesday
January 18, 2006

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

Prayer by Reverend Jennifer Paty of Northern Lights Metropolitan Community Church in Augusta.

REVEREND PATY: As we prepare our hearts, our minds, our bodies, and our souls for prayer or meditation as you feel comfortable in your tradition, lend your ear to a few words, if you will. In tribal religions there is no salvation apart from the continuance of the tribe itself because the existence of the individual presupposes the existence of the community. Life does not exist without the tribe, which gives animation to its members, or as Thomas Merton put it, 'no man or woman is an island.'

Likewise, Dr. Martin Luther King Jr. spoke often of the beloved community. For Dr. King the beloved community is rooted in the interrelatedness of all of life and in the unity of human existence, under the guidance of a personal God of love and reason, which works towards universal wholeness or universal truth.

Today I offer this pray and blessing upon each of you as gatekeepers of our community. You are gatekeepers, keeping watch where men and women, young and old, the able and disabled, the rich and the poor, where all people, regardless of their differences, can live without fear. This, my friends, you know is an awesome task. Let us pray as you feel comfortable.

God of over a million faces, the one being that the wise call by many names, we ask a blessing upon this legislative tribal leaders, this 122nd Maine Senate. We ask that they be true stewards to this land and to its inhabitants and to the diversity that is this beloved community that they serve. We pray that they are able to make decisions based on love and not fear; that wisdom be the tool of choice as they hammer out the answers to the most complex questions of our time. Let peace and deep insight fill their hearts, their minds, and their souls. We ask a blessing on all of the Senate's families; their partners, their significant others, their spouses, their husbands, their wives, and their children, as they too endure the stressors that are certain to come with all the ups and downs of this awesome task. Lastly, we collectively thank the universe for the opportunity to serve; to serve this state, this country, and the larger global community. We pray this prayer and blessing in the name of the God of many names and of many faces as we say peace, Amen, Shalom, Shabbat, and Namaste.

Reading of the Journal of Tuesday, January 17, 2006.

COMMUNICATIONS

The Following Communication: S.C. 471

MAINE STATE LEGISLATURE
COMMITTEE ON NATURAL RESOURCES
AUGUSTA, MAINE 04333

January 17, 2006

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 Natural Resources has had under consideration the nomination of David P. Littell of Portland, for appointment as the Commissioner of the Department of Environmental Protection.

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	2	Cowger of Kennebec, Snowe-Mello of Androscoggin
	Representatives	9	Annis of Dover-Foxcroft, Daigle of Arundel, Duchesne of Hudson, Eberle of South Portland, Joy of Crystal, Koffman of Bar Harbor, Rosen of Bucksport, Thompson of China, Wheeler of Kittery
NAYS		0	
ABSENT		2	Sen. Martin of Aroostook, Rep. Twomey of Biddeford

Eleven 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 David P. Littell of Portland, for appointment as the Commissioner of the Department of Environmental Protection be confirmed.

Signed,

S/Scott W. Cowger
Senate Chair

S/Theodore Koffman
House Chair

READ and **ORDERED PLACED ON FILE**.

On motion by Senator **COWGER** of Kennebec, Nomination
TABLED 1 Legislative Day, pending **CONSIDERATION**.

REPORTS OF COMMITTEES

House

Change of Committee

The Committee on **STATE AND LOCAL GOVERNMENT** on Bill
"An Act To Allow the Buckfield Village Corporation To Be
Dissolved and Combined with the Town of Buckfield"
(EMERGENCY)

H.P. 1215 L.D. 1708

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 and accompanying papers **REFERRED** to the
Committee on **UTILITIES AND ENERGY**.

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

REFERRED to the Committee on **UTILITIES AND ENERGY**, in
concurrence.

Senate

Change of Committee

Senator **SCHNEIDER** for the Committee on **STATE AND LOCAL
GOVERNMENT** on Bill "An Act To Amend the Law Governing
Warrant Funding for Education"

S.P. 659 L.D. 1742

Reported that the same be **REFERRED** to the Committee on
EDUCATION AND CULTURAL AFFAIRS.

Report **READ** and **ACCEPTED**.

REFERRED to the Committee on **EDUCATION AND CULTURAL
AFFAIRS**.

Sent down for concurrence.

SECOND READERS

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

House As Amended

Resolve, Requiring the State To Reimburse Providers for Costs
Incurred Due to MaineCare Reimbursement Delays
H.P. 1149 L.D. 1631
(C "A" H-731)

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

Senate As Amended

Resolve, To Establish a Pilot Project To Assist Towns Interested
in Multitown Cooperation and Governance
S.P. 389 L.D. 1127
(C "A" S-434)

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

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:

Act

An Act To Limit the Early Release of Persons Convicted of
Certain Crimes

S.P. 405 L.D. 1177
(C "A" S-428)

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

Senate at Ease.

Senate called to order by the President.

HELD MATTER

Bill "An Act To Amend the Laws Relating to Motorized Scooters,
Motor-driven Cycles and Mopeds" (EMERGENCY)
H.P. 1027 L.D. 1464
(C "B" H-730)

(In House, January 10, 2006, **PASSED TO BE ENGROSSED AS
AMENDED BY COMMITTEE AMENDMENT "B" (H-730).**)

(In Senate, January 17, 2006, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-730)**, in concurrence.)

On motion by Senator **BRENNAN** of Cumberland, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-730)**, in concurrence.

On further motion by same Senator, **TABLED** 1 Legislative Day, pending **PASSAGE TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-730)**, in concurrence.

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

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

Senator **DAMON** of Hancock 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.

Off Record Remarks

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

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

On motion by Senator **BRENNAN** of Cumberland, **RECESSED** until 6:15 in the evening.

After Recess

Senate called to order by the President.

Out of order and under suspension of the Rules, on motion by Senator **BRENNAN** of Cumberland, the following Senate Order:
S.O. 47

Ordered, that a message be sent to the House of Representatives proposing a Convention of the two branches of the Legislature be held at 6:30 this evening, in the Hall of the House for the purpose of extending to Governor John E. Baldacci, an invitation to attend and make such communication as pleases him.

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.

The President appointed the Senator from York, Senator **SULLIVAN**, to serve as President Pro Tem for the remainder of today's session.

Off Record Remarks

At this point a message was received from the House of Representatives, borne by Representative **CUMMINGS** of Portland 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 6:30 in the evening for the purpose of extending to extending to Governor John E. Baldacci, an invitation to attend and make such communication as pleases him.

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 President Pro Tem **NANCY B. SULLIVAN** of York County.

LEGISLATIVE RECORD - SENATE, WEDNESDAY, JANUARY 18, 2006

On motion by Senator **BARTLETT** of Cumberland,
ADJOURNED, to Thursday, January 19, 2006, at 10:00 in the
morning.