

MAINE STATE LEGISLATURE

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Senate Legislative Record
One Hundred and Twenty-Second Legislature

State of Maine

Daily Edition

Second Regular Session
January 4, 2006 to May 24, 2006

Pages 1382 - 2139

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

MAINE STATE LEGISLATURE
COMMITTEE ON APPROPRIATIONS AND FINANCIAL
AFFAIRS
AUGUSTA, MAINE 04333

In Senate Chamber
Thursday
January 19, 2006

January 10, 2006

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

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

Prayer by Senator Arthur F. Mayo, III of Sagadahoc County.

Dear President Edmonds and Speaker Richardson:

SENATOR MAYO: Good morning. Father, who art in heaven
and yet within each of us, far away and yet near, we turn to You
knowing that from You all life grows with meaning. Give us peace
of mind, sooth our irritations, and let us confidently open out
hearts to You. Speak to us through our conscience concerning
the remaining bills before this Senate. Speak to our will to help
us choose the right ways that bring You to Your people. Speak to
us through the needs of the people so that justice can conquer
injustice and forgiveness overcome hatred. May our actions bear
witness to Your presence among us. Amen.

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

- L.D. 149 An Act To Authorize a General Fund Bond
Issue in the Amount of \$5,000,000 for the
Fractionation Development Center
- L.D. 170 An Act To Provide Funding for a Veterans'
Cemetery in Springvale
- L.D. 274 An Act To Raise the University of Maine
System Debt Ceiling
- L.D. 404 An Act To Ensure the State's Continued
Commitment to Former Students Who Were
Physically or Sexually Abused at the Governor
Baxter School for the Deaf or the Maine School
for the Deaf
- L.D. 586 An Act To Authorize a General Bond Issue To
Improve the Quality and Safety of Teaching and
Science Laboratories
- L.D. 669 An Act To Authorize a General Fund Bond
Issue To Provide Infrastructure for Expanded
Treatment Capacity for Alcoholism and
Addiction in a Therapeutic Community Model
- L.D. 755 An Act To Authorize a General Fund Bond
Issue for Fort Knox
- L.D. 787 An Act To Authorize a General Fund Bond
Issue for the Enhanced Development of Public
Geographic Information
- L.D. 794 An Act To Authorize a General Fund Bond
Issue To Allow Municipalities To Purchase
Fishing Rights and Equipment
- L.D. 819 An Act To Authorize a General Fund Bond
Issue To Expand Maine's Ocean-based
Economy

Doctor of the day, Dr. Jo Linder of Falmouth.

Reading of the Journal of Wednesday, January 18, 2006.

Off Record Remarks

Out of order and under suspension of the Rules, on motion by
Senator **BRENNAN** of Cumberland, the following Joint Order:
S.P. 758

ORDERED, the House concurring, that when the House and
Senate adjourn, they do so until Tuesday, January 24, 2006, at
10:00 in the morning.

READ and PASSED.

Ordered sent down forthwith for concurrence.

COMMUNICATIONS

The Following Communication: S.C. 472

- L.D. 969 An Act To Authorize a General Fund Bond Issue To Provide Funds To Support Economic Development
- L.D. 971 An Act To Authorize a General Fund Bond Issue for Shared-use Trails
- L.D. 1000 An Act Authorizing a General Fund Bond Issue for Wastewater Treatment Systems for Fish Hatcheries

the Bureau of Financial Institution's web site at MaineBankingReg.org.

Very truly yours,

S/Lloyd P. LaFountain III
Superintendent

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

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

Sincerely,

S/Sen. Margaret Rotundo
Senate Chair

S/Rep. Joseph C. Brannigan
House Chair

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

The Following Communication: S.C. 473

**STATE OF MAINE
DEPARTMENT OF PROFESSIONAL
AND FINANCIAL REGULATION
BUREAU OF FINANCIAL INSTITUTIONS
36 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0036**

January 13, 2006

The Honorable Beth Edmonds
President of the Senate
3 State House Station
Augusta, Maine 04333

The Honorable John Richardson
Speaker of the House
2 State House Station
Augusta, Maine 04333

Dear President Edmonds and Speaker Richardson:

In accordance with Title 9-B MRSA subsection 217, as amended, enclosed please find a copy of the "Annual Report from the Superintendent of the Bureau of Financial Institutions to the Legislature." In addition to the annual statistical information, the Report also includes informational segments which often address issues of current importance to the Legislature, the Executive Branch, and the Maine financial institution community.

If you or your staff have any questions regarding the information contained in this Report, the Bureau would be pleased to respond. This Report will also be available in electronic format on

SENATE PAPERS

Bill "An Act To Support Fishing Derbies" (EMERGENCY)
S.P. 757 L.D. 1967

Sponsored by Senator DIAMOND of Cumberland.
Cosponsored by Representative PLUMMER of Windham and Representative: BRYANT of Windham.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

Sent down for concurrence.

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

ORDERS OF THE DAY

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

NOMINATION - of David P. Littell of Portland for appointment as the Commissioner of the Department of Environmental Protection

Tabled - January 18, 2006, by Senator COWGER of Kennebec

Pending - **CONSIDERATION**

(In Senate, January 18, 2006, Communication (SC 471) from the Committee on **NATURAL RESOURCES READ** and ordered **PLACED ON FILE.**)

The President laid before the Senate the following: "Shall the recommendation of the Committee on **NATURAL RESOURCES** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 122nd Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#305)

YEAS: Senators: None

NAYS: Senators: ANDREWS, BARTLETT, BRENNAN, BRYANT, CLUKEY, COURTNEY, COWGER, DAMON, DIAMOND, DOW, GAGNON, HASTINGS, HOBBS, MARTIN, MAYO, MILLS, NUTTING, PLOWMAN, RAYE, ROSEN, ROTUNDO, SAVAGE, SCHNEIDER, SNOWE-MELLO, STRIMLING, SULLIVAN, TURNER, WESTON, WOODCOCK, THE PRESIDENT - BETH G. EDMONDS

ABSENT: Senators: BROMLEY, DAVIS, MITCHELL, NASS, PERRY

No Senator having voted in the affirmative and 30 Senators having voted in the negative, with 5 Senators being absent, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **David P. Littell** of Portland for appointment as the Commissioner of the Department of Environmental Protection was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

THE PRESIDENT: The Chair is pleased to recognize in the rear of the chamber David Littell. May he rise and accept the greetings of the Maine Senate.

Senate at Ease.

Senate called to order by the President.

Off Record Remarks

Senate at Ease.

Senate called to order by the President.

Off Record Remarks

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Make Supplemental Appropriations and Allocations for the Expenditures of State Government and To Change 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. 1378 L.D. 1968

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.

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

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

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

Senator **MAYO** of Sagadahoc was granted unanimous consent to address the Senate off the Record.

On motion by Senator **BRENNAN** of Cumberland, **ADJOURNED**, pursuant to the Joint Order, to Tuesday, January 24, 2006, at 10:00 in the morning.