

MAINE STATE LEGISLATURE

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Senate Legislative Record
One Hundred and Twenty-Second Legislature

State of Maine

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

In Senate Chamber
Tuesday
February 28, 2006

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

Prayer by Reverend Gordy Johnson of Portland Faith Center.

REVEREND JOHNSON: Thank you. Good morning. As we pray we will be disjoining the heart and prayer of Thomas Jefferson that he actually prayed for Congress in 1801.

Almighty God, who has given us this good land for heritage, we humbly beseech Thee that we may always prove ourselves a people mindful of Thy favor and glad to do Thy will. Bless our land with honorable ministry, sound learning, and pure manners. Save us from violence, discord, and confusion, from pride and arrogance, and from every evil way. Defend our liberties, and fashion into one united people the multitude brought hither out of many kindreds and tongues. Endow with Thy spirit of wisdom those whom in Thy name we entrust the authority of government, that there may be justice and peace at home, and that through obedience to Thy law, we may show forth Thy praise among the nations of the earth. In time of prosperity fill our hearts with thankfulness, and in the day of trouble, suffer not our trust in Thee to fail. All of which we ask through Jesus Christ our Lord. Amen.

Pledge of Allegiance led by Senator Philip L. Bartlett II of
Cumberland County.

Doctor of the day, Harry Grimmnitz, MD of Augusta.

Reading of the Journal of Thursday, February 16, 2006.

Off Record Remarks

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Extend the Corrections Alternatives Advisory Committee" (EMERGENCY)

H.P. 1416 L.D. 2016

Comes 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.

Bill "An Act To Allow Consolidation of the Winterport Sewerage District and the Winterport Water District To Create Incentives For Consumers To Pay Water Bills"

H.P. 1418 L.D. 2018

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

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

Off Record Remarks

Joint Resolution

The following Joint Resolution:

H.P. 1419

**JOINT RESOLUTION RECOGNIZING THE LAST WEEK OF
FEBRUARY AS NATIONAL EATING DISORDERS
AWARENESS WEEK**

WHEREAS, the week of February 26, 2006 to March 4, 2006 is the 19th annual National Eating Disorders Awareness Week, devoted to helping individuals feel at ease with their natural size and addressing the fact that eating disorders are serious illnesses, not choices; and

WHEREAS, this year's National Eating Disorders Awareness Week will highlight the message that body size and shape are strongly influenced by biological factors and that too often individuals struggle against their natural, genetically influenced size, which leads to unhealthy dieting practices, poor body image and sometimes eating disorders; and

WHEREAS, the National Eating Disorders Association maintains that while it is possible to adopt a healthy lifestyle and have healthy goals to be fit for your particular body type, it is not possible to change your genetic heritage; and

WHEREAS, the Maine Legislature has been concerned with the issue of eating disorders and their effects on people of all ages in the State, and recently enacted Resolve 2005, chapter 33, which requires a study of and a report on this subject; and

WHEREAS, the resolve directed the Department of Health and Human Services to convene an eating disorders work group to develop a partnership between the department and hospitals to prevent, identify and treat eating disorders; and

WHEREAS, on November 2, 2005 the Department of Health and Human Services eating disorders work group submitted a report entitled "Eating Disorders Legislative Report" and made several recommendations, including the need to increase awareness of the problem of eating disorders at the state and local levels; and

WHEREAS, we take this opportunity to encourage the citizens of Maine to join people throughout the nation to spread this year's message about the powerful influence of genetics on our physical and mental health; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-second Legislature now assembled in the Second Regular Session, on behalf of the people we represent, declare the week of February 26, 2006 to March 4, 2006 to be National Eating Disorders Awareness Week in the State of Maine; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Department of Health and Human Services and the Department of Education in support of their efforts to educate and help the people of this State regarding the deadly problem of eating disorders.

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

READ and **ADOPTED**, in concurrence.

COMMUNICATIONS

The Following Communication: S.P. 784

**STATE OF MAINE
122ND MAINE LEGISLATURE**

February 24, 2006

Senator Scott W. Cowger, Chair
Representative Theodore S. Koffman, Chair
Joint Standing Committee on Natural Resources
122nd Legislature
Augusta, Maine 04333

Dear Senator Cowger and Representative Koffman:

This is to inform you that today Governor John E. Baldacci nominated the following as members of the Board of Environmental Protection:

Richard A. Gould of Greenville, appointment
M. Wing Goodale of Gorham, appointment
Nancy C. Ziegler of South Portland, reappointment
Ernest W. Hilton of Starks, reappointment

Pursuant to Title 38, Ch. 2, § 341-C, these nominations will require review by the Joint Standing Committee on Natural Resources.

Sincerely,

S/Beth Edmonds
President of the Senate

S/John Richardson
Speaker of the House

READ and **REFERRED** to the Committee on **NATURAL RESOURCES**.

Sent down for concurrence.

The Following Communication: S.C. 505

**STATE OF MAINE
ONE HUNDRED AND TWENTY-SECOND LEGISLATURE
COMMITTEE ON STATE AND LOCAL GOVERNMENT**

February 15, 2006

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

Dear Madam President and Mr. Speaker,

Pursuant to Title 3 Maine Revised Statutes, chapter 35, we are pleased to submit the findings of the Joint Standing Committee on State and Local Government from the review and evaluation of the Maine Governmental Facilities Authority under the State Government Evaluation Act. In its review, the Committee found that the Authority is operating within its statutory authority.

Sincerely,

S/Senator Elizabeth Schneider
Chair

S/Representative Christopher Barstow
Chair

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

SENATE PAPERS

**Pursuant to Resolve
Task Force to Study Maine's Homeland Security Needs**

Senator STRIMLING for the **Task Force to Study Maine's Homeland Security Needs**, pursuant to Resolve 2005, chapter 126, section 8 asked leave to report that the accompanying Bill "An Act To Facilitate the Hiring of Healthcare Personnel During Emergency Circumstances"

S.P. 783 L.D. 2036

Be **REFERRED** to the Committee on **JUDICIARY** and ordered printed pursuant to Joint Rule 218.

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

On motion by Senator **HOBBS** of York, **REFERRED** to the Committee on **JUDICIARY** and ordered printed pursuant to Joint Rule 218.

Sent down for concurrence.

**Pursuant to Resolve
Commission To Study Alternative Voting Procedures,
the Citizen Initiative Process and Minor Party Ballot Access**

Senator GAGNON for the **Commission To Study Alternative Voting Procedures, the Citizen Initiative Process and Minor Party Ballot Access**, pursuant to Resolve 2005, chapter 127, section 9 asked leave to report that the accompanying Bill "An Act To Implement the Recommendations of the Commission To Study Alternative Voting Procedures, the Citizen Initiative Process and Minor Party Ballot Access"

S.P. 780 L.D. 2029

Be **REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS** and ordered printed pursuant to Joint Rule 218.

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

On motion by Senator **GAGNON** of Kennebec, **REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS** and ordered printed pursuant to Joint Rule 218.

Sent down for concurrence.

**Pursuant to Resolve
Commission To Study Alternative Voting Procedures,
the Citizen Initiative Process and Minor Party Ballot Access**

Senator GAGNON for the **Commission To Study Alternative Voting Procedures, the Citizen Initiative Process and Minor Party Ballot Access**, pursuant to Resolve 2005, chapter 127 asked leave to report that the accompanying RESOLUTION, Proposing an Amendment to the Constitution of Maine To Clarify Deadlines for Submitting Direct Initiatives to Municipal Officials for Signature Verification

S.P. 782 L.D. 2033

Be **REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS** and ordered printed pursuant to Joint Rule 218.

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

On motion by Senator **GAGNON** of Kennebec, **REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS** and ordered printed pursuant to Joint Rule 218.

Sent down for concurrence.

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

ORDERS

Joint Orders

Expressions of Legislative Sentiment recognizing:

Elaine Clark, of Cumberland, Director of the Bureau of General Services, Department of Administrative and Financial Services, on the occasion of her accepting a new position as Associate Vice President for Administration and Finance at the University of Maine. Ms. Clark has served the State of Maine for 12 years as an attorney for the Department of Transportation from 1994 to 1998 and as Director of the Bureau of General Services since 1998. Ms. Clark has overseen an unprecedented capital improvement effort that rebuilt the State's correctional facilities, major office buildings, police barracks and criminal justice academy. She has been honored with numerous awards during her exemplary tenure with the State. We extend our congratulations to Ms. Clark on her dedicated service to the State of Maine and we send her our best wishes on her future endeavors;

SLS 953

Sponsored by Senator MITCHELL of Kennebec.
Cosponsored by Senators: TURNER of Cumberland,
SCHNEIDER of Penobscot, Representatives: McKENNEY of
Cumberland, BARSTOW of Gorham, LERMAN of Augusta,
DAVIS of Augusta, BROWNE of Vassalboro.

READ.

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

Senator **MITCHELL:** Thank you, Madame President and colleagues of the Senate. I will be very brief because, frankly, there are not enough words in the dictionary to praise Elaine Clark enough. I think if every building in the state that she has preserved and made for better use could be named after her there would be a whole city named Clark. I think that in all my years of public service I have never met a more dedicated, more competent, more passionate public official. I think the University's gain is the State's loss, but we wish you well there and hope that you create the same work ethic, the same passion, the same creativity for the University that you have done for the State of Maine. I know that we all join in wishing you well in your retirement from Maine, but we expect great things of Elaine Clark as she moves on to the University.

THE PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Schneider.

Senator **SCHNEIDER:** Thank you, Madame President. I wish to just say how much of a pleasure it has been working with Elaine in the Committee of State and Local Government. My House Chair, Representative Barstow, and I are very grateful to her efforts and I think one of the best ways we could honor Director Clark on her exiting is to ensure that the building projects that are going to come before us, that we do not make these political issues but that we make sure to see to it that these projects go through and get dealt with to benefit both the people of the State of Maine in the most fiscally responsibly way and also to honor Director Clark in her efforts to preserve buildings in the best way possible. I am very pleased to have her as a new constituent in my district and I am looking forward to working with her in the future through the University. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Knox, Senator Savage.

Senator **SAVAGE:** Thank you, Madame President, men and women of the Senate. I'd like to just publicly thank Elaine Clark because she has been instrumental in keeping our committee together to find a reuse for the land where the demolished State Prison sat. We kind of joked at times that she came to Knox County so many times that her car could come all by itself. I appreciate her and her efforts for us and I thank her from the bottom of my heart.

PASSED.

Sent down for concurrence.

THE PRESIDENT: The Chair is pleased to recognize in the rear of the Chamber Elaine Clark. Would she please rise and receive the greetings of the Maine Senate.

Pete Thibodeau, of Monmouth, on the occasion of his retirement as the President and Chief Executive Officer of Jobs for Maine's Graduates, Inc. (JMG), a statewide, private, nonprofit educational organization established by the Maine Legislature in 1993 as a school-to-work high school program. Throughout his career, Mr. Thibodeau has been passionate about helping young people reach their potential and succeed. JMG, which has gradually expanded to help middle school students, homeless students and those in youth development centers, has been recognized for 11 consecutive years as the best statewide program of its kind in the nation. During Mr. Thibodeau's tenure as president, the organization more than doubled the number of students it serves annually, from 1,200 students a year in 1995 to more than 2,500 students in 2005. We send our congratulations and best wishes to Mr. Thibodeau on his retirement;

SLS 954

Sponsored by Senator MITCHELL of Kennebec.
Cosponsored by Senators: COWGER of Kennebec, SCHNEIDER of Penobscot, TURNER of Cumberland, BROMLEY of Cumberland, Representatives: SMITH of Monmouth, CAIN of Orono, DAVIS of Falmouth, EDGECOMB of Caribou, FINCH of

Fairfield, GOLDMAN of Cape Elizabeth, LANSLEY of Sabattus, MAKAS of Lewiston, MERRILL of Appleton, NORTON of Bangor, STEDMAN of Hartland, PARADIS of Frenchville.

READ.

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

Senator **MITCHELL:** Thank you, Madame President and colleagues in the Senate. Recognizing Pete Thibodeau is an honor for me and for many of you in this chamber. I know I speak for the more than almost 15,000 young people who, over the years of his tenure, have benefited from the Jobs for Maine's Graduates. He is so good at what he does. I think his name is Pete 'Passion' Thibodeau. He has so much passion for these young people that if you have ever tried to say no to him about being on his board, about serving this program, you understand what I mean because 'no' is not in his vocabulary. He is a 'can do' kind of person. Not only has he helped Maine's students but the Jobs for Maine's Graduates Program is so effective that they train other affiliates across the country. To honor him today the Vice President of Jobs for America's Graduates, Mr. Koeninger, and his wife, are here to honor Pete. They are here from Texas for his retirement party tonight. He reaches far beyond Maine. Isn't that the way of it. He is the epitome of Dirigo. Thank you, Mr. Thibodeau.

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Bromley.

Senator **BROMLEY:** Thank you, Madame President, men and women of the Senate. I, too, rise to honor Pete Thibodeau. I joined the board of the Jobs for Maine's Graduates in 1998. When I got elected and was paring down my life and resigning from everything so I could do a good job up here, JMG was the one and only board I remained on in part because of the mission but also in part because of Pete Thibodeau. He knows as well as any the connections between education and possibility. What he is really good at is explaining it in a sentence that all of us can understand. He is an amazing role model for all of us that do public service. His nurturance of the board, as well as the mission, is a tough act to follow. He's amazing in many ways and I ask you all to join me in honoring him today. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator Martin.

Senator **MARTIN:** Thank you, Madame President and members of the Senate. I probably have known Pete longer than any one else in this body since we both come from the same high school, Fort Kent Community High School. I knew him through his high school career, college career, and of course, knew his family. Needless to say, I'm not surprised that he's done as well as he has and the program has done as well as it has done. I congratulate him on his retirement and certainly wish him the best. Maybe at some point he'll come back to the valley where he belongs.

PASSED.

Sent down for concurrence.

THE PRESIDENT: The Chair is pleased to recognize in the rear of the Chamber Pete Thibodeau; Craig Larrabee, the current President of JMG; and Jim Koeninger, Executive Vice President of JMG's national organization. Would they please rise and receive the greetings of the Maine Senate.

REPORTS OF COMMITTEES

House

Pursuant to Public Law

The Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Amend the Notice of Risk to Personal Data Act" H.P. 1417 L.D. 2017

Reported that the same be **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES**, pursuant to Public Law 2005, chapter 379, section 2.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES**.

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

REFERRED to the Committee on **INSURANCE AND FINANCIAL SERVICES**, in concurrence.

Ought to Pass

The Committee on **TAXATION** on Bill "An Act To Conform the Maine Tax Laws for 2005 to the United States Internal Revenue Code" (EMERGENCY)

H.P. 1296 L.D. 1856

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 **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Improve the Ability of the Department of Corrections To Share Information Related to Clients in Order To Improve Treatment and Rehabilitative Services"

H.P. 1301 L.D. 1861

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-751)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-751)**.

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

READ ONCE.

Committee Amendment "A" (H-751) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Amend the Laws Pertaining to the Department of Corrections"

H.P. 1326 L.D. 1886

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-754)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-754)**.

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

READ ONCE.

Committee Amendment "A" (H-754) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Establish the Securities Investor Education and Training Fund"

H.P. 1295 L.D. 1855

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-753)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-753)**.

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

READ ONCE.

Committee Amendment "A" (H-753) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **STATE AND LOCAL GOVERNMENT** on Resolve, To Direct the State Planning Office To Establish a Working Group To Standardize Accounting Standards at All Levels of Government

H.P. 1220 L.D. 1713

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-752).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-752).**

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

READ ONCE.

Committee Amendment "A" (H-752) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **TAXATION** on Resolve, Authorizing the State Tax Assessor To Convey the Interest of the State in Certain Real Estate in the Unorganized Territory

H.P. 1217 L.D. 1710

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-756).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-756).**

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

READ ONCE.

Committee Amendment "A" (H-756) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **TAXATION** on Bill "An Act To Exempt Vegetable Seeds for Home Gardens from the Sales Tax" (EMERGENCY)

H.P. 1263 L.D. 1823

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

Signed:

Senators:

PERRY of Penobscot
STRIMLING of Cumberland
COURTNEY of York

Representatives:

HANLEY of Paris
McCORMICK of West Gardiner
WOODBURY of Yarmouth
CLOUGH of Scarborough
BIERMAN of Sorrento
SEAVEY of Kennebunkport

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-757).**

Signed:

Representatives:

CLARK of Millinocket
HUTTON of Bowdoinham
WATSON of Bath

Comes from the House with the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-757).**

Reports **READ.**

Senator **STRIMLING** of Cumberland moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE.**

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE.**

Senate

Pursuant to Joint Order

Senator NUTTING for the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Establish a Computer Crimes Unit within the Maine State Police Crime Laboratory" (EMERGENCY)

S.P. 779 L.D. 2028

Reported that the same be **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY**, pursuant to Joint Order 2006, S.P. 762.

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

REFERRED to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY**.

Sent down for concurrence.

Ought to Pass

Senator TURNER for the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act Concerning Members of School Administrative Districts' Finance Committees"
S.P. 697 L.D. 1780

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Ought to Pass As Amended

Senator SCHNEIDER for the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Increase Certain Fees Paid for Service of Writs and Complaints"
S.P. 696 L.D. 1779

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-461)**.

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

READ ONCE.

Committee Amendment "A" (S-461) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act Regarding Certain Easements across State Park Land"
S.P. 704 L.D. 1787

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

Signed:

Senators:
NUTTING of Androscoggin
BRYANT of Oxford

Representatives:

PIOTTI of Unity
CARR of Lincoln
JODREY of Bethel
JENNINGS of Leeds
MAREAN of Hollis
FLOOD of Winthrop
TWOMEY of Biddeford
SHERMAN of Hodgdon
EDGECOMB of Caribou

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

Signed:

Senator:
RAYE of Washington

Representative:
LUNDEEN of Mars Hill

Reports **READ**.

On motion by Senator **NUTTING** of Androscoggin, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**.

Sent down for concurrence.

Divided Report

The Majority of the Committee on **NATURAL RESOURCES** on Bill "An Act To Prevent Motor Fuel Spills from Aboveground Storage Tanks That Have Underground Piping"
S.P. 685 L.D. 1768

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-462)**.

Signed:

Senators:
COWGER of Kennebec
MARTIN of Aroostook
SNOWE-MELLO of Androscoggin

Representatives:

KOFFMAN of Bar Harbor
THOMPSON of China
EBERLE of South Portland
DAIGLE of Arundel
TWOMEY of Biddeford
DUCHESNE of Hudson
ROSEN of Bucksport
WHEELER of Kittery

The Minority of the same Committee on the same subject reported that the same **Ought Not To Pass**.

Signed:

Representatives:

JOY of Crystal
ANNIS of Dover-Foxcroft

Reports **READ**.

On motion by Senator **COWGER** of Kennebec, the Majority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**.

READ ONCE.

Committee Amendment "A" (S-462) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Authorize the Deorganization of the Town of Cooper"

S.P. 781 L.D. 2030

Reported that the same **Ought to Pass**, pursuant to Resolve 2005, chapter 78, section 5.

Signed:

Representatives:

McFADDEN of Dennysville
MOULTON of York
BISHOP of Boothbay
CROSTHWAITE of Ellsworth
BLANCHARD of Old Town
MUSE of Fryeburg
SCHATZ of Blue Hill
BROWNE of Vassalboro

The Minority of the same Committee on the same subject reported that the same **Ought Not to Pass**, pursuant to Resolve 2005, chapter 78, section 5.

Signed:

Senators:

SCHNEIDER of Penobscot
ROTUNDO of Androscoggin
ANDREWS of York

Representatives:

BARSTOW of Gorham
HARLOW of Portland

Reports **READ**.

Senator **SCHNEIDER** of Penobscot moved the Senate **ACCEPT** the Minority **OUGHT NOT TO PASS** Report.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report.

SECOND READERS

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

House As Amended

Bill "An Act To Increase Efficiency in Truck Hauling" (EMERGENCY)

H.P. 1209 L.D. 1702
(C "A" H-749)

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

Senate As Amended

Bill "An Act Requiring Equal Retirement Benefits for Corrections Officers and Mental Health Workers with 25 Years of State Service" (EMERGENCY)

S.P. 246 L.D. 748
(C "B" S-432)

Bill "An Act To Amend the Laws Governing the Burial or Cremation of Certain Persons"

S.P. 353 L.D. 1036
(C "A" S-456)

Bill "An Act To Sustain and Strengthen Community Health Coalitions"

S.P. 596 L.D. 1614
(C "A" S-455)

Bill "An Act To Amend Certain Transportation Laws"

S.P. 667 L.D. 1750
(C "A" S-458)

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:

Emergency Measure

An Act To Allow the Towns of Mapleton, Castle Hill and Chapman To Deposit All Tax Revenues, Grant Revenues and Other Income and Revenues into One Depository Account

S.P. 648 L.D. 1694
(S "A" S-445)

This being an Emergency Measure and having received the affirmative vote of 35 Members of the Senate, with no Senators having voted in the negative, and 35 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Mandate

An Act To Amend the Charter of the Boothbay Harbor Sewer District

H.P. 1244 L.D. 1736
(C "A" H-745)

This being a Mandate, in accordance with the provisions of Section 21 of Article IX of the Constitution, and having received the affirmative vote of 35 Members of the Senate, with no Senators having voted in the negative, and 35 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Acts

An Act To Require That Automobile Extended Service Warranties Purchased by Maine Citizens Provide for Arbitration in the State

H.P. 1212 L.D. 1705

An Act To Establish the Athens Standard Water District

S.P. 657 L.D. 1740
(C "A" S-444)

An Act To Change the Charter of the St. Francis Water District

H.P. 1273 L.D. 1833
(C "A" H-746)

An Act To Change the Name of Little Island to Chickering Island

S.P. 741 L.D. 1942

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

Resolve

Resolve, To Direct the Department of Inland Fisheries and Wildlife To Determine the Feasibility of Integrating Certain Moose Management Practices between Tribal and Nontribal Lands

H.P. 352 L.D. 477
(C "A" H-743)

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

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 (1/04/06) Assigned matter:

Bill "An Act To Protect Workers from Political or Religious Intimidation"

S.P. 724 L.D. 1924

Tabled - January 4, 2006, by Senator **STRIMLING** of Cumberland

Pending - **REFERENCE**

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

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

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (2/16/06) Assigned matter:

SENATE REPORTS - from the Committee on **HEALTH AND HUMAN SERVICES** on Resolve, To Amend MaineCare Eligibility for the Workers with Disabilities Option

S.P. 150 L.D. 463

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-457)** (8 members)

Minority - **Ought Not to Pass** (5 members)

Tabled - February 16, 2006, by Senator **MAYO** of Sagadahoc

Pending - motion by same Senator to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report

(In Senate, February 16, 2006, Reports **READ**.)

THE PRESIDENT: The Chair recognizes the Senator from Hancock, Senator Rosen.

Senator **ROSEN**: Thank you, Madame President and members of the Senate. This is a bill that came before us before we took our break. I'll give you a couple of minutes to get caught up. It's a divided report out of Health and Human Services. Essentially what this bill does is to provide a promise, which is a noble one, without any method of how to accomplish it. What the bill does is change eligibility standards to allow approximately 826 people to become newly eligible for MaineCare. The General Fund cost for this is estimated to be somewhere between \$2.2 million and \$3.2 million. What we are talking about here is a fairly straightforward proposal to remove a barrier that currently exists in eligibility for a certain population to now be allowed to access MaineCare. The interesting component here is it is half a proposal. It is the promise now of extending this coverage to 826 individuals without the ability to come up with any kind of an ongoing plan to fund it in a meaningful way. You may say, 'Well, it's a small number in the scheme of things.' We are currently at a record-breaking number of our state's population that is on MaineCare. I think the latest numbers, as of January 2006, are 262,000. If you count the drug benefit, you are up to 351,000. We now have the distinction of being the state in the nation that has the highest percent of its population currently enrolled in our state Medicaid program.

The challenge that we face is how to fund these ever increasing extensions of benefits into the plan. We all know that we have a Medicaid plan that is consuming our state budget. We know that we have a current shortfall this year, the 2006 fiscal year, of \$100 million in the Medicaid account, which Appropriations is currently dealing with in their supplemental budget work. This is a straight-line analysis from the fiscal office. We know that the budget that was passed last session flat funds this account in 2007.

My contention that I raise here today is that this is an incomplete proposal. It was my hope, and it would have been my hope, that the committee would have reported out a complete package; here is the expansion and here is the method to fund it, or here is a redesign in the current program or some other alternative to come up with a complete package. I don't see how we can continue to simply expand eligibility when we are confronting a flat funded account next year and when we have a budget-breaking Medicaid account currently. Our only alternative is to continue the model that we are currently using. The current model is to under-reimburse providers, provide payments late, impose more tax and match schemes to gain the federal system and draw down more federal money that way, and tax private-pay citizens. That is the current model that we have built to fund the system that we have. Many of us would be interested in a redesign of that model. Many of us would be interested in putting forward a complete proposal.

I ask you to reject the measure that is before us today, send a signal back to Health and Human Services to come before this chamber with a complete package that is sustainable, and I encourage you to vote no on the proposal that is before us at the moment and also ask for a roll call.

On further motion by same Senator, supported by a Division of one-fifth of the members present and voting, a Roll Call was ordered.

THE PRESIDENT: The Chair recognizes the Senator from Sagadahoc, Senator Mayo.

Senator **MAYO**: Thank you, Madame President, ladies and gentlemen of the Senate. I don't necessarily completely disagree with the good words of the Senator from Hancock, Senator Rosen, on this issue. However I do take exception with the fact that it is an incomplete proposal because I think, while some may not like the proposal, it is a complete proposal. The one issue that could be considered as incomplete is the fact that the fiscal office has not been able to arrive at an income level. It's very easy for the fiscal office to arrive at an expense level, but if this bill is approved there will be some income. Unfortunately we don't ever put that down.

Several years ago Maine adopted the Worker's With Disabilities Option. This option was intended to insure that people with disabilities who wanted to return to work could do so without losing their health insurance. Under the current law the Worker's With Disabilities Option limits MaineCare eligibility to people with disabilities who's unearned, and I repeat unearned, income is below the federal poverty level and who's combined earned and unearned income is below 250% of the federal poverty level. This means that if someone is receiving SSDI the chances are very good that they are not going to be eligible for MaineCare. Even though they want to work, and maybe are working, they are going to be declared ineligible because of their receipt of SSDI. There are 31 states that have adopted the program that we are talking about today and two-thirds have rejected the separate unearned income level, recognizing the barriers it creates for people with disabilities who want to work and may have been working. Preventing these people from receiving MaineCare while they work part-time either puts them full-time on MaineCare with no work and no ability to work or it puts them into a situation of no income.

Ladies and gentlemen of the Senate, I would hope that we would allow this bill to go forward. It is not an incomplete situation except, as I mentioned earlier, for no mention of the income. Let's allow these people the opportunity to work when they have the desire and the need to. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from York, Senator Sullivan.

Senator **SULLIVAN**: Thank you, Madame President and fellow colleagues. I find myself in a position that is unusual. I'm not quite sure what to do. I believe that, in the long run, I have to come down with the Senator from Sagadahoc, Senator Mayo. We talk about having people have the dignity of being able to work. The dignity of being able to work is the very essence of this bill, as I listen to it being discussed in various caucuses and whatever. I know plenty of school teachers that do not retire because of their health insurance. They can't afford to pay for their health insurance. How many people who have a disability will go for part-time jobs for the dignity of being able to work will just say, 'I just cancel my health insurance and I'm going to go back and work for minimum wage. No big deal, I have my dignity.' We're giving a disincentive to get people back to work, to be productive citizens. We're talking about people coming off our welfare rolls. They come back as productive citizens. What's wrong with that? Think of it. If you had to make a choice, and we talk about personal choices all the time, do you make a personal choice to have no medical insurance, no health care, but to go and work and have the dignity of being able to work within your disability. It's certainly not going to be full-time. I find that the good for society outweighs the cost here and I believe we fail to

look at the benefit that comes back with the feeling of dignity, the right to work within their disabilities, and the fact that they are paying back into the economy by bringing in a salary. I think it's a good investment and I would support the spending of this money and giving our Maine citizens who have a disability, that want to work, the right to be able to work. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from York, Senator Nass.

Senator **NASS:** Thank you, Madame President, men and women of the Senate. This looks to me like this is a resolve, so I'm not really quite sure what the outcome of this is. This is the heart of the philosophical discussion about MaineCare and our ability to continue what we've been doing. The Senator from Hancock, Senator Rosen, indicated our current effort is huge in this state. Our Medicaid population, as a percentage of our total, is the largest in the country. Our personal income is one of the lowest in the country. What are we doing? This is no longer about dignity or about ability to work. This is about our ability to sustain this system. We are losing it, if we haven't already lost it. It was my pleasure this summer to serve on the Medicaid Commissioner Committee with the Senator from Cumberland, Senator Brennan, and others. We heard from folks on a national basis and from a former Chief Executive, Governor King, who is working at the national level on this issue, that this system is unsustainable. Dignity is a nice thing, but if the system is going to collapse why are we not trying to do something to shore it up? Adding people to it does not shore up this system. In fact, our problem is we're providing benefits to the middle class. We are no longer helping the very people that need it. These may be people who need it. We're trying to help too many people. This system is going to collapse. That's not just my feeling, there are other people that believe it. This is the wrong direction to go, Madame President, and I urge that you defeat this motion. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator Martin.

Senator **MARTIN:** Thank you, Madame President and members of the Senate. Let me first say that if I had my wishes I'd want the system to collapse completely so this country could have universal health care like other industrial nations of the world. If you are looking for a bottom line, and that is where you want to go, that is one way to approach it.

Let's look at the issue before us, this bill. It is a philosophical question. It's a question of whether or not you want to help people who don't have coverage by giving them health care. That is really the point here. We're talking about 826 people. I want to point out that the estimate that has been given to us in terms of the cost, in my opinion, is inaccurate. Let me explain why. They admit they cannot come up with the cost. That is why I want this bill to keep moving so that before we get to the stage, if we get there, of Appropriations, we have a real bottom cost. Let me illustrate why. It deals, in particular, with individuals with unearned income. I don't know if you have ever dealt with people who have the ability, in effect, to transfer unearned income. They can move that out and could, in effect, be eligible tomorrow morning. You know how good lawyers deal with estates and you know how they deal with people prior to entering nursing homes, perfectly legally under federal and state laws. Keep in mind that we don't have the projected income that could occur from those

people who might be working. That's not built in here. That has yet to be determined. Those are the figures I hope we will get before we get to the end game. It is absolutely critical. Let me say, philosophically, my bottom line is to, hopefully in the long run, cover everyone in Maine with some form of health care. I'm willing to compromise with anyone on the issue. We need to move in that direction to provide health care to Maine citizens and to do it at a reasonable cost. If we can stop this fighting between all of the groups in Maine, and if they were all willing to sit down, we might be able to achieve that. I'll tell you, it's a tough road.

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Brennan.

Senator **BRENNAN:** Thank you, Madame President, men and women of the Senate. There is a wrong direction that we are going in this country. The wrong direction is that there are more people today in this country without health care than there were four years ago. Over 45 million people in this country don't have health care. It's very easy to say that we're number one in the country in the percentage of people that are on Medicaid. It's very easy to say that. It's a nice sound bite and it attracts attention.

Let's look underneath that statistic for one second. Two-thirds of the cost of MaineCare is for people who are elderly, handicapped, or disabled; 66% of the cost of MaineCare in this state goes to elderly, disabled, or handicapped people. So is the percentage too high that we are spending for people in nursing homes? Is the percentage too high for our most vulnerable population, our handicapped or disabled? I don't think so. If there is a system that is broken and that is going in the wrong direction it is occurring at the federal level, not at our level. In fact, there is a report that was published last year by the Kyser Family Foundation that showed that the State of Maine, in terms of our spending on MaineCare, was right in line with virtually every other state in the country. Again, we can take one sound bite and say we have the highest percentage of MaineCare participation in the country. We need to look underneath that and really find that Maine has done nothing uniquely different than other states in the country. In fact, last year there were over 35 other states in the country that were dealing with MaineCare or Medicaid-type problems. We will then start to see that Maine has made a very reasonable attempt to provide insurance for some of the most vulnerable, some of the most needy people in the state.

The good Senator from York, Senator Nass, mentioned the fact that this last year we did serve together on a Blue Ribbon Commission to examine MaineCare costs in the state. It was absolutely true that Governor King did come and speak and talked about sustainability issues. I think there was also some agreement that if we kept spending the way that we're spending on education, on BETR, and on a number of different aspects of our budget, there would be questions of sustainability not just uniquely related to MaineCare.

Lastly, I look forward to working with the good Senator from York, Senator Nass. We had a number of different recommendations that came out of that Blue Ribbon Commission that we think will put MaineCare in a better position and allow us to move forward if we are able to implement those recommendations. Thank you.

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

Senator **GAGNON**: Thank you, Madame President. May I pose a question through the Chair?

THE PRESIDENT: The Senator may pose his question.

Senator **GAGNON**: Thank you, Madame President. It is my understanding, and I'm asking this question, that what we are talking about here is a program where people who are currently not working and receiving benefits would be allowed to work. That is really what the price tag is all about. My question is, am I accurate in that? Are we talking about people who want to go to work?

THE PRESIDENT: The Senator from Kennebec, Senator Gagnon poses a question through the Chair to anyone who may wish to answer. The Chair recognizes the Senator from Sagadahoc, Senator Mayo.

Senator **MAYO**: Thank you, Madame President. In answer to the question from the good Senator from Kennebec, Senator Gagnon, the answer is 'yes'.

THE PRESIDENT: The Chair recognizes the Senator from Hancock, Senator Rosen.

Senator **ROSEN**: Thank you, Madame President. Also in response to the question, I think that the objection to the bill is a broader one. We have several vehicles moving either through the regulatory process, the rule making process, or the bill submission process this session that continue to march down the road to extend and expand eligibility to MaineCare. That is a policy decision that is moving forward. Those of us on the committee are looking at the structure of the system currently and we don't see a proposal attached to this bill of how we continually add more eligible individuals in the state into the system that budgeted for flat funding, that is already underpaying providers, and that is already at a crisis point when you look at specialty groups and certain classes of providers. Where is the plan? If the philosophical approach to this, as has been stated, is to continue to open up the program and to move it to a universal model, then it is not built on a sustainable financial foundation. That's what we are confronted with. That's the other half of the proposal. That is the lacking piece. That is the objection. That is what we need to achieve. That is why this should go back to committee.

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

Senator **GAGNON**: Thank you, Madame President, men and women of the Senate. I'm amazed that this ends up being the flash point of this issue. I'm hearing about alternatives and what people are working on. I see no other minority report in this bill. I understand there is a roll call that we are going to be having and I'm very proud that there is a roll call. I will be very proud and interested to see how people vote towards taking a situation where people want to work and are making this the flash point of the system. People want to work. Let's make that the flash point, not what's happening at the federal level, not what's happening in millions and billions and trillions of dollars that are being wasted at the federal level, or the tax cuts for the wealthiest percentage

of our nation. Let's make this the flash point. People who are hobbled, people who have a difficult time in our society, and people who want to go to work. I find that fascinating that we want to make that the flash point. I'm very proud of the fact that the good Senator from Hancock, Senator Rosen, did ask for a roll call and it will be interesting to see what it is. Thank you.

THE PRESIDENT: The pending question before the Senate is the motion by the Senator from Sagadahoc, Senator Mayo to Accept the Majority Ought to Pass as Amended Report. A Roll Call has been ordered. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#310)

YEAS: Senators: BARTLETT, BRENNAN, BROMLEY, BRYANT, COWGER, DAMON, DIAMOND, GAGNON, HOBBS, MARTIN, MAYO, MITCHELL, NUTTING, PERRY, ROTUNDO, SCHNEIDER, STRIMLING, SULLIVAN, THE PRESIDENT, BETH G. EDMONDS

NAYS: Senators: ANDREWS, CLUKEY, COURTNEY, DAVIS, DOW, HASTINGS, MILLS, NASS, PLOWMAN, RAYE, ROSEN, SAVAGE, SNOWE-MELLO, TURNER, WESTON, WOODCOCK

19 Senators having voted in the affirmative and 16 Senators having voted in the negative, the motion by Senator **MAYO** of Sagadahoc **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, **PREVAILED**.

READ ONCE.

Committee Amendment "A" (S-457) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Chair laid before the Senate the following Tabled Unassigned matter:

Bill "An Act To Protect Maine's Groundwater Resources"
S.P. 725 L.D. 1925

Tabled - January 4, 2006, by Senator **MARTIN** of Aroostook

Pending - **REFERENCE**

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

On motion by Senator **MARTIN** of Aroostook, Bill and accompanying papers **INDEFINITELY POSTPONED**.

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act Relating to Mergers and Consolidations of Corporations without Capital Stock" (EMERGENCY)
H.P. 1431 L.D. 2034

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.

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Amend the Charter of the Kennebec Light and Power District" (EMERGENCY)
H.P. 1420 L.D. 2019

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

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

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

PAPERS FROM THE HOUSE

**Pursuant to Resolve
Study Commission Regarding Liveable Wages**

The **Study Commission Regarding Liveable Wages**, pursuant to Resolve 2005, chapter 128 asked leave to report that the accompanying Bill "An Act To Implement Recommendations of the Study Commission Regarding Liveable Wages Concerning Subsidized Child Care"

H.P. 1423 L.D. 2022

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 Bill **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.

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

PAPERS FROM THE HOUSE

**Pursuant to Resolve
Study Commission Regarding Liveable Wages**

The **Study Commission Regarding Liveable Wages**, pursuant to Resolve 2005, chapter 128 asked leave to report that the accompanying Bill "An Act To Implement Recommendations of the Study Commission Regarding Liveable Wages Concerning the Definition of a Liveable Wage"

H.P. 1424 L.D. 2023

Be **REFERRED** to the Committee on **LABOR** and ordered printed pursuant to Joint Rule 218.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **LABOR** and ordered printed pursuant to Joint Rule 218.

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

On motion by Senator **STRIMLING** of Cumberland, **REFERRED** to the Committee on **LABOR** and ordered printed pursuant to Joint Rule 218, in concurrence.

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

PAPERS FROM THE HOUSE

**Pursuant to Resolve
Study Commission Regarding Liveable Wages**

The **Study Commission Regarding Liveable Wages**, pursuant to Resolve 2005, chapter 128 asked leave to report that the accompanying Resolve, To Implement Recommendations of the Study Commission Regarding Liveable Wages Concerning Plans To Increase Wages to Maine Workers

H.P. 1430 L.D. 2032

Be **REFERRED** to the Committee on **LABOR** 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 **LABOR** and ordered printed pursuant to Joint Rule 218.

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

On motion by Senator **STRIMLING** of Cumberland, **REFERRED** to the Committee on **LABOR** and ordered printed pursuant to Joint Rule 218, in concurrence.

On motion by Senator **PERRY** of Penobscot, **REFERRED** to the Committee on **TAXATION** and ordered printed pursuant to Joint Rule 218, in concurrence.

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

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

PAPERS FROM THE HOUSE

**Pursuant to Resolve
Study Commission Regarding Liveable Wages**

The **Study Commission Regarding Liveable Wages**, pursuant to Resolve 2005, chapter 128 asked leave to report that the accompanying Bill "An Act To Implement Recommendations of the Study Commission Regarding Liveable Wages Concerning the State Contracting Process"

H.P. 1425 L.D. 2024

Be **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed pursuant to Joint Rule 218.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed pursuant to Joint Rule 218.

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

On motion by Senator **SCHNEIDER** of Penobscot, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed pursuant to Joint Rule 218, in concurrence.

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

PAPERS FROM THE HOUSE

**Pursuant to Resolve
Study Commission Regarding Liveable Wages**

The **Study Commission Regarding Liveable Wages**, pursuant to Resolve 2005, chapter 128 asks leave to report that the accompanying Bill "An Act To Implement Recommendations of the Study Commission Regarding Liveable Wages Concerning the Circuit Breaker Program"

H.P. 1426 L.D. 2025

Be **REFERRED** to the Committee on **TAXATION** and ordered printed pursuant to Joint Rule 218.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **TAXATION** and ordered printed pursuant to Joint Rule 218.

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

PAPERS FROM THE HOUSE

**Pursuant to Resolve
Study Commission Regarding Liveable Wages**

The **Study Commission Regarding Liveable Wages**, pursuant to Resolve 2005, chapter 128 asked leave to report that the accompanying Bill "An Act To Implement Recommendations of the Study Commission Regarding Liveable Wages Concerning Conformity with Federal Tax Laws"

H.P. 1427 L.D. 2026

Be **REFERRED** to the Committee on **TAXATION** and ordered printed pursuant to Joint Rule 218.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **TAXATION** and ordered printed pursuant to Joint Rule 218.

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

On motion by Senator **PERRY** of Penobscot, **REFERRED** to the Committee on **TAXATION** and ordered printed pursuant to Joint Rule 218, in concurrence.

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

PAPERS FROM THE HOUSE

**Pursuant to Resolve
Study Commission Regarding Liveable Wages**

The **Study Commission Regarding Liveable Wages**, pursuant to Resolve 2005, chapter 128 asked leave to report that the accompanying Bill "An Act To Implement Recommendations of the Study Commission Regarding Liveable Wages Concerning the State Earned Income Tax Credit"

H.P. 1428 L.D. 2027

Be **REFERRED** to the Committee on **TAXATION** and ordered printed pursuant to Joint Rule 218.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **TAXATION** and ordered printed pursuant to Joint Rule 218.

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

On motion by Senator **PERRY** of Penobscot, **REFERRED** to the Committee on **TAXATION** and ordered printed pursuant to Joint Rule 218, in concurrence.

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

REPORTS OF COMMITTEES

House

Pursuant to Joint Order

The Committee on **MARINE RESOURCES** on Bill "An Act Relating to Elver Fishing" (EMERGENCY)
H.P. 1421 L.D. 2020

Reported that the same be **REFERRED** to the Committee on **MARINE RESOURCES**, pursuant to Joint Order 2006, H.P. 1414.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **MARINE RESOURCES**.

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

REFERRED to the Committee on **MARINE RESOURCES**, in concurrence.

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

REPORTS OF COMMITTEES

House

Pursuant to Joint Order

The Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Clarify the Uninsured Motorist Laws"
H.P. 1422 L.D. 2021

Reported that the same be **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES**, pursuant to Resolve 2005, chapter 100.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES**.

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

REFERRED to the Committee on **INSURANCE AND FINANCIAL SERVICES**, in concurrence.

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

REPORTS OF COMMITTEES

House

Pursuant to Public Law

The Committee on **NATURAL RESOURCES** on Bill "An Act Regarding Storm Water Program Administration"
H.P. 1435 L.D. 2035

Reported that the same be **REFERRED** to the Committee on **NATURAL RESOURCES**, pursuant to Public Law 2005, chapter 157.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **NATURAL RESOURCES**.

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

REFERRED to the Committee on **NATURAL RESOURCES**, in concurrence.

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

REPORTS OF COMMITTEES

House

Change of Committee

The Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Increase Consumer Awareness of Prescription Drug Pricing"
H.P. 1392 L.D. 1987

Reported that the same be **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill and accompanying papers **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**.

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

REFERRED to the Committee on **HEALTH AND HUMAN SERVICES**, in concurrence.

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

Senate at Ease.

Senate called to order by the President.

Off Record Remarks

Senator **DAVIS** of Piscataquis 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.

Senator **ROTUNDO** of Androscoggin 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.

Off Record Remarks

Senator **PLOWMAN** 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.

Off Record Remarks

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

Off Record Remarks

On motion by Senator **BRENNAN** of Cumberland, **ADJOURNED**, to Thursday, March 2, 2006, at 10:00 in the morning.