

MAINE STATE LEGISLATURE

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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
Thursday
March 9, 2006

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

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

REVEREND HERRINTON-HODGE: I bring you greetings from
the Leeds and Hartford communities and say we want to express
our thanks to each of you who serve this state. Will you please
join me in prayer.

Gracious and holy God, You call these men and women and
set them as leaders in the State of Maine. In this call comes
great responsibility and honor as well as work and respect. Bless
the leaders of this body, that they may do their work faithful to the
conscience that You stir in them, that they may honor You with
the spirit of mercy and kindness and justice. Help them to use
their experience and authority to serve Your people faithfully, to
listen and deliberate, to negotiate and compromise toward an end
of promoting the general welfare of Maine. Oh God, great
Governor, we commend our state to Your merciful care. Preserve
her natural resources. Protect her quality and pace of life and
help us find ways to improve our schools, strengthen our
employment base, provide adequate and accessible health care,
and protect our land and people from harm. You desire the best
for Your people, oh God. Help us to work for the best with the
power and insight and influence You grant us. May these gifts be
used wisely. May we be guided by our conscience and heart to
serve You and Your people. Amen.

Reading of the Journal of Tuesday, March 7, 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. 801

Ordered, the House concurring, that when the House and Senate
adjourn, they do so until Tuesday, March 14, 2006, at 10:00 in the
morning.

READ and PASSED.

Ordered sent down forthwith for concurrence.

PAPERS FROM THE HOUSE

Non-Concurrent Matter

HOUSE REPORTS - from 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

Majority - **Ought Not to Pass** (9 members.)

Minority - **Ought to Pass as Amended by Committee
Amendment "A" (H-757)** (3 members)

In House, February 16, 2006, 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)**.

In Senate, March 2, 2006, the Majority **OUGHT NOT TO PASS**
Report **READ** and **ACCEPTED**, in **NON-CONCURRENCE**.

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

On motion by Senator **STRIMLING** of Cumberland, the Senate
ADHERED.

COMMUNICATIONS

The Following Communication: S.P. 799

STATE OF MAINE
122ND MAINE LEGISLATURE

March 6, 2006

Sen. Elizabeth M. Schneider
Senate Chair, Joint Standing Committee on State and Local
Government
Rep. Christopher R. Barstow
House Chair, Joint Standing Committee on State and Local
Government
122nd Legislature
Augusta, ME 04333

Dear Senator Schneider and Representative Barstow:

Please be advised that Governor John E. Baldacci has nominated
the following as members of the Civil Service Appeals Board:

Julie Armstrong of Cape Elizabeth for appointment
Bent Schlosser of Vassalboro for reappointment
Nelson E. Durgin of Bangor for reappointment
John R. Hanson of Bangor for reappointment

Pursuant to Title 5 M.R.S.A. §7081, these nominations will require
review by the Joint Standing Committee on State and Local
Government and confirmation by the Senate.

Sincerely,

S/Beth Edmonds
President of the Senate

S/John Richardson
Speaker of the House

READ and REFERRED to the Committee on **STATE AND LOCAL GOVERNMENT**.

Sent down for concurrence.

The Following Communication: S.P. 800

**STATE OF MAINE
122ND MAINE LEGISLATURE**

March 6, 2006

Sen. Elizabeth H. Mitchell
Senate Chair, Joint Standing Committee on Education and Cultural Affairs
Rep. Jacqueline R. Norton
House Chair, Joint Standing Committee on Education and Cultural Affairs
122nd Legislature
Augusta, ME 04333

Dear Senator Mitchell and Representative Norton:

Please be advised that Governor John E. Baldacci has nominated the following as members of the Maine School of Science and Mathematics Board of Trustees:

Richard A. Oravetz of Holden for appointment
Michael D. Pearson of Enfield for appointment
Jeremy M. Usher of Dresden for appointment
David C. Haines of Auburn for appointment

Pursuant to Title 20-A M.R.S.A. §8204, these nominations will require review by the Joint Standing Committee on Education and Cultural Affairs and confirmation by the Senate.

Sincerely,

S/Beth Edmonds
President of the Senate

S/John Richardson
Speaker of the House

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

Sent down for concurrence.

The Following Communication: S.P. 802

**STATE OF MAINE
122ND MAINE LEGISLATURE**

March 7, 2006

Sen. Elizabeth H. Mitchell
Senate Chair, Joint Standing Committee on Education and Cultural Affairs
Rep. Jacqueline R. Norton
House Chair, Joint Standing Committee on Education and Cultural Affairs
122nd Legislature
Augusta, ME 04333

Dear Senator Mitchell and Representative Norton:

Please be advised that Governor John E. Baldacci has nominated the following as members to the School Board of the Governor Baxter School for the Deaf:

Sarah M. Whitfield of Wiscasset for appointment
Romy Victoria Spitz of Portland for reappointment
David Gaul of Damariscotta for reappointment
Donald Miller of West Bath for reappointment

Pursuant to Title 20-A §7406, these nominations will require review by the Joint Standing Committee on Education and Cultural Affairs and confirmation by the Senate.

Sincerely,

S/Beth Edmonds
President of the Senate

S/John Richardson
Speaker of the House

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

Sent down for concurrence.

The Following Communication: S.P. 803

**STATE OF MAINE
122ND MAINE LEGISLATURE**

March 7, 2006

Sen. Elizabeth M. Schneider
Senate Chair, Joint Standing Committee on State and Local Government
Rep. Christopher R. Barstow
House Chair, Joint Standing Committee on State and Local Government
122nd Legislature
Augusta, ME 04333

Dear Senator Schneider and Representative Barstow:

Please be advised that Secretary of State Matthew Dunlap has nominated James S. Henderson of Harpswell for reappointment as the State Archivist.

Pursuant to Title 5 M.R.S.A. §93, this nomination will require review by the Joint Standing Committee on State and Local Government and confirmation by the Senate.

Sincerely,

S/Beth Edmonds
President of the Senate

S/John Richardson
Speaker of the House

READ and **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**.

Sent down for concurrence.

REPORTS OF COMMITTEES

House

Ought to Pass

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Raise the Debt Limit of the City of Brewer High School District"

H.P. 1393 L.D. 1988

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.

The Committee on **UTILITIES AND ENERGY** 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 **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 **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Protect Small Payroll Processors"

H.P. 1318 L.D. 1878

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-787)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-787)**.

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

READ ONCE.

Committee Amendment "A" (H-787) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Establish the Penobscot Language Preservation Fund in the Department of Education" (EMERGENCY)

H.P. 1247 L.D. 1807

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-780)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-780)**.

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

READ ONCE.

Committee Amendment "A" (H-780) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Assist Visually Impaired Persons and Persons with Disabilities in Obtaining Information Regarding Current Events"

H.P. 1376 L.D. 1964

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-788)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-788)**.

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

READ ONCE.

Committee Amendment "A" (H-788) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Protect Volunteer-earned Funds of the Maine Wildlife Park"

H.P. 1259 L.D. 1819

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-778)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-778)**.

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

READ ONCE.

Committee Amendment "A" (H-778) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Make License Requirements and Rules Consistent for Young Anglers"

H.P. 1337 L.D. 1896

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-781)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-781)**.

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

READ ONCE.

Committee Amendment "A" (H-781) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act To Protect Military Families" (EMERGENCY)

H.P. 1207 L.D. 1700

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-775)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-775)**.

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

READ ONCE.

Committee Amendment "A" (H-775) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act To Clarify Provisions of the Alcoholic Beverage Laws Regarding Promotions"

H.P. 1270 L.D. 1830

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-776)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-776)**.

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

READ ONCE.

Committee Amendment "A" (H-776) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act To Create Fairness in Liquor Licensing Fees"

H.P. 1278 L.D. 1838

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-789)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-789)**.

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

READ ONCE.

Committee Amendment "A" (H-789) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **UTILITIES AND ENERGY** on Bill "An Act To Amend the Charter of the Lisbon Water Department" (EMERGENCY)

H.P. 1380 L.D. 1970

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-779).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-779).**

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

READ ONCE.

Committee Amendment "A" (H-779) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Exempt Platform Lifts from the Annual Elevator Inspection"

H.P. 1255 L.D. 1815

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

Signed:

Senators:

BROMLEY of Cumberland
HOBBINS of York
DOW of Lincoln

Representatives:

BEAUDETTE of Biddeford
FARRINGTON of Gorham
SMITH of Monmouth
RECTOR of Thomaston
ROBINSON of Raymond
AUSTIN of Gray
O'BRIEN of Lewiston

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-786).**

Signed:

Representatives:

CROSBY of Topsham
JACOBSEN of Waterboro
BERUBE of Lisbon

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

Reports **READ.**

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

Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Streamline Criteria for Municipal General Assistance for Heating and Utility Assistance" H.P. 1286 L.D. 1846

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-790).**

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
BROWNE of Vassalboro
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 Not To Pass.**

Signed:

Representative:

CROSTHWAITE of Ellsworth

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-790).**

Reports **READ**.

On motion by Senator **SCHNEIDER** of Penobscot, the Majority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**, in concurrence.

READ ONCE.

Committee Amendment "A" (H-790) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **TRANSPORTATION** on Bill "An Act To Ensure Business Equity in Commercial Vehicle Registration"

H.P. 1238 L.D. 1730

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-782)**.

Signed:

Senators:

DAMON of Hancock
DIAMOND of Cumberland
SAVAGE of Knox

Representatives:

MARLEY of Portland
COLLINS of Wells
FISHER of Brewer
BROWNE of Vassalboro
MAZUREK of Rockland
PARADIS of Frenchville
SAMPSON of Auburn
HOGAN of Old Orchard Beach

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "B" (H-783)**.

Signed:

Representatives:

McKENNEY of Cumberland
THOMAS of Ripley

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-782)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-782)**.

Reports **READ**.

On motion by Senator **DAMON** of Hancock, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-782)** Report **ACCEPTED**, in concurrence.

READ ONCE.

Committee Amendment "A" (H-782) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **TRANSPORTATION** on Bill "An Act To Prevent Dangerous Commercial Drivers on Maine's Highways"

H.P. 1367 L.D. 1950

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-770)**.

Signed:

Senators:

DAMON of Hancock
DIAMOND of Cumberland
SAVAGE of Knox

Representatives:

MARLEY of Portland
HOGAN of Old Orchard Beach
MAZUREK of Rockland
PARADIS of Frenchville

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

Signed:

Representatives:

THOMAS of Ripley
FISHER of Brewer
McKENNEY of Cumberland
SAMPSON of Auburn
COLLINS of Wells
BROWNE of Vassalboro

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-770)**.

Reports **READ**.

Senator **DAMON** of Hancock moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence.

On motion by Senator **WESTON** of Waldo, **TABLED** until Later in Today's Session, pending the motion by Senator **DAMON** of Hancock to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence.

Senate

Ought to Pass

Senator **BROMLEY** for the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Amend the Laws Governing Licensure of Workers in the Field of Radiologic Technology" (EMERGENCY)
S.P. 687 L.D. 1770

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 **COWGER** for the Committee on **NATURAL RESOURCES** on Bill "An Act To Regulate the Use of Batteries Containing Mercury"
S.P. 375 L.D. 1058

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-483)**.

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

READ ONCE.

Committee Amendment "A" (S-483) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator **PERRY** for the Committee on **TAXATION** on Bill "An Act To Ensure the Ability of Municipalities To Provide Assistance to Their Citizens" (EMERGENCY)
S.P. 755 L.D. 1965

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-481)**.

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

READ ONCE.

Committee Amendment "A" (S-481) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **NATURAL RESOURCES** on Bill "An Act To Improve the Water Quality and Safety of Phillips Lake"

S.P. 691 L.D. 1774

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-484)**.

Signed:

Senators:

COWGER of Kennebec
MARTIN of Aroostook

Representatives:

KOFFMAN of Bar Harbor
JOY of Crystal
ANNIS of Dover-Foxcroft
EBERLE of South Portland
DAIGLE of Arundel
DUCHESNE of Hudson
WHEELER of Kittery
THOMPSON of China

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "B" (S-485)**.

Signed:

Senator:

SNOWE-MELLO of Androscoggin

Representatives:

TWOMEY of Biddeford
ROSEN of Bucksport

Reports **READ**.

On motion by Senator **COWGER** of Kennebec, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-484)** Report **ACCEPTED**.

READ ONCE.

Committee Amendment "A" (S-484) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

SECOND READERS

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

House

Bill "An Act Relating to the Flanders Bay Community School District" (EMERGENCY)

H.P. 1291 L.D. 1851

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

House As Amended

Bill "An Act To Increase Staffing for the Intergovernmental Advisory Commission"

H.P. 1221 L.D. 1714
(C "A" H-769)

Bill "An Act To Increase from a Class D Crime to a Class C Crime Violation of Privacy if the Victim Is under 16 Years of Age"

H.P. 1225 L.D. 1718
(C "A" H-766)

Bill "An Act To Clarify the Time Period in Which Municipalities Must File Notices of Intent with the State for Purposes of Issuing Building Permits"

H.P. 1305 L.D. 1865
(C "A" H-767)

Bill "An Act To Promote Youth Involvement in County and Local Government"

H.P. 1320 L.D. 1880
(C "A" H-768)

Bill "An Act To Restore the Cost-sharing Agreement Established by the Voters of Maine School Administrative District No. 40" (EMERGENCY)

H.P. 1344 L.D. 1903
(C "A" H-771)

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

Bill "An Act To Increase the Minimum Wage"

H.P. 174 L.D. 235
(C "A" H-725)

READ A SECOND TIME.

On motion by Senator **STRIMLING** of Cumberland, **TABLED** until Later in Today's Session, pending **PASSAGE TO BE ENGROSSED AS AMENDED**, in concurrence.

Bill "An Act To Prohibit Parking in Access Aisles" (EMERGENCY)
H.P. 1213 L.D. 1706
(C "B" H-765)

READ A SECOND TIME and **PASSED TO BE ENGROSSED AS AMENDED**, in **NON-CONCURRENCE**.

Sent down for concurrence.

Senate

Resolve, Regarding a Monument for Women Veterans of Maine (EMERGENCY)

S.P. 776 L.D. 2013

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

Sent down for concurrence.

Senate As Amended

Bill "An Act To Limit Human Exposure to Mercury"

S.P. 465 L.D. 1338
(C "A" S-477)

Bill "An Act To Create the Washburn Water and Sewer District"

S.P. 661 L.D. 1744
(C "A" S-476)

Bill "An Act To Sustain Good Local Planning Practices" (EMERGENCY)

S.P. 719 L.D. 1802
(S "A" S-474 to C "A" S-470)

Bill "An Act To Prevent the Use of Performance-enhancing Substances by Maine Student Athletes"

S.P. 749 L.D. 1952
(C "A" S-479)

Bill "An Act To Create a Children's Education Advocate"

S.P. 752 L.D. 1958
(C "A" S-475)

Resolve, Authorizing the Commissioner of Administrative and Financial Services To Sell or Lease for Veterans' Housing the Interests of the State in Hedin Hall at the Dorothea Dix Psychiatric Center

S.P. 765 L.D. 1984
(C "A" S-480)

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 Conform the Maine Tax Laws for 2005 to the United States Internal Revenue Code

H.P. 1296 L.D. 1856

This being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with no Senators having voted in the negative, and 32 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.

Emergency Measure

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
(C "A" H-751)

This being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with no Senators having voted in the negative, and 32 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.

Emergency Measure

An Act To Amend the Laws Pertaining to the Department of Corrections

H.P. 1326 L.D. 1886
(C "A" H-754)

This being an Emergency Measure and having received the affirmative vote of 33 Members of the Senate, with no Senators having voted in the negative, and 33 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 Establish the Securities Investor Education and Training Fund

H.P. 1295 L.D. 1855
(C "A" H-753)

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

An Act To Exempt Trail-grooming Equipment from the Personal Property Tax

S.P. 716 L.D. 1799
(C "A" S-452)

On motion by Senator **ROTUNDO** of Androscoggin, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **ENACTMENT**, in concurrence.

Resolves

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
(C "A" H-756)

Resolve, To Direct the Department of Audit To Establish a Working Group To Develop a Model Chart of Accounts for All Levels of Government

H.P. 1220 L.D. 1713
(C "A" H-752)

FINALLY PASSED and having been signed by the President were 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 (2/28/06) Assigned matter:

SENATE REPORTS - from 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

Majority - **Ought to Pass** (8 members)

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

Tabled - February 28, 2006, by Senator **SCHNEIDER** of Penobscot

Pending - motion by same Senator to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report

(In Senate, February 28, 2006, Reports **READ**.)

On motion by Senator **WESTON** of Waldo, **TABLED** until Later in Today's Session, pending the motion by Senator **SCHNEIDER** of Penobscot to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report.

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

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

SENATE REPORT - from the **Task Force to Study Maine's Homeland Security Needs** on Bill "An Act To Enhance the Protection of Maine Families from Terrorism and Natural Disasters " (EMERGENCY)

S.P. 789 L.D. 2044

Report - **Refer to the Committee on Criminal Justice and Public Safety**

Tabled - March 2, 2006, by Senator **BRENNAN** of Cumberland

Pending - motion by Senator **STRIMLING** of Cumberland to **ACCEPT** Report

(In Senate March 2, 2006, Report **READ**.)

On motion by Senator **STRIMLING** of Cumberland, Report **ACCEPTED** and the Bill **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY**.

Sent down for concurrence.

Senate at Ease.

Senate called to order by the President.

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Replace Municipal Revenues Subject to Business Equipment Property Tax Exemption"

H.P. 1452 L.D. 2056

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

On motion by Senator **STRIMLING** of Cumberland, **REFERRED** to the Committee on **TAXATION** 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 Statute
Revisor of Statutes**

The **Revisor of Statutes**, pursuant to the Maine Revised Statutes, Title 1, section 94 asked leave to report that the accompanying Bill "An Act To Correct Errors and Inconsistencies in the Laws of Maine" (EMERGENCY)

H.P. 1449 L.D. 2055

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

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

On motion by Senator **HOBBS** of York, **REFERRED** to the Committee on **JUDICIARY** 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

Joint Resolution

The following Joint Resolution:

H.P. 1450

**JOINT RESOLUTION RECOGNIZING MAINE'S
CREDIT UNIONS**

WHEREAS, Maine's credit unions are locally owned and governed financial cooperatives dedicated to serving the needs of their members. The not-for-profit structure of credit unions provides to each member equal representation in the operations of the credit union. Serving members in all 16 Maine counties and in every community, Maine's credit unions are devoted to the more than 600,000 Maine consumers that belong to a credit union; and

WHEREAS, Maine's credit unions are consistently recognized for serving their members, as indicated by the consistently high performance and satisfaction that consumers assign to Maine's credit unions. Since 1983, credit unions have ranked first in consumer satisfaction out of all financial institutions. With lower and fewer fees and an unmatched level of member service, Maine's credit unions hold a place in the state's financial services industry that continues to grow; and

WHEREAS, Maine is ranked as the nation's 5th-strongest credit union state, based on the percentage of population that belongs to a credit union, a position Maine has held for 6 consecutive years. Nearly half of all Maine residents belong to a credit union; and

WHEREAS, the 1,975 full-time and part-time employees of Maine's credit unions and the hundreds of unpaid volunteers that serve on credit union boards and committees demonstrate the core credit union values and philosophy and the mission of Maine people helping Maine people and contribute to their communities; and

WHEREAS, since 1990, Maine's credit unions and their members have raised more than \$2,000,000 to help end hunger in Maine. All money that is raised through the Maine Credit Unions' Campaign for Ending Hunger stays in Maine and goes directly to assist thousands of families and individuals who otherwise would go hungry. Because of the commitment of Maine's credit unions to the cause of ending hunger, the State is recognized nationally for its leadership role in raising awareness and funds and finding solutions to the problem of hunger not only in Maine but in a number of other states; and

WHEREAS, in addition to their campaign to end hunger, Maine's credit unions also provide hundreds of thousands of dollars to improve the lives of Maine people. From contributing thousands of dollars and countless hours to help Maine Special Olympians to contributing nearly 10,000 teddy bears to children in crisis through the Maine Credit Union's BearHugs for Kids program, Maine's credit unions voluntarily contribute enormous amounts of time and financial resources to organizations and agencies in their own communities; and

WHEREAS, since 1921, Maine's credit unions have been a source of economic stability and assistance by helping thousands of people in communities across Maine realize financial success. Throughout Maine, credit unions remain a vital, socially responsible and stable presence in the communities they serve; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-second Legislature, now assembled in the Second Regular Session, take this occasion to recognize the Maine Credit Union League and Maine's credit unions for the positive contributions they have made to the lives of Maine citizens and their communities for more than 85 years. Their service and dedication to this State is a tribute to the values and principles that we all hold dear; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Maine Credit Union League and its 72 affiliated credit unions.

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

READ and **ADOPTED**, 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 **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Implement the Recommendations of the ATV Trail Advisory Council"

H.P. 1453 L.D. 2057

Reported that the same be **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE**, pursuant to Joint Order 2006, H.P. 1441.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE**.

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

On motion by Senator **BRYANT** of Oxford, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE**, in concurrence.

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

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

Senator **PERRY** of Penobscot 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, March 14, 2006, at 10:00 in the morning in memory of and lasting tribute to Verner Reed of Falmouth.