

# MAINE STATE LEGISLATURE

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Senate Legislative Record  
One Hundred and Twenty-Second Legislature

State of Maine

Daily Edition

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

Pages 1382 - 2139

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

In Senate Chamber  
Tuesday  
March 21, 2006

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

Prayer by Reverend Susan O. Gilpin, Prides Corner United Church of Christ in Westbrook.

**REVEREND GILPIN:** On Sunday, at the Maine Boat Builder's Show, a young man named Bruce Schwab stood up and told people about his vision. A few years ago in Rockland he had a dream of competing in a solo around-the-world yacht race called the Vendee Globe. He had a boat named 'Ocean Planet' that needed a lot of work. Winter was approaching and he had not found any big backers in the state of Maine. He did find somebody who offered him a shed for his boat for the winter. Then he found some people who offered him parts and materials. Then he found some people who offered to help. Months later the 'Ocean Planet' was ready for the Vendee Globe and he sailed it from Portland to France. In 109 days and 20 hours he sailed around the world to finish the race against all the odds. He was a man with a vision who wouldn't quit. Other people fought for that vision and helped him realize it. Let us pray.

Eternal God, You know and we know that without You we can do nothing. Help us to catch Your vision and sign on. Amen.

Pledge of Allegiance led by Senator Mary Black Andrews of York County.

Doctor of the day, Barbara Crowley, MD of Manchester.

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

Off Record Remarks

**PAPERS FROM THE HOUSE**

**Non-Concurrent Matter**

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)

In Senate, March 9, 2006, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-766)**, in concurrence.

Comes from the House, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-766) AS AMENDED BY HOUSE AMENDMENT "A" (H-826)** thereto, in **NON-CONCURRENCE**.

On motion by Senator **DIAMOND** of Cumberland, the Senate **RECEDED** and **CONCURRED**.

**House Papers**

Bill "An Act To Amend the Definition of 'Municipality' as It Relates to the Maine Municipal Bond Bank Act" (EMERGENCY)  
H.P. 1466 L.D. 2072

Comes from the House, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

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

Bill "An Act To Create the Taxpayer Bill of Rights"  
I.B. 1 L.D. 2075

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

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

**Pursuant to Resolve  
Department of Administrative and Financial Services**

The **Department of Administrative and Financial Services**, pursuant to Resolve 2005, chapter 110, section 1 asked leave to report that the accompanying Bill "An Act To Bring Maine's Sales and Use Tax Law into Conformity with the Streamlined Sales and Use Tax Agreement"

H.P. 1467 L.D. 2073

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.

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The Following Communication: S.P. 813

**STATE OF MAINE  
ONE HUNDRED AND TWENTY-SECOND LEGISLATURE  
COMMITTEE ON UTILITIES AND ENERGY**

February 15, 2006

The Honorable Beth Edmonds  
President of the Senate  
The Honorable John Richardson  
Speaker of the House of Representatives  
122<sup>nd</sup> 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 Utilities and Energy from the review and evaluation of the Office of the Public Advocate under the Government Evaluation Act. The Committee found that the Office of the Public Advocate is operating within its statutory authority.

Sincerely,

S/Senator Philip L. Bartlett II  
Senate Chair

S/Representative Lawrence Bliss  
House Chair

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

Sent down for concurrence.

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The Following Communication: S.P. 814

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

March 14, 2006

The Honorable Beth Edmonds  
President of the Senate  
The Honorable John Richardson  
Speaker of the House of Representatives  
122<sup>nd</sup> 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 Labor from the review and evaluation of the Maine State Retirement System under the Government Evaluation Act. In its review, the Committee found that the Authority is operating within its statutory authority.

Sincerely,

S/Senator Ethan K. Strimling  
Senate Chair

S/Representative William J. Smith  
House Chair

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

Sent down for concurrence.

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The Following Communication: S.C. 543

**STATE OF MAINE  
ONE HUNDRED AND TWENTY-SECOND LEGISLATURE  
COMMITTEE ON AGRICULTURE, CONSERVATION AND FORESTRY**

March 20, 2006

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

Dear Madame President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 122nd Maine Legislature, the Joint Standing Committee on Agriculture, Conservation and Forestry has had under consideration the nomination of Seth Bradstreet, III of Newport, for appointment as the Commissioner of the Department of Agriculture, Food and Rural Resources.

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

YEAS Senators 2 Nutting of Androscoggin, Raye of Washington  
Representatives 10 Carr of Lincoln, Edgecomb of Caribou, Flood of Winthrop, Jennings of Leeds, Jodrey of Bethel, Lundeen of Mars Hill, Marean of Hollis, Piotti of Unity, Sherman of Hodgdon, Twomey of Biddeford

NAYS 0

ABSENT 1 Sen. Bryant of Oxford

Twelve members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Seth Bradstreet, III of Newport, for appointment as the Commissioner of Department of Agriculture, Food and Rural Resources be confirmed.

Signed,

S/John M. Nutting  
Senate Chair

S/John F. Piotti  
House Chair

**READ and ORDERED PLACED ON FILE.**

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

The Following Communication: S.C. 536

**STATE OF MAINE  
ONE HUNDRED AND TWENTY-SECOND LEGISLATURE  
COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS**

March 15, 2006

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

Dear President Edmonds and Speaker Richardson:

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

L.D. 200 An Act To Improve Teaching and Learning Conditions in Maine Schools

L.D. 1742 An Act To Amend the Law Governing Warrant Funding for Education Warrants

L.D. 1818 An Act To Allow School Districts To Recover Certain Funds

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

Sincerely,

S/Sen. Elizabeth H. Mitchell  
Senate Chair

S/Rep. Jacqueline Norton  
House Chair

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

The Following Communication: S.C. 537

**STATE OF MAINE  
ONE HUNDRED AND TWENTY-SECOND LEGISLATURE  
COMMITTEE ON INLAND FISHERIES AND WILDLIFE**

March 15, 2006

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

Dear President Edmonds and Speaker Richardson:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Inland Fisheries and Wildlife has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 1725 An Act To Enhance the Integrity of the Moose Lottery

We have also notified the sponsor and cosponsors of the Committee's action.

Sincerely,

S/Sen. Bruce Bryant  
Senate Chair

S/Rep. Thomas R. Watson  
House Chair

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

The Following Communication: S.C. 538

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

March 15, 2006

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

Dear President Edmonds and Speaker Richardson:

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

- L.D. 1817 An Act To Protect Access to Social Security Numbers
- L.D. 1920 An Act To Enhance the Laws Prohibiting Profiteering on Fuel

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

Sincerely,

S/Sen. Barry J. Hobbins  
Senate Chair

S/Rep. Deborah Simpson  
House Chair

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

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The Following Communication: S.C. 539

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

March 15, 2006

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

Dear President Edmonds and Speaker Richardson:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Taxation has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 1607 An Act To Provide Incentives for Maine Film Production

We have also notified the sponsor and cosponsors of the Committee's action.

Sincerely,

S/Sen. Joseph C. Perry  
Senate Chair

S/Rep. Richard G. Woodbury  
House Chair

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

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The Following Communication: S.C. 544

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

March 15, 2006

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

Dear President Edmonds and Speaker Richardson:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Labor has voted unanimously to report the following bill out "Ought Not to Pass":

- L.D. 430 An Act To Modify the Obligation To Bargain under the Municipal Public Employees Labor Relations Law

We have also notified the sponsor and cosponsors of the Committee's action.

Sincerely,

S/Sen. Ethan Strimling  
Senate Chair

S/Rep. William J. Smith  
House Chair

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

The Following Communication: S.C. 545

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

March 15, 2006

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

Dear President Edmonds and Speaker Richardson:

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

- L.D. 1793 An Act To Prevent Noise and Air Pollution in the Town of Oakland
- L.D. 1998 An Act To Grandfather Owners of Property with Respect To Highway Cuts

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

Sincerely,

S/Sen. Dennis S. Damon  
Senate Chair

S/Rep. Boyd P. Marley  
House Chair

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

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The Following Communication: S.C. 535

**STATE OF MAINE  
ONE HUNDRED AND TWENTY-SECOND LEGISLATURE  
COMMITTEE ON MARINE RESOURCES**

March 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 Marine Resources from the review and evaluation of the

Department of Marine Resources and the Atlantic States Marine Fisheries Commission under the State Government Evaluation Act. In its review, the Committee found that both entities are operating within their statutory authority.

Sincerely,

S/Senator Denis Damon  
Senate Chair

S/Representative Leila Percy  
House Chair

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

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The Following Communication: S.C. 540

**STATE OF MAINE  
ONE HUNDRED AND TWENTY-SECOND LEGISLATURE  
COMMITTEE ON NATURAL RESOURCES**

March 16, 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 Natural Resources from the review and evaluation of the Advisory Commission on Radioactive Waste and Decommissioning under the State Government Evaluation Act. In its review, the Committee found that the Commission has operated within its statutory authority.

Sincerely,

S/Senator Scott W. Cowger  
Senate Chair

S/Representative Ted S. Koffman  
House Chair

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

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The Following Communication: S.C. 541

**STATE OF MAINE  
ONE HUNDRED AND TWENTY-SECOND LEGISLATURE  
COMMITTEE ON NATURAL RESOURCES**

March 16, 2006

The Honorable Beth Edmonds  
President of the Senate  
The Honorable John Richardson  
Speaker of the House of Representatives  
122<sup>nd</sup> 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 Natural Resources from the review and evaluation of the Saco River Corridor Commission under the State Government Evaluation Act. In its review, the Committee found that the Commission is operating within its statutory authority.

Sincerely,

S/Senator Scott W. Cowger  
Senate Chair

S/Representative Ted S. Koffman  
House Chair

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

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The Following Communication: S.C. 542

**STATE OF MAINE  
ONE HUNDRED AND TWENTY-SECOND LEGISLATURE  
COMMITTEE ON BUSINESS, RESEARCH AND ECONOMIC  
DEVELOPMENT**

March 14, 2006

The Honorable Beth Edmonds  
President of the Senate  
The Honorable John Richardson  
Speaker of the House of Representatives  
122<sup>nd</sup> 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 Business, Research and Economic Development from the review and evaluation of the Department of Economic and Community Development under the State Government Evaluation Act. In its review, the Committee found that the Department is operating within its statutory authority.

Sincerely,

S/Senator Lynn Bromley  
Senate Chair

S/Representative Nancy Smith  
House Chair

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

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**SENATE PAPERS**

Bill "An Act To Facilitate the Regionalization of Emergency Communications Dispatching Services"  
S.P. 818 L.D. 2086

Sponsored by Senator MITCHELL of Kennebec. (GOVERNOR'S BILL)  
Cosponsored by Representative HANLEY of Gardiner and Representatives: CARR of Lincoln, DRISCOLL of Westbrook, DUPLESSIE of Westbrook, McCORMICK of West Gardiner.

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

Sent down for concurrence.

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Bill "An Act To Encourage the Preservation of Historic Structures"  
S.P. 812 L.D. 2079

Sponsored by Senator GAGNON of Kennebec.  
Cosponsored by Representative MARRACHÉ of Waterville and Senators: BRENNAN of Cumberland, COURTNEY of York, MITCHELL of Kennebec, PERRY of Penobscot, Representatives: CANAVAN of Waterville, CLOUGH of Scarborough, LERMAN of Augusta.  
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Bill "An Act To Clarify the Taxable Status of Parts Provided under a Service Contract"  
S.P. 815 L.D. 2084

Sponsored by Senator ROTUNDO of Androscoggin.  
Cosponsored by Representative CRAVEN of Lewiston.  
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

On motion by Senator **PERRY** of Penobscot, **REFERRED** to the Committee on **TAXATION** and ordered printed.

Sent down for concurrence.

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



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**ORDERS**

**Joint Order**

On motion by Senator **NUTTING** of Androscoggin, the following Joint Order:

S.P. 817

ORDERED, the House concurring, that the Joint Standing Committee on Agriculture, Conservation and Forestry shall report out, to the Senate, a bill authorizing certain land transactions.

**READ.**

**THE PRESIDENT:** The Chair recognizes the Senator from Androscoggin, Senator Nutting.

Senator **NUTTING:** Thank you, Madame President. Just for everybody's information, we, on the Committee of Agriculture, Conservation and Forestry, have eight different land transactions before us in one bill. One of them, of course, is Baxter. We're still working very hard on that issue. The other seven are non-controversial. We're using this as a vehicle to move the others out of committee so they are not held up because of the Baxter issue. Thank you.

On motion by Senator **NUTTING** of Androscoggin, **PASSED.**

Sent down for concurrence.

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Expressions of Legislative Sentiment recognizing:

The Lewiston High School Cheerleading Team, on its winning the 2006 Class A State Cheerleading Championship. We send our congratulations and best wishes to the members of the team on their achievement;

SLS 1002

Sponsored by Senator **ROTUNDO** of Androscoggin.  
Cosponsored by Representatives: **SAMPSON** of Auburn, **MAKAS** of Lewiston, **O'BRIEN** of Lewiston, **CRAVEN** of Lewiston, **WALCOTT** of Lewiston.

**READ.**

**THE PRESIDENT:** The Chair recognizes the Senator from Androscoggin, Senator Rotundo.

Senator **ROTUNDO:** Thank you, Madame President, men and women of the Senate. I just want to add my congratulations to the Lewiston High School Cheerleading Team. This is the third time in four years that they have won the Class A State Cheerleading Championship and I'm just very proud of the athleticism, the hard work, the team work, and the determination that have helped them to achieve this wonderful honor once again. Thank you.

**PASSED.**

Sent down for concurrence.

**THE PRESIDENT:** The Chair is pleased to recognize in the Gallery of the Senate the Lewiston High School Cheerleading Team. Would they please rise and receive the greetings of the Maine Senate.

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**Joint Resolution**

Joint Resolutions in Memoriam:

WHEREAS, the Legislature has learned with deep regret of the death of:

Irving Kagan, of Orono, prominent businessman and supporter of the health care industry in Maine. Mr. Kagan grew up in Bangor, graduated from Massachusetts Institute of Technology and went into the family business, Penobscot Shoe Company, where he worked for 46 years until his retirement. He was an enthusiastic promoter of alpine skiing and was vice-president of the United States Ski and Snowboard Association and the United States representative to the International Ski Federation. Mr. Kagan was also a founding trustee of Carrabasset Valley Academy. He was chair of Eastern Maine Healthcare, board of trustees, 1996-2005; a trustee of Eastern Maine Medical Center, 1984-1990, and chair of the board of trustees, 1990-1996; and a founding trustee of Acadia Hospital, Bangor, 1993-2005. He was a trustee of the Max Kagan Family Foundation and was a trustee and treasurer of Maine Maritime Academy. He was also a director of Merrill Bank and Fleet Bank and chair of the Jewish Community Endowment Association and was a former chair of the United Jewish Appeal Campaign of Bangor. We acknowledge his remarkable dedication to the people of Maine. He will be greatly missed and fondly remembered by his loving family and his many friends;

SLS 1003

Sponsored by Senator **PERRY** of Penobscot.  
Cosponsored by Senators: **SCHNEIDER** of Penobscot, President **EDMONDS** of Cumberland, **SNOWE-MELLO** of Androscoggin, Representatives: **NORTON** of Bangor, **BLANCHETTE** of Bangor, **FAIRCLOTH** of Bangor, **DUNN** of Bangor, **CAIN** of Orono, **WEBSTER** of Freeport, **SHIELDS** of Auburn, **SAMPSON** of Auburn, **SIMPSON** of Auburn.

**READ.**

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

Senator **PERRY:** Thank you, Madame President. I understand the family of Mr. Kagan is here today and I would like to present the sentiment on behalf of the Senate and all the grateful people from the City of Bangor and the State of Maine for all his years of public service.

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

Senator **ROSEN:** Thank you, Madame President. I want to thank the good Senator from Penobscot, Senator Perry, for expressing

regrets to the Kagan family and I'm happy to join with him and to express my regrets to the Kagan's and to also acknowledge the tremendous contribution that Irving Kagan has made to the Bangor region and to the entire state of Maine. He came into the shoe industry at a time when perhaps that wasn't the plan for his life's work and became a leader, a giant, in that industry. He was a pioneer, nationally, with the downhill Alpine related issues and helped to back the complete transformation of the healthcare delivery system in Bangor. He was a tremendous leader, a pioneer. He will be greatly missed and his contributions to the region will go on for many many years.

**ADOPTED.**

Sent down for concurrence.

**THE PRESIDENT:** The Chair is pleased to recognize in the rear of the Chamber members of the Kagan family. Would they please rise and receive the greetings of the Maine Senate.

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Off Record Remarks

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**REPORTS OF COMMITTEES**

**House**

**Pursuant to Joint Order**

The Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act Relating to Payday Loans"  
H.P. 1469 L.D. 2076

Reported that the same be **REFERRED** to the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT**, pursuant to Joint Order 2006, H.P. 1433.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT**.

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

**REFERRED** to the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT**, in concurrence.

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**Pursuant to Resolve**

The Committee on **NATURAL RESOURCES** on Bill "An Act To Increase Wetland Protection"  
H.P. 1465 L.D. 2071

Reported that the same be **REFERRED** to the Committee on **NATURAL RESOURCES**, pursuant to Resolve 2005, chapter 37.

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.

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**Ought to Pass As Amended**

The Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act To Make Revisions to the Maine Revised Statutes Relating to Agricultural Fairs"  
H.P. 1391 L.D. 1985

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-825)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-825)**.

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

**READ ONCE.**

Committee Amendment "A" (H-825) **READ** and **ADOPTED**, in concurrence.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.**

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The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Expand the Alternative Aid Program"  
H.P. 1294 L.D. 1854

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-820)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-820)**.

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

**READ ONCE.**

Committee Amendment "A" (H-820) **READ** and **ADOPTED**, in concurrence.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.**

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The Committee on **LABOR** on Bill "An Act To Clarify Maine State Retirement System Benefits for Certain Legislators"  
H.P. 1246 L.D. 1806

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-824)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-824)**.

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

**READ ONCE.**

Committee Amendment "A" (H-824) **READ** and **ADOPTED**, in concurrence.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.**

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The Committee on **LABOR** on Bill "An Act To Protect the Employment Rights of Military Reserve and National Guard Personnel"

H.P. 1339 L.D. 1898

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-823)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-823)**.

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

**READ ONCE.**

Committee Amendment "A" (H-823) **READ** and **ADOPTED**, in concurrence.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.**

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**Divided Report**

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Implement the Recommendations of the Attorney General's Working Group Regarding Sentencing Factors for Crimes against Persons Who Are Homeless"

H.P. 1442 L.D. 2046

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

Signed:

Senators:

DIAMOND of Cumberland  
NUTTING of Androscoggin

Representatives:

BLANCHETTE of Bangor  
GREELEY of Levant  
GERZOFSKY of Brunswick  
GROSE of Woolwich  
DAVIS of Augusta  
PARADIS of Frenchville

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

Signed:

Senator:

CLUKEY of Aroostook

Representatives:

PLUMMER of Windham  
HANLEY of Gardiner  
CHURCHILL of Washburn  
SYKES of Harrison

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

Reports **READ**.

Senator **DIAMOND** of Cumberland moved the Senate **ACCEPT** the Majority **OUGHT TO PASS** Report, in 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 TO PASS** Report, in concurrence.

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**Divided Report**

The Majority of the Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Improve Water Skiing Safety"  
H.P. 1264 L.D. 1824

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

Signed:

Senators:

PERRY of Penobscot  
WOODCOCK of Franklin

Representatives:

WATSON of Bath  
LUNDEEN of Mars Hill  
CEBRA of Naples  
TRAHAN of Waldoboro  
RICHARDSON of Greenville  
RICHARDSON of Carmel  
SYKES of Harrison

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-829)**.

Signed:

Senator:

BRYANT of Oxford

Representative:

MOODY of Manchester

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

Reports **READ**.

On motion by Senator **PERRY** of Penobscot, **TABLED** until Later in Today's Session, pending **ACCEPTANCE OF EITHER REPORT**.

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**Divided Report**

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on RESOLUTION, Amending the Constitution of Maine To Lower the Age of Eligibility for Election to the House of Representatives

H.P. 1353 L.D. 1912

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-809)**.

Signed:

Senators:

SCHNEIDER of Penobscot  
ROTUNDO of Androscoggin

Representatives:

McFADDEN of Dennysville  
BISHOP of Boothbay  
CROSTHWAITE of Ellsworth  
BROWNE of Vassalboro  
BARSTOW of Gorham

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

Signed:

Senator:

ANDREWS of York

Representatives:

MOULTON of York  
HARLOW of Portland  
BLANCHARD of Old Town  
MUSE of Fryeburg  
SCHATZ of Blue Hill

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the RESOLUTION **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-809)**.

Reports **READ**.

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

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**Divided Report**

Six members of the Committee on **TAXATION** on Bill "An Act To Connect the BETR Program with Job Retention"

H.P. 755 L.D. 1102

Reported in Report "A" that the same **Ought to Pass as Amended by Committee Amendment "B" (H-755)**.

Signed:

Senators:

PERRY of Penobscot  
STRIMLING of Cumberland

Representatives:

CLARK of Millinocket  
DUDLEY of Portland  
WATSON of Bath  
HUTTON of Bowdoinham

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

Signed:

Senator:

COURTNEY of York

Representatives:

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

Comes from the House with the Reports **READ** and the Bill and accompanying papers **INDEFINITELY POSTPONED**.

Reports **READ**.

Senator **PERRY** of Penobscot moved the Senate **ACCEPT** Report "**A**", **OUGHT TO PASS AS AMENDED**, in **NON-CONCURRENCE**.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** Report "**A**", **OUGHT TO PASS AS AMENDED**, in **NON-CONCURRENCE**.

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**Senate**

**Pursuant to Joint Order**

Senator **PERRY** for The Committee on **TAXATION** on Bill "An Act To Clarify the Sales Tax Exemption for Air Ambulance Services" S.P. 816 L.D. 2085

Reported that the same be **REFERRED** to the Committee on **TAXATION**, pursuant to Joint Order, S.P. 808.

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

**REFERRED** to the Committee on **TAXATION**

Sent down for concurrence.

---

**Ought to Pass As Amended**

Senator **BROMLEY** for the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Maintain Standards for the Plumbing Profession" S.P. 723 L.D. 1923

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-496)**.

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

**READ ONCE**.

Committee Amendment "A" (S-496) **READ** and **ADOPTED**.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY**.

Senator **SCHNEIDER** for the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Promote Economic Development by Enhancing Educational Opportunities" S.P. 702 L.D. 1785

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-497)**.

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

**READ ONCE**.

Committee Amendment "A" (S-497) **READ** and **ADOPTED**.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY**.

---

Senator **SCHNEIDER** for the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Include Oral Health Assessment with Other Preschool Testing for Maine's Children" S.P. 737 L.D. 1936

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-498)**.

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

**READ ONCE**.

Committee Amendment "A" (S-498) **READ** and **ADOPTED**.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY**.

---

Senator **TURNER** for the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act Amending and Restating the Charter of The President and Trustees of Colby College" S.P. 774 L.D. 2012

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-501)**.

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

**READ ONCE**.

Committee Amendment "A" (S-501) **READ** and **ADOPTED**.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY**.

---

Senator **HOBBS** for the Committee on **JUDICIARY** on Bill "An Act To Support Sibling Rights in Child Welfare Custody Matters" S.P. 627 L.D. 1682

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-500)**.

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

**READ ONCE**.

Committee Amendment "A" (S-500) **READ** and **ADOPTED**.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY**.

---

Senator DAMON for the Committee on **TRANSPORTATION** on Resolve, To Name the New Bridge over the Penobscot River  
S.P. 766 L.D. 1986

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-503)**.

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

**READ ONCE**.

Committee Amendment "A" (S-503) **READ** and **ADOPTED**.

**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 Continue the Tourism Cooperative Marketing Fund"  
S.P. 652 L.D. 1698

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-502)**.

Signed:

Senators:

BROMLEY of Cumberland  
HOBBINS of York  
DOW of Lincoln

Representatives:

CROSBY of Topsham  
BEAUDETTE of Biddeford  
BERUBE of Lisbon  
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 Not To Pass**.

Signed:

Representative:

JACOBSEN of Waterboro

Reports **READ**.

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

**READ ONCE**.

Committee Amendment "A" (S-502) **READ** and **ADOPTED**.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY**.

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**Divided Report**

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act Regarding the Sharing of Costs in Certain School Districts" (EMERGENCY)  
S.P. 750 L.D. 1953

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-495)**.

Signed:

Senators:

MITCHELL of Kennebec  
SCHNEIDER of Penobscot  
TURNER of Cumberland

Representatives:

DAVIS of Falmouth  
NORTON of Bangor  
GOLDMAN of Cape Elizabeth  
MAKAS of Lewiston  
CAIN of Orono  
MERRILL of Appleton

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

Signed:

Representatives:

FINCH of Fairfield  
EDGECOMB of Caribou  
STEDMAN of Hartland  
LANSLEY of Sabattus

Reports **READ**.

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

**READ ONCE**.

Committee Amendment "A" (S-495) **READ** and **ADOPTED**.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.**

---

**Divided Report**

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Clarify the Workplace Smoking Laws"

S.P. 726 L.D. 1926

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

Signed:

Senators:

MAYO of Sagadahoc  
MARTIN of Aroostook  
ROSEN of Hancock

Representatives:

PINGREE of North Haven  
GROSE of Woolwich  
BURNS of Berwick  
WEBSTER of Freeport  
SHIELDS of Auburn  
CAMPBELL of Newfield  
LEWIN of Eliot  
GLYNN of South Portland

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

Signed:

Representatives:

WALCOTT of Lewiston  
MILLER of Somerville

(Representative SOCKALEXIS of the Penobscot Nation - of the House - supports the Majority **Ought Not To Pass** Report.)

Reports **READ**.

Senator **MAYO** of Sagadahoc moved the Senate **ACCEPT** the Majority **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 Majority **OUGHT NOT TO PASS** Report.

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**Divided Report**

The Majority of the Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Amend the Laws Governing All-terrain Vehicles"

S.P. 722 L.D. 1922

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-494)**.

Signed:

Senators:

BRYANT of Oxford  
PERRY of Penobscot

Representatives:

WATSON of Bath  
LUNDEEN of Mars Hill  
WHEELER of Kittery  
MOODY of Manchester  
JACKSON of Allagash

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

Signed:

Senator:

WOODCOCK of Franklin

Representatives:

TRAHAN of Waldoboro  
CEBRA of Naples  
RICHARDSON of Greenville  
RICHARDSON of Carmel  
SYKES of Harrison

Reports **READ**.

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

**READ ONCE**.

Committee Amendment "A" (S-494) **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 Strengthen the State Purchasing Code of Conduct Laws"

S.P. 686 L.D. 1769

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

Signed:

Senator:

ANDREWS of York

Representatives:

McFADDEN of Dennysville  
MOULTON of York  
CROSTHWAITE of Ellsworth  
BISHOP of Boothbay  
BROWNE of Vassalboro  
MUSE of Fryeburg

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-499)**.

Signed:

Senators:

SCHNEIDER of Penobscot  
ROTUNDO of Androscoggin

Representatives:

BARSTOW of Gorham  
HARLOW of Portland  
BLANCHARD of Old Town  
SCHATZ of Blue Hill

Reports **READ**.

Senator **SCHNEIDER** of Penobscot moved the Senate **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** 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 TO PASS AS AMENDED** Report.

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

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**SECOND READERS**

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

**House**

Resolve, Regarding Legislative Review of Portions of Chapter 113: Regulations Governing the Licensing and Functioning of Assisted Housing Programs - Private Non-Medical Institutions Level III, a Major Substantive Rule of the Department of Health and Human Services (EMERGENCY)

H.P. 1405 L.D. 2003

Resolve, Regarding Legislative Review of Portions of Chapter 113: Regulations Governing the Licensing and Functioning of Assisted Housing Programs - Private Non-Medical Institutions Level IV, a Major Substantive Rule of the Department of Health and Human Services (EMERGENCY)

H.P. 1406 L.D. 2004

Resolve, Regarding Legislative Review of Portions of Chapter 113: Regulations Governing the Licensing and Functioning of Assisted Housing Programs - Private Non-Medical Institutions Level II, a Major Substantive Rule of the Department of Health and Human Services (EMERGENCY)

H.P. 1407 L.D. 2005

Resolve, Regarding Legislative Review of Portions of Chapter 113: Regulations Governing the Licensing and Functioning of Assisted Housing Programs: Level IV Residential Care Facilities, a Major Substantive Rule of the Department of Health and Human Services (EMERGENCY)

H.P. 1408 L.D. 2006

Resolve, Regarding Legislative Review of Portions of Chapter 113: Regulations Governing the Licensing and Functioning of Assisted Housing Programs: Assisted Living Programs, a Major Substantive Rule of the Department of Health and Human Services (EMERGENCY)

H.P. 1409 L.D. 2007

Resolve, Regarding Legislative Review of Portions of Chapter 113: Regulations Governing the Licensing and Functioning of Assisted Housing Programs - Private Non-Medical Institutions Level I, a Major Substantive Rule of the Department of Health and Human Services (EMERGENCY)

H.P. 1410 L.D. 2008

Resolve, Regarding Legislative Review of Portions of Chapter 113: Regulations Governing the Licensing and Functioning of Assisted Housing Programs: Level I Residential Care Facilities, a Major Substantive Rule of the Department of Health and Human Services (EMERGENCY)

H.P. 1411 L.D. 2009

Resolve, Regarding Legislative Review of Portions of Chapter 113: Regulations Governing the Licensing and Functioning of Assisted Housing Programs: Level II Residential Care Facilities, a Major Substantive Rule of the Department of Health and Human Services (EMERGENCY)

H.P. 1412 L.D. 2010

Resolve, Regarding Legislative Review of Portions of Chapter 113: Regulations Governing the Licensing and Functioning of Assisted Housing Programs: Level III Residential Care Facilities, a Major Substantive Rule of the Department of Health and Human Services (EMERGENCY)

H.P. 1413 L.D. 2011

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

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**House As Amended**

Bill "An Act To Prevent Discrimination against Persons without Health Insurance"

H.P. 597 L.D. 846  
(C "A" H-816)



Bill "An Act To Improve Quality, Effectiveness and Efficiency in the Department of Health and Human Services"

H.P. 1096 L.D. 1555  
(C "A" H-815)

Resolve, Directing the Commissioner of Health and Human Services To Develop Strategies To Keep Senior Citizens Safe from Falls

H.P. 1214 L.D. 1707  
(C "A" H-814)

Bill "An Act To Improve Water Monitoring at Clam Flats" (EMERGENCY)

H.P. 1268 L.D. 1828  
(C "A" H-784)

Bill "An Act To Amend the Laws Governing Permanency Guardians"

H.P. 1292 L.D. 1852  
(C "A" H-817)

Bill "An Act To Improve Substance Abuse Rehabilitation Services"

H.P. 1315 L.D. 1875  
(C "A" H-818)

Bill "An Act To Update Licensing and Certification Requirements for Child Care Facilities and Family Child Care Providers"

H.P. 1327 L.D. 1887  
(C "A" H-813)

Bill "An Act To Amend the Laws Governing Real Estate Appraiser Licensing To Comply with Federal Law"

H.P. 1360 L.D. 1919  
(C "A" H-810)

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

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**Senate As Amended**

Bill "An Act To Assist Maine Military Families" (EMERGENCY)

S.P. 664 L.D. 1747  
(C "A" S-492)

Bill "An Act To Require the Maine State Retirement System To Divest Itself of Certain Holdings"

S.P. 675 L.D. 1758  
(C "A" S-493)

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

Sent down for concurrence.

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

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**ENACTORS**

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

**Emergency Measure**

An Act To Protect Military Families

H.P. 1207 L.D. 1700  
(C "A" H-775)

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

---

**Emergency Measure**

An Act To Allow the Buckfield Village Corporation To Be Dissolved and Combined with the Town of Buckfield  
H.P. 1215 L.D. 1708

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.

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**Emergency Measure**

An Act To Establish the Penobscot Language Preservation Fund in the Department of Education

H.P. 1247 L.D. 1807  
(C "A" H-780)

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

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**Emergency Resolve**

Resolve, Regarding a Monument for Women Veterans of Maine  
S.P. 776 L.D. 2013

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

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**Acts**

An Act To Ensure Business Equity in Commercial Vehicle Registration

H.P. 1238 L.D. 1730  
(C "A" H-782)

An Act To Create the Washburn Water and Sewer District

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

An Act To Amend the Statutes Governing the Commercial Fishing Safety Council

S.P. 681 L.D. 1764  
(C "A" S-467)

An Act To Amend the Maine Criminal Code and Various Provisions Related to Juveniles

S.P. 688 L.D. 1771  
(C "A" S-472)

An Act To Protect Volunteer-earned Funds of the Maine Wildlife Park

H.P. 1259 L.D. 1819  
(C "A" H-778)

An Act Regarding Promotional Materials and Mail-in Rebates for Spirits

H.P. 1270 L.D. 1830  
(C "A" H-776)

An Act To Protect Small Payroll Processors

H.P. 1318 L.D. 1878  
(C "A" H-787)

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

An Act To Make License Requirements and Rules Consistent for Young Anglers

H.P. 1337 L.D. 1896  
(C "A" H-781)

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

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

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

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

An Act To Create a Children's Education Advocate

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

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

An Act To Assist Visually Impaired Persons and Persons with Disabilities in Obtaining Information Regarding Current Events

H.P. 1376 L.D. 1964  
(C "A" H-788)

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

**Resolves**

Resolve, Directing the Office of Substance Abuse To Study the Potential Use of Liquor License Fees and Liquor Taxes To Fund Efficient Delivery of Substance Abuse Treatment and Prevention Programs

H.P. 1278 L.D. 1838  
(C "A" H-789)

Resolve, Directing the Department of Health and Human Services To Establish a Working Group To Examine Ways for Municipalities To Distribute More Heating Assistance

H.P. 1286 L.D. 1846  
(C "A" H-790)

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

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 and To Establish a Task Force To Examine Using Stevens School in Hallowell for Veterans' Housing

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

On motion by Senator **GAGNON** of Kennebec, placed on the **SPECIAL STUDY TABLE**, pending **FINAL PASSAGE**, in concurrence.

**ORDERS OF THE DAY**

**Unfinished Business**

The following matter 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 (3/14/06) Assigned matter:

JOINT RESOLUTION - memorializing Joanne Jordan Van Namee of Bangor

SLS 995

Tabled - March 14, 2006, by Senator **BRENNAN** of Cumberland

Pending - motion by Senator **PERRY** of Penobscot to **ADOPT**

(In Senate, March 14, 2006, on motion by Senator **PERRY** of Penobscot, **READ**.)

**READ.**

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

Senator **PERRY:** Thank you, Madame President. I am very pleased to have Mr. Rick Warren from the Bangor Daily News here today so we could express our sympathy in the passing of his mother. His family is an institution in Bangor. I think we all grew up reading the Bangor Daily News. I got my start in 5<sup>th</sup> grade delivering the paper, as I think many have. I don't know if others plan to speak, but I would like to present this memorial to him.

**ADOPTED.**

Sent down for concurrence.

**THE PRESIDENT:** The Chair would like to recognize in the rear of the Chamber Mr. Rick Warren. Would he please rise and receive the greetings of the Maine Senate.

---

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

NOMINATION - of Seth Bradstreet, III of Newport, for appointment as the Commissioner of the Department of Agriculture, Food and Rural Resources

Tabled - March 21, 2006, by Senator **NUTTING** of Androscoggin

Pending - **CONSIDERATION**

(In Senate, March 21, 2006, Communication (S.C. 543) from the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY, READ and ORDERED PLACED ON FILE**.)

The President laid before the Senate the following: "Shall the recommendation of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** be overridden?"

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#315)**

YEAS: Senators: None

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

ABSENT: Senator: BRYANT

No Senator having voted in the affirmative and 34 Senators having voted in the negative, with 1 Senator being absent, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Seth Bradstreet, III** of Newport, for appointment as the Commissioner of the Department of Agriculture, Food and Rural Resources was **CONFIRMED**.

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

**THE PRESIDENT:** The Chair is pleased to recognize in the rear of the Chamber Seth H. Bradstreet III, Debra Bradstreet, Seth H. Bradstreet Jr., and Betty Bradstreet. Would they please rise and receive the greetings of the Maine Senate.

---

The Chair laid before the Senate the following Tabled and Later (3/16/06) Assigned matter:

NOMINATION - of Richard A. Gould of Greenville for appointment to the Environmental Protection Board

Tabled - March 16, 2006, by Senator **BRENNAN** of Cumberland

Pending - **CONSIDERATION**

(In Senate, March 16, 2006, Communication (S.C. 529) from the Committee on **NATURAL RESOURCES READ and ORDERED PLACED ON FILE**.)

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#316)**

YEAS: Senators: None

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

ABSENT: Senator: BRYANT

No Senator having voted in the affirmative and 34 Senators having voted in the negative, with 1 Senator being absent, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Richard A. Gould** of Greenville for appointment to the Environmental Protection Board was **CONFIRMED**.

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

**THE PRESIDENT:** The Chair is pleased to recognize in the rear of the Chamber Richard A. Gould. Would he please rise and receive the greetings of the Maine Senate.

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Senate at Ease.

Senate called to order by the President.

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

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

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

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**RECESSED** until 12:30 in the afternoon.

After Recess

Senate called to order by the President.

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

**PAPERS FROM THE HOUSE**

**House Papers**

Bill "An Act To Establish the Island Falls Water District"  
H.P. 1470 L.D. 2078

Bill "An Act To Accelerate Private Investment in Maine's Wireless and Broadband Infrastructure"  
H.P. 1471 L.D. 2080

Come 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.

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

**REPORTS OF COMMITTEES**

**House**

**Pursuant to Statute**

The Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act To Implement the Recommendations of the Joint Standing Committee on Agriculture, Conservation and Forestry Relating to the Seed Potato Board"  
H.P. 1472 L.D. 2081

Reported that the same be **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**, pursuant to the Maine Revised Statutes, Title 3, section 955, subsection 4.

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

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

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

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

**REPORTS OF COMMITTEES**

**House**

**Pursuant to Resolve**

The Committee on **JUDICIARY** on Bill "An Act To Implement Recommendations Concerning Temporary Guardian and Conservator Laws"

H.P. 1475 L.D. 2087

Reported that the same be **REFERRED** to the Committee on **JUDICIARY**, pursuant to Resolve 2005, chapter 91.

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

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

**REFERRED** to the Committee on **JUDICIARY**, in concurrence.

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**ORDERS OF THE DAY**

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

HOUSE REPORTS - from the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Implement the Recommendations of the Attorney General's Working Group Regarding Sentencing Factors for Crimes against Persons Who Are Homeless"

H.P. 1442 L.D. 2046

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

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

Tabled - March 21, 2006, by Senator **DIAMOND** of Cumberland

Pending - motion by same Senator to **ACCEPT** the Majority **OUGHT TO PASS** Report, in concurrence

(In House, March 16, 2006, the Majority **OUGHT TO PASS** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.)

(In Senate, March 21, 2006, Reports **READ**.)

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

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Senate at Ease.

Senate called to order by the President.

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Senator **DIAMOND** of Cumberland, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** the Majority **OUGHT TO PASS** Report, in concurrence. (Roll Call Ordered)

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Off Record Remarks

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

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Off Record Remarks

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On motion by Senator **BRENNAN** of Cumberland, **ADJOURNED**, to Wednesday, March 22, 2006, at 10:00 in the morning, in memory of and lasting tribute to Irving Kagan of Orono and Joanne Jordan Van Namee of Bangor.