

MAINE STATE LEGISLATURE

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Senate Legislative Record

One Hundred and Twenty-Third Legislature

State of Maine

Daily Edition

First Regular Session
December 6, 2006 to June 21, 2007

Pages 1 - 1266

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

In Senate Chamber
Thursday
March 8, 2007

Senate called to order by President Pro Tem Elizabeth H. Mitchell
of Kennebec County.

Prayer by Reverend Sally Colegrove, of Windham Hill United
Church of Christ.

REVEREND COLEGROVE: As we quiet our spirits and come to
God in prayer let us think about those in our constituencies most
in need today. Let us turn our hearts and minds now toward God
in prayer.

Eternal God, creator of all people and all faiths, this last week
has been marked by bitter cold temperatures and biting winds.
This is Maine and we are well aware that the Maine winter means
freezing weather, but today we come to You in prayer for all those
who are not adequately prepared to deal with our climate. We
ask that You be among the homeless and hungry of our state,
directing to agencies which provide shelter and nourishment, and
in every way that we are able challenge us to reach out to those
who suffer most.

Holy One, we have been so blessed with the abundance of
this region, both in renewable natural resources and in the people
of Maine. As we look around the state we see gifted young
people beginning careers, new initiatives in health care and
education, and senior citizens who volunteer and give the
expertise developed during a lifetime. We give You thanks for all
of the potential we see in our state.

Mighty God, we give You thanks for the young people and
those who are no longer young who serve in the armed forces.
We would ask that You might watch over them while they are on
active duty around the globe. Especially care for those who have
been called to duty in Iraq and Afghanistan. Watch over the
families of those in service to their state and their country.
Remind us to care for them during this time of separation.
Compassionate God, we trust into Your care those families who
have lost loved ones. Hold them gently in the palm of Your hand.

Eternal God, while we deal with the winds and the
descending thermometer, there are others in our country who are
beset by tornadoes and wildfires, floods and blizzards. Restore
health and livelihood, infrastructure and homes where they have
been lost. May we share with our brothers and sisters in time of
tragedy or trial.

Bless the Senators now as they begin their appointed tasks
and bless all of the people of Maine as they go about their lives,
both now and in the days to come. Lord, in Your mercy, hear our
prayer. Amen.

Reading of the Journal of Tuesday, March 6, 2007.

Doctor of the day, Tamas Peredy, MD of Freeport.

Off Record Remarks

Out of order and under suspension of the Rules, on motion by
Senator **MARTIN** of Aroostook, the following Joint Order:
S.P. 421

Ordered, the House concurring, that when the House and Senate
adjourn, they do so until Tuesday, March 13, 2007, at 10:00 in the
morning.

READ and PASSED.

Ordered sent down forthwith for concurrence.

PAPERS FROM THE HOUSE

House Papers

Resolve, To Study the Promotion, Expansion and Regulation of
the Harness Racing Industry (EMERGENCY)
H.P. 791 L.D. 1073

Bill "An Act To Amend the Maine Commercial Fertilizer Law"
H.P. 792 L.D. 1074

Bill "An Act To Establish the Maine Local Land Trust Fund"
H.P. 793 L.D. 1075

Come from the House, **REFERRED** to the Committee on
AGRICULTURE, CONSERVATION AND FORESTRY and
ordered printed.

On motion by Senator **MARTIN** of Aroostook, **REFERRED** to the
Committee on **AGRICULTURE, CONSERVATION AND
FORESTRY** and ordered printed, in concurrence.

Bill "An Act To Encourage Expansion and Development of Maine
Tourism"
H.P. 794 L.D. 1076

Bill "An Act To Create a Seasonal Vendor Sales Tax Revolving
Loan Fund"
H.P. 795 L.D. 1077

Come from the House, **REFERRED** to the Committee on
BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT
and ordered printed.

On motion by Senator **SCHNEIDER** of Penobscot, **REFERRED** to
the Committee on **BUSINESS, RESEARCH AND ECONOMIC
DEVELOPMENT** and ordered printed, in concurrence.

Bill "An Act To Amend the OUI Laws Regarding the Use of Immunoassays"

H.P. 796 L.D. 1078

Comes from the House, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed.

On motion by Senator **MARTIN** of Aroostook, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed, in concurrence.

Bill "An Act To Improve the Laws Concerning the Management by Law Enforcement Agencies of Unclaimed, Lost or Stolen Personal Property"

H.P. 803 L.D. 1085

Committee on **JUDICIARY** suggested and ordered printed.

Comes from the House, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY**.

On motion by Senator **MARTIN** of Aroostook, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed, in concurrence.

Bill "An Act To Prevent Infant Exposure to Harmful Hormone-disrupting Substances"

H.P. 636 L.D. 837

Comes from the House, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

On motion by Senator **BRANNIGAN** of Cumberland, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed, in concurrence.

Bill "An Act To Increase Public Participation in the Maine Outdoor Heritage Fund Board"

H.P. 798 L.D. 1080

Bill "An Act To Protect Wild Trout from Exotic Species"

H.P. 799 L.D. 1081

Come from the House, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed.

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

Bill "An Act To Create a Maine-based Independent Nonprofit Health Insurance Company" (EMERGENCY)

H.P. 800 L.D. 1082

Bill "An Act To Clarify the Use of Insurance Scores"

H.P. 801 L.D. 1083

Come from the House, **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES** and ordered printed.

On motion by Senator **SULLIVAN** of York, **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES** and ordered printed, in concurrence.

Bill "An Act To Provide Adult Adoptees Access to Their Original Birth Certificates"

H.P. 802 L.D. 1084

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

On motion by Senator **HOBBINS** of York, **REFERRED** to the Committee on **JUDICIARY** and ordered printed, in concurrence.

Bill "An Act To Clarify Worker Payment for Clothing and Equipment"

H.P. 804 L.D. 1086

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

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

Bill "An Act To Amend Various Department of Defense, Veterans and Emergency Management Laws"

H.P. 806 L.D. 1088

Comes from the House, **REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS** and ordered printed.

On motion by Senator **MARRACHÉ** of Kennebec, **TABLED** until Later in Today's Session, pending **REFERENCE**.

Bill "An Act To Create the Maine Natural Resource and Environment Efficiency Commission"

H.P. 807 L.D. 1089

Come from the House, **REFERRED** to the Committee on **NATURAL RESOURCES** and ordered printed.

On motion by Senator **MARTIN** of Aroostook, **REFERRED** to the Committee on **NATURAL RESOURCES** and ordered printed, in concurrence.

Off Record Remarks

Resolve, To Establish the Maine Civil War Sesquicentennial Commission

H.P. 809 L.D. 1091

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 Exempt Fuels Used in Farm Tractors from the Sales Tax"

H.P. 811 L.D. 1093

Bill "An Act To Exempt from the Sales Tax Water Used in Agricultural Production"

H.P. 812 L.D. 1094

Bill "An Act To Enhance the Maine Residents Property Tax Program"

H.P. 813 L.D. 1095

Bill "An Act To Make Circuitbreaker Program Benefits Proportional If a Resident Moves"

H.P. 814 L.D. 1096

Come 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.

Bill "An Act To Exempt from the Excise Tax Fuel Used in Certain Farm Trucks"

H.P. 810 L.D. 1092

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 **TRANSPORTATION**, in **NON-CONCURRENCE**.

Sent down for concurrence.

Bill "An Act Relating to Safe and Effective Use of Casco Bay Bridge"

H.P. 815 L.D. 1097

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

On motion by Senator **DAMON** of Hancock, **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed, in concurrence.

Bill "An Act To Promote Electricity Transmission Independence"

H.P. 816 L.D. 1098

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

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

**Pursuant to Statute
Department of Environmental Protection**

The **Department of Environmental Protection**, pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 587: In-stream Flow and Water Level Standards, a Major Substantive Rule of the Department of Environmental Protection (EMERGENCY)

H.P. 728 L.D. 968

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

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

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

On motion by Senator **MARTIN** of Aroostook, **REFERRED** to the Committee on **NATURAL RESOURCES** and ordered printed pursuant to Joint Rule 218, in concurrence.

COMMUNICATIONS

The Following Communication: S.C. 96

**STATE OF MAINE
ONE HUNDRED AND TWENTY-THIRD LEGISLATURE
COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY**

March 5, 2007

The Honorable Beth Edmonds
President of the Senate of Maine
123rd Maine Legislature
State House
Augusta, Maine 04333-0003

123RD LEGISLATURE
OFFICE OF THE PRESIDENT
3 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0003

Dear Madame President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 123rd Maine Legislature, the Joint Standing Committee on Criminal Justice & Public Safety has had under consideration the nomination of Anne H. Jordan of South Portland, for appointment as the Commissioner, Department of Public Safety.

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 | 3 | Diamond of Cumberland, McCormick of Kennebec, Sherman of Aroostook |
| | Representatives | 8 | Gerzofsky of Brunswick, Greeley of Levant, Hanley of Gardiner, Hill of York, Kaenrath of South Portland, Plummer of Windham, Sykes of Harrison, Tibbetts of Columbia |
| NAYS | | 0 | |
| ABSENT | | 2 | Rep. Blanchette of Bangor, Rep. Haskell of Portland |

Eleven members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Anne H. Jordan of South Portland, for appointment as the Commissioner, Department of Public Safety be confirmed.

Signed,

S/Bill Diamond
Senate Chair

S/St Stanley J. Gerzofsky
House Chair

READ and ORDERED PLACED ON FILE.

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

The Following Communication: S.C. 97

March 1, 2007

Honorable Joy O'Brien
Secretary of the Senate
3 State House Station
Augusta, ME 04333

Dear Secretary O'Brien:

Pursuant to my authority under Public Laws 2001, Chapter 439, Part PPPP, I am pleased to appoint Mary Beth Moyer to the Legislative Youth Advisory Council. She will be replacing James Redstone.

Please contact my office if you have any questions regarding these appointments.

Sincerely,

S/Beth Edmonds
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 98

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

March 1, 2007

Honorable Beth Edmonds, President of the Senate
Honorable Glenn Cummings, Speaker of the House
123rd Maine Legislature
State House
Augusta, Maine 04333

Dear President Edmonds and Speaker Cummings:

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

| | |
|----------|---|
| L.D. 156 | An Act To Require All Holders of Mahogany Quahog Licenses To Operate Their Own Vessels When Fishing for Quahogs |
| L.D. 384 | An Act To Further Protect Water Quality in Coastal Waters |
| L.D. 586 | An Act To Simplify Notification Procedures for Water Quality Changes |

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. Leila J. Percy
House Chair

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

SENATE PAPERS

Bill "An Act To Authorize a General Fund Bond Issue for Development of 2 Educational Facilities for Spurwink"
S.P. 413 L.D. 1165

Sponsored by Senator MILLS of Somerset.
Cosponsored by Senators: DIAMOND of Cumberland, President EDMONDS of Cumberland, Representatives: CEBRA of Naples, CRAY of Palmyra, Speaker CUMMINGS of Portland, PRATT of Eddington.

Bill "An Act To Promote Economic Growth through Education for Androscoggin County"
S.P. 378 L.D. 1190

Sponsored by Senator ROTUNDO of Androscoggin.

Bill "An Act To Resolve Unfunded State Mandates"
S.P. 387 L.D. 1199

Sponsored by Senator HOBBS of York.
Cosponsored by Representatives: BEAUDETTE of Biddeford, BEAUDOIN of Biddeford, PILON of Saco, VALENTINO of Saco.

Bill "An Act To Authorize a General Fund Bond Issue for Wastewater Infrastructure on the Penobscot River and To Require Testing Relating to Publicly Owned Treatment Works"
S.P. 423 L.D. 1222

Sponsored by Senator ROSEN of Hancock.
Cosponsored by Representative DUCHESNE of Hudson and Senators: PERRY of Penobscot, SCHNEIDER of Penobscot, Representatives: CAIN of Orono, FAIRCLOTH of Bangor, ROSEN of Bucksport.

Bill "An Act To Prevent Violence against Maine Families and To Provide Adequate Intervention in Cases of Domestic Violence and Sexual Assault"
S.P. 425 L.D. 1224

Sponsored by Senator DIAMOND of Cumberland.
Cosponsored by Representative FISCHER of Presque Isle and Senators: BENOIT of Sagadahoc, MITCHELL of Kennebec, TURNER of Cumberland, Representatives: CAIN of Orono,

CRIVEN of Lewiston, FLOOD of Winthrop, MILLS of Farmington, TIBBETTS of Columbia.

Bill "An Act To Authorize a General Fund Bond Issue To Encourage Research and Development in Renewable Energy"
S.P. 431 L.D. 1245

Sponsored by Senator BARTLETT of Cumberland.

Bill "An Act To Terminate the Authority of the Maine Governmental Facilities Authority"
S.P. 442 L.D. 1279

Sponsored by Senator GOOLEY of Franklin.
Cosponsored by Senators: COURTNEY of York, HASTINGS of Oxford, MILLS of Somerset, SMITH of Piscataquis, TURNER of Cumberland, Representatives: CROSTHWAITE of Ellsworth, HOLMAN of Fayette, STRANG BURGESS of Cumberland.

On motion by Senator **ROTUNDO** of Androscoggin, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed.

Sent down for concurrence.

Bill "An Act To Make Certain Changes to the Board of Licensure in Medicine"
S.P. 409 L.D. 1161

Sponsored by Senator ROTUNDO of Androscoggin.
Cosponsored by Representatives: SILSBY of Augusta, SMITH of Monmouth.

Bill "An Act To Modernize the Laws Pertaining to the Sport of Skiing and Use of Ski Areas"
S.P. 419 L.D. 1171

Sponsored by Senator BRYANT of Oxford.
Cosponsored by Representative CARTER of Bethel and Senators: GOOLEY of Franklin, SULLIVAN of York, TURNER of Cumberland, Representatives: HOLMAN of Fayette, LUNDEEN of Mars Hill, MILLS of Farmington, MIRAMANT of Camden, PATRICK of Rumford.

Bill "An Act Regarding Local Plumbing Inspectors"
S.P. 376 L.D. 1188

Sponsored by Senator PERRY of Penobscot.
Submitted by the Department of Health and Human Services pursuant to Joint Rule 204.

Bill "An Act Concerning the Practice of a Deceased or Incapacitated Dentist"
S.P. 382 L.D. 1194

Sponsored by Senator BROMLEY of Cumberland.
Cosponsored by Senator: HOBBS of York, Representative: DILL of Cape Elizabeth.

Bill "An Act To Attract New Capital for Innovative Businesses through Equity Investment in Maine"

S.P. 403 L.D. 1215

Sponsored by Senator MILLS of Somerset.

Bill "An Act To Reduce Foreclosures"

S.P. 430 L.D. 1244

Sponsored by Senator BROMLEY of Cumberland.

Resolve, To Improve Oral Health for Children

S.P. 432 L.D. 1246

Sponsored by Senator SULLIVAN of York.

Cosponsored by Representative PERRY of Calais and Senators: BROMLEY of Cumberland, MARTIN of Aroostook, MILLS of Somerset, Representatives: JACKSON of Allagash, PINGREE of North Haven, PRATT of Eddington, SYKES of Harrison, THOMAS of Ripley.

Bill "An Act To Allow Manicurists and Pedicurists To Do Nails for the Elderly"

S.P. 445 L.D. 1282

Sponsored by Senator MARTIN of Aroostook.

Cosponsored by Representative JACKSON of Allagash and Representative: THERIAULT of Madawaska.

On motion by Senator **SCHNEIDER** of Penobscot, **REFERRED** to the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed.

Sent down for concurrence.

Bill "An Act To Implement the Recommendations of the Office of Program Evaluation and Government Accountability Regarding Economic Development in Maine"

S.P. 411 L.D. 1163

Sponsored by Senator ROSEN of Hancock.

Cosponsored by Representatives: LANSLEY of Sabattus, McKANE of Newcastle and Senator: SCHNEIDER of Penobscot, Representatives: AUSTIN of Gray, BEAUDETTE of Biddeford, PRESCOTT of Topsham, RECTOR of Thomaston.

Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** suggested and ordered printed.

On motion by Senator **SCHNEIDER** of Penobscot, **TABLED** until Later in Today's Session, pending **REFERENCE**.

Bill "An Act Concerning the Diagnosis, Service and Repair of Motor Vehicles"

S.P. 398 L.D. 1210

Sponsored by Senator DAMON of Hancock.

Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** suggested and ordered printed.

On motion by Senator **SCHNEIDER** of Penobscot, **TABLED** until Later in Today's Session, pending **REFERENCE**.

Bill "An Act To Reduce the OUI Limit to .06"

S.P. 414 L.D. 1166

Sponsored by Senator MILLS of Somerset.

Resolve, To Prepare for any Statewide or Regional Emergency

S.P. 385 L.D. 1197

Sponsored by Senator MARRACHÉ of Kennebec.

Bill "An Act To Amend the Forfeiture and Property Seizure Laws"

S.P. 389 L.D. 1201

Sponsored by Senator HOBBS of York. (BY REQUEST)

Cosponsored by Representatives: BEAUDETTE of Biddeford, BEAUDOIN of Biddeford, PILON of Saco.

On motion by Senator **DIAMOND** of Cumberland, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed.

Sent down for concurrence.

Bill "An Act To Regulate Fire Alarm Contractors"

S.P. 420 L.D. 1172

Sponsored by Senator NASS of York.

Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** suggested and ordered printed.

On motion by Senator **DIAMOND** of Cumberland, **TABLED** until Later in Today's Session, pending **REFERENCE**.

Bill "An Act To Establish a Uniform Chart of Municipal Accounts"

S.P. 383 L.D. 1195

Sponsored by Senator HOBBS of York.

Cosponsored by Representatives: BEAUDETTE of Biddeford, BEAUDOIN of Biddeford, PILON of Saco, VALENTINO of Saco.

Bill "An Act To Ensure Continued Education in Boatbuilding at the Marine Technology Center" (EMERGENCY)

S.P. 408 L.D. 1220

Sponsored by Senator RAYE of Washington.

Cosponsored by Representative EMERY of Cutler and Representative: McFADDEN of Dennysville.

Bill "An Act To Modify the Student Code of Conduct"
S.P. 440 L.D. 1254

Sponsored by Senator BOWMAN of York.

Resolve, Requiring the Department of Education To Issue Rules Adopting the Northwest Evaluation Association's Assessment System as an Approved Method of Meeting Learning Results
S.P. 444 L.D. 1281

Sponsored by Senator MILLS of Somerset.

On motion by Senator **BOWMAN** of York, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.

Sent down for concurrence.

Bill "An Act To Remove Disparities in the Administration of Emergency Aid"

S.P. 410 L.D. 1162

Sponsored by President EDMONDS of Cumberland.
Cosponsored by Senators: BRANNIGAN of Cumberland, MARTIN of Aroostook.

Bill "An Act To Exempt Nationally Accredited Child Welfare and Behavioral Health Care Organizations from State Licensing Requirements"

S.P. 418 L.D. 1170

Sponsored by Senator NASS of York.
Cosponsored by Representative VALENTINO of Saco and Senators: President EDMONDS of Cumberland, WESTON of Waldo, Representatives: CAMPBELL of Newfield, Speaker CUMMINGS of Portland, LEWIN of Eliot.

Bill "An Act To Discontinue Over-the-counter Drug Coverage for MaineCare Patients"

S.P. 386 L.D. 1198

Sponsored by Senator MARRACHÉ of Kennebec.
Cosponsored by Senators: BRANNIGAN of Cumberland, NUTTING of Androscoggin, Representatives: BROWNE of Vassalboro, FITTS of Pittsfield.

Bill "An Act To License Weekly Housing Programs"
S.P. 397 L.D. 1209

Sponsored by Senator BROMLEY of Cumberland. (BY REQUEST)

Bill "An Act To Improve Health Standards in Piercing Procedures"
S.P. 405 L.D. 1217

Sponsored by Senator PLOWMAN of Penobscot.
Cosponsored by Senators: COURTNEY of York, SAVAGE of Knox, Representative: WOODBURY of Yarmouth.

Bill "An Act To Implement an Oral Health Capitation System for Children on MaineCare"
S.P. 436 L.D. 1250

Sponsored by Senator MILLS of Somerset.

Bill "An Act To Amend State Funding Reimbursement under the General Assistance Program"
S.P. 438 L.D. 1252

Sponsored by Senator ROSEN of Hancock.
Bill "An Act To Expand the Scope of Practice of Certified Nursing Assistants To Include the Care of Feeding Tubes and Similar Devices"

S.P. 443 L.D. 1280

Sponsored by Senator MILLS of Somerset.

On motion by Senator **BRANNIGAN** of Cumberland, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

Sent down for concurrence.

Bill "An Act To Amend the Laws Respecting Assignments for the Benefit of Creditors"

S.P. 391 L.D. 1203

Sponsored by Senator HOBBS of York.
Cosponsored by Representatives: BEAUDETTE of Biddeford, BEAUDOIN of Biddeford, PILON of Saco.

Bill "An Act To Create Uniformity among Certain Self-insureds"
S.P. 396 L.D. 1208

Sponsored by Senator SULLIVAN of York.
Cosponsored by Senators: MARTIN of Aroostook, WESTON of Waldo.

Bill "An Act To Further Limit Retrospective Denials of Previously Paid Health Insurance Claims"
S.P. 406 L.D. 1218

Sponsored by Senator MARRACHÉ of Kennebec.
Cosponsored by Senator TURNER of Cumberland and Senator: McCORMICK of Kennebec, Representatives: CANAVAN of Waterville, CONOVER of Oakland, CROCKETT of Augusta, McKANE of Newcastle, PERRY of Calais, TREAT of Farmingdale.

Bill "An Act To Protect Consumers from Deceptive Insurance Solicitation"
S.P. 439 L.D. 1253

Sponsored by Senator SULLIVAN of York.
Cosponsored by Representative RICHARDSON of Warren and Representatives: KNIGHT of Livermore Falls, SAMSON of Auburn.

On motion by Senator **SULLIVAN** of York, **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES** and ordered printed.

Sent down for concurrence.

Bill "An Act To Amend the Mechanics Lien Laws"
S.P. 395 L.D. 1207

Sponsored by Senator **McCORMICK** of Kennebec.
Cosponsored by Representative: **BROWNE** of Vassalboro.

Bill "An Act To Exempt Nurse Practitioners and Physician Assistants in Active Patient Care from Jury Service"
S.P. 400 L.D. 1212

Sponsored by Senator **HOBBS** of York.
Cosponsored by Representative: **BEAUDOIN** of Biddeford.

Bill "An Act To Establish Spousal Support Guidelines"
S.P. 401 L.D. 1213

Sponsored by Senator **HOBBS** of York.
Cosponsored by Representatives: **BEAUDETTE** of Biddeford, **BEAUDOIN** of Biddeford, **PILON** of Saco, **VALENTINO** of Saco.

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

Sent down for concurrence.

Bill "An Act To Establish the Crime of Political Libel"
S.P. 437 L.D. 1251

Sponsored by Senator **SAVAGE** of Knox. (BY REQUEST)

Bill "An Act To Prevent Retailers from Selling Liquor below Cost"
S.P. 446 L.D. 1283

Sponsored by Senator **PERRY** of Penobscot.

On motion by Senator **MARRACHÉ** of Kennebec, **REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS** and ordered printed.

Sent down for concurrence.

Bill "An Act To Protect Host Communities' Sovereign Rights"
S.P. 384 L.D. 1196

Sponsored by Senator **HOBBS** of York.
Cosponsored by Representatives: **BEAUDETTE** of Biddeford, **BEAUDOIN** of Biddeford, **PILON** of Saco.

Bill "An Act To Require the Department of Environmental Protection To Exclude Repeat Violators of Environmental Laws from Receiving State Contracts"

S.P. 388 L.D. 1200

Sponsored by Senator **MITCHELL** of Kennebec.
Cosponsored by Representative **CROCKETT** of Augusta.

Resolve, To Impose a Moratorium on the Acceptance or Processing of an Application To Increase or Revise Licensing of New or Existing Incineration Facilities

S.P. 392 L.D. 1204

Sponsored by Senator **HOBBS** of York.
Cosponsored by Representatives: **BEAUDETTE** of Biddeford, **BEAUDOIN** of Biddeford, **PILON** of Saco, **VALENTINO** of Saco.

Bill "An Act To Control Flooding"
S.P. 407 L.D. 1219

Sponsored by Senator **MITCHELL** of Kennebec.
Cosponsored by Senator: **MARTIN** of Aroostook,
Representatives: **CANAVAN** of Waterville, **CROCKETT** of Augusta, **FLETCHER** of Winslow, **SILSBY** of Augusta.

On motion by Senator **MARTIN** of Aroostook, **REFERRED** to the Committee on **NATURAL RESOURCES** and ordered printed.

Sent down for concurrence.

Bill "An Act To Amend New Motor Vehicle Laws Regarding Emission Standards"

S.P. 416 L.D. 1168

Sponsored by Senator **DAMON** of Hancock.
Cosponsored by Senators: **BARTLETT** of Cumberland, President **EDMONDS** of Cumberland, **STRIMLING** of Cumberland,
Representative: **PATRICK** of Rumford.

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

On motion by Senator **MARTIN** of Aroostook, **TABLED** until Later in Today's Session, pending **REFERENCE**.

Resolve, To Establish a Study Commission To Explore the Creation of a Department of Peace (EMERGENCY)
S.P. 433 L.D. 1247

Sponsored by Senator **SULLIVAN** of York. (BY REQUEST)
Cosponsored by Representative **ADAMS** of Portland and Senator: **BOWMAN** of York, Representative: **PERCY** of Phippsburg.

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

Sent down for concurrence.

Bill "An Act To Authorize a Local Bond Issue for Solid Waste, Storm and Drainage Issues and Transfer Stations"
S.P. 379 L.D. 1191

Sponsored by Senator HOBBS of York.

Committee on **STATE AND LOCAL GOVERNMENT** suggested and ordered printed.

On motion by Senator **SCHNEIDER** of Penobscot, **REFERRED** to the Committee on **NATURAL RESOURCES**.

Sent down for concurrence.

Bill "An Act Relating to Uncollectible Cigarette and Tobacco Taxes"
S.P. 417 L.D. 1169

Sponsored by Senator MITCHELL of Kennebec.
Cosponsored by Representative CROCKETT of Augusta and Senator: PERRY of Penobscot, Representative: PIOTTI of Unity.

Bill "An Act To Expand the Maine Residents Property Tax Program"
S.P. 377 L.D. 1189

Sponsored by Senator ROTUNDO of Androscoggin.

Bill "An Act To Adjust Revenue Sharing Proportions for Education"
S.P. 380 L.D. 1192

Sponsored by Senator HOBBS of York.
Cosponsored by Representative: BEAUDOIN of Biddeford.

Bill "An Act Regarding the Taxation of Income Derived from Out-of-state Trusts"
S.P. 381 L.D. 1193

Sponsored by Senator SAVAGE of Knox.
Cosponsored by Representative BERRY of Bowdoinham and Senators: COURTNEY of York, DOW of Lincoln, Representatives: EMERY of Cutler, RICHARDSON of Warren.

Bill "An Act To Decrease the Property Tax Rate"
S.P. 399 L.D. 1211

Sponsored by Senator HOBBS of York.
Cosponsored by Senator DIAMOND of Cumberland, Representative PINGREE of North Haven.

Bill "An Act To Improve the Competitiveness of Maine's Boat Building Industry"
S.P. 402 L.D. 1214

Sponsored by Senator DAMON of Hancock.

Cosponsored by Representative MacDONALD of Boothbay and Senators: DOW of Lincoln, President EDMONDS of Cumberland, Representatives: PERCY of Phippsburg, SCHATZ of Blue Hill.

Bill "An Act To Make Technical Changes to the Repeal of the Personal Property Tax on Business Equipment"
S.P. 426 L.D. 1225

Sponsored by Senator PERRY of Penobscot.

Bill "An Act To Increase Relief Provided under the Homestead Property Tax Exemption"
S.P. 428 L.D. 1242

Sponsored by Senator ROTUNDO of Androscoggin. (BY REQUEST)

Bill "An Act To Allow Local Administration of the Maine Residents Property Tax Program"
S.P. 429 L.D. 1243

Sponsored by Senator ROTUNDO of Androscoggin. (BY REQUEST)

Resolve, To Return to J & L Discatio Corporation Money Paid by It to Maine Revenue Services
S.P. 441 L.D. 1255

Sponsored by Senator STRIMLING of Cumberland.

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

Sent down for concurrence.

Bill "An Act To Permit a Local Option Sales Tax in Towns Adjacent to a National Park"
S.P. 415 L.D. 1167

Sponsored by Senator DAMON of Hancock.
Cosponsored by Representative EATON of Sullivan and Representatives: KOFFMAN of Bar Harbor, PINGREE of North Haven.

Committee on **TAXATION** suggested and ordered printed.

On motion by Senator **PERRY** of Penobscot, **TABLED** until Later in Today's Session, pending **REFERENCE**.

Bill "An Act To Sustain Island Communities"
S.P. 412 L.D. 1164

Sponsored by Senator DAMON of Hancock.
Cosponsored by Representative PINGREE of North Haven and Senator: SAVAGE of Knox, Representatives: MacDONALD of Boothbay, MARLEY of Portland, MAZUREK of Rockland, RECTOR of Thomaston.

Bill "An Act To Amend the Laws Governing Access to State and State Aid Highways To Permit a Traffic Safety and Rest Area Exception"

S.P. 390 L.D. 1202

Sponsored by Senator HOBBS of York.
Cosponsored by Representatives: BEAUDETTE of Biddeford, BEAUDOIN of Biddeford, PILON of Saco.

Bill "An Act To Protect Young Passengers of Transportation Providers"

S.P. 427 L.D. 1226

Sponsored by Senator SULLIVAN of York.
Cosponsored by Representative FISHER of Brewer and Senator: DAMON of Hancock, Representatives: MARLEY of Portland, ROSEN of Bucksport.

Bill "An Act To Amend the Composition of the Maine Port Authority"

S.P. 435 L.D. 1249

Sponsored by Senator DAMON of Hancock.
Cosponsored by Representative MARLEY of Portland.
Submitted by the Department of Transportation pursuant to Joint Rule 204.

On motion by Senator **DAMON** of Hancock, **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed.

Sent down for concurrence.

Bill "An Act To Amend the Motor Vehicle Laws Concerning Work Licenses"

S.P. 394 L.D. 1206

Sponsored by Senator MARTIN of Aroostook.

Committee on **TRANSPORTATION** suggested and ordered printed.

On motion by Senator **DAMON** of Hancock, **TABLED** until Later in Today's Session, pending **REFERENCE**.

Bill "An Act To Amend the Laws Preventing the Pollution of Portland's Water Supply"

S.P. 393 L.D. 1205

Sponsored by Senator BARTLETT of Cumberland.
Cosponsored by Representative BLISS of South Portland and Senator: HOBBS of York, Representatives: BLANCHARD of Old Town, FITTS of Pittsfield, FLETCHER of Winslow, HINCK of Portland, RINES of Wiscasset.

Resolve, To Establish a Study Commission To Stimulate Telecommunications Investment, Economic Development and Job Creation

S.P. 404 L.D. 1216

Sponsored by President EDMONDS of Cumberland.
Cosponsored by Representative BLISS of South Portland and Senator: BARTLETT of Cumberland.

Bill "An Act To Amend the Charter of the Kennebunk Light and Power District"

S.P. 422 L.D. 1221

Sponsored by Senator SULLIVAN of York.
Cosponsored by Representative BABBIDGE of Kennebunk and Senators: BARTLETT of Cumberland, HOBBS of York, Representative: CONNOR of Kennebunk.

Bill "An Act To Establish the Northern Maine Power Agency"

S.P. 434 L.D. 1248

Sponsored by Senator SHERMAN of Aroostook.
Cosponsored by Senator: WESTON of Waldo, Representatives: CLEARY of Houlton, CURTIS of Madison, GIFFORD of Lincoln, JOY of Crystal, McLEOD of Lee, THERIAULT of Madawaska.

Bill "An Act To Create the Energy Independence Act" (EMERGENCY)

S.P. 447 L.D. 1284

Sponsored by Senator BARTLETT of Cumberland.
Cosponsored by Representative FLETCHER of Winslow and Senators: BOWMAN of York, BROMLEY of Cumberland, MITCHELL of Kennebec, Representatives: BRAUTIGAM of Falmouth, FITTS of Pittsfield, HINCK of Portland, PENDLETON of Scarborough, TREAT of Farmingdale.

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

Sent down for concurrence.

**Pursuant to Resolve
Commission To Study Eliminating the Normal Retirement
Age for Corrections Officers and Mental Health Workers**

Senator STRIMLING for the **Commission To Study Eliminating the Normal Retirement Age for Corrections Officers and Mental Health Workers**, pursuant to Resolve 2005, chapter 181 asked leave to report that the accompanying Bill "An Act To Provide a Uniform Retirement Plan for Corrections Officers and Mental Health Workers"

S.P. 424 L.D. 1223

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

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

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

Sent down for concurrence.

All matters thus acted upon, with exception of those matters being held, were ordered sent down forthwith for concurrence.

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Provide Reinstatement of Group Life Insurance for Public Employees Returning from Unpaid Military Leave"
H.P. 136 L.D. 154

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-9)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-9)**.

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

READ ONCE.

Committee Amendment "A" (H-9) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act Requiring the Municipal Clerk To Inspect Municipal Election Ballots"
H.P. 173 L.D. 202

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-8)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-8)**.

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

READ ONCE.

Committee Amendment "A" (H-8) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **UTILITIES AND ENERGY** on Bill "An Act To Transfer the Administration of the Renewable Resource Fund from the State Planning Office to the Public Utilities Commission"
H.P. 37 L.D. 36

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-10)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-10)**.

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

READ ONCE.

Committee Amendment "A" (H-10) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **UTILITIES AND ENERGY** on Bill "An Act To Ensure Proper Funding of the Public Utilities Commission" (EMERGENCY)
H.P. 223 L.D. 267

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-11)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-11)**.

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

READ ONCE.

Committee Amendment "A" (H-11) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **MARINE RESOURCES** on Bill "An Act To Provide for the Safety of Elver Fishermen Using Dip Nets"
H.P. 75 L.D. 77

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

Signed:

Senators:

DAMON of Hancock
DOW of Lincoln
SNOWE-MELLO of Androscoggin

Representatives:

EATON of Sullivan
FLETCHER of Winslow
MAZUREK of Rockland
ADAMS of Portland

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-7).**

Signed:

Representatives:

PENDLETON of Scarborough
MacDONALD of Boothbay
McDONOUGH of Scarborough
PERCY of Phippsburg
EMERY of Cutler

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

Reports **READ**.

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

Senate

Ought to Pass

Senator STRIMLING for the Committee on **LABOR** on Bill "An Act Regarding the Enforcement of Penalties under the Maine Workers' Compensation Act of 1992"

S.P. 44 L.D. 136

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 BRYANT for the Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Authorize the Bureau of Warden Service to Provide Assistance to Other Entities"

S.P. 88 L.D. 251

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-8).**

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

READ ONCE.

Committee Amendment "A" (S-8) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

SECOND READERS

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

House

Resolve, Regarding Legislative Review of Portions of Chapter 250: Rules Relating to Smoking in the Workplace, a Major Substantive Rule of the Department of Health and Human Services, Maine Center for Disease Control and Prevention, Partnership for a Tobacco-free Maine (EMERGENCY)

H.P. 39 L.D. 38

Resolve, To Designate a Portion of U.S. Route 1 in Indian Township Passamaquoddy Indian Reservation as the Captain Tomah Lewey Memorial Highway

H.P. 83 L.D. 85

Bill "An Act To Amend the Authority of a Motor Vehicle Investigator"

H.P. 114 L.D. 122

Resolve, To Improve the Professional Development of County Officials

H.P. 126 L.D. 142

Bill "An Act To Allow a Newspaper Carrier To Use Flashing Amber Lights on That Carrier's Vehicle"

H.P. 155 L.D. 173

Bill "An Act Regarding Penalties for Payments Made to the State That Are Rejected by a Financial Institution"

H.P. 188 L.D. 217

Bill "An Act To Permit Andover College To Issue Degrees under New Ownership" (EMERGENCY)

H.P. 205 L.D. 271

Bill "An Act To Update References to Federal Laws in the Maine Uniform Securities Act and To Make Other Technical Corrections to the Act" (EMERGENCY)

H.P. 266 L.D. 332

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

House As Amended

Bill "An Act To Make Supplemental Allocations from the Highway Fund and Other Funds for the Expenditures of State Government and To Change Certain Provisions of State Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2007" (EMERGENCY)

H.P. 262 L.D. 327
(C "A" H-5)

READ A SECOND TIME.

On motion by Senator **DAMON** of Hancock, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (H-5).

On further motion by same Senator, **TABLED** until Later in Today's Session, pending **ADOPTION** of Committee Amendment "A" (H-5), in concurrence.

ENACTORS

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

Acts

An Act To List the Shortnose Sturgeon as a Marine Endangered Species

S.P. 48 L.D. 140

An Act To Modify the Laws Regarding Garnishment of Wages

S.P. 69 L.D. 231

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

All matters thus acted upon, with exception of those matters being held, were ordered sent down forthwith for concurrence.

Senate at Ease.

Senate called to order by President Pro Tem
ELIZABETH H. MITCHELL of Kennebec County.

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 (3/6/07) Assigned matter:

Resolve, To Protect the Future of the Sebago Lake Water Supply
H.P. 715 L.D. 940

Tabled - March 6, 2007, by Senator **BRYANT** of Oxford

Pending - **REFERENCE**

(Committee on **INLAND FISHERIES AND WILDLIFE**, suggested and ordered printed.)

(In House, March 1, 2007, **REFERRED** to the Committee on **UTILITIES AND ENERGY**.)

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

The Chair laid before the Senate the following Tabled and Later (3/6/07) Assigned matter:

Bill "An Act To Ensure Funding for Higher Education"
S.P. 355 L.D. 1103

Tabled - March 6, 2007, by Senator **ROTUNDO** of Androscoggin

Pending - **REFERENCE**

(Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** suggested and ordered printed.)

On motion by Senator **MARTIN** of Aroostook, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (3/6/07) Assigned matter:

Bill "An Act To Recapitalize the Municipal Investment Trust Fund"
S.P. 358 L.D. 1106

Tabled - March 6, 2007, by Senator **ROTUNDO** of Androscoggin

Pending - **REFERENCE**

(Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** suggested and ordered printed.)

On motion by Senator **MARTIN** of Aroostook, **REFERRED** to the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (3/6/07) Assigned matter:

Bill "An Act To Appropriate Funds for the School Breakfast Program"

S.P. 366 L.D. 1114

Tabled - March 6, 2007, by Senator **ROTUNDO** of Androscoggin

Pending - **REFERENCE**

(Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** suggested and ordered printed.)

On motion by Senator **ROTUNDO** of Androscoggin, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (3/6/07) Assigned matter:

Bill "An Act To Support Continued Viability of Affordable Housing"
S.P. 352 L.D. 1100

Tabled - March 6, 2007, by Senator **SCHNEIDER** of Penobscot

Pending - **REFERENCE**

(Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** suggested and ordered printed.)

On motion by Senator **SCHNEIDER** of Penobscot, **REFERRED** to the Committee on **TAXATION**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (3/6/07) Assigned matter:

Bill "An Act Concerning Licensure as a Master Well Driller or a Master Pump Installer" (EMERGENCY)
S.P. 367 L.D. 1115

Tabled - March 6, 2007, by Senator **SCHNEIDER** of Penobscot

Pending - **REFERENCE**

(Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** suggested and ordered printed.)

On motion by Senator **SCHNEIDER** of Penobscot, **REFERRED** to the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (3/6/07) Assigned matter:

Bill "An Act To Create the Maine Spyware Prevention Act"
S.P. 346 L.D. 1029

Tabled - March 6, 2007, by Senator **DIAMOND** of Cumberland

Pending - **REFERENCE**

(Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** suggested and ordered printed.)

On motion by Senator **DIAMOND** of Cumberland, **REFERRED** to the Committee on **JUDICIARY**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (3/6/07) Assigned matter:

Bill "An Act To Protect Children by Requiring Trigger Locks on Handguns"
S.P. 363 L.D. 1111

Tabled - March 6, 2007, by Senator **DIAMOND** of Cumberland

Pending - **REFERENCE**

(Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** suggested and ordered printed.)

On motion by Senator **DIAMOND** of Cumberland, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (3/6/07) Assigned matter:

Bill "An Act Relating to the Wells-Ogunquit Community School District"
S.P. 375 L.D. 1123

Tabled - March 6, 2007, by Senator **BOWMAN** of York

Pending - **REFERENCE**

(Committee on **EDUCATION AND CULTURAL AFFAIRS** suggested and ordered printed.)

On motion by Senator **BOWMAN** of York, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (3/6/07) Assigned matter:

Bill "An Act To Create the Maine Council on Poverty and Economic Security"

S.P. 362 L.D. 1110

Tabled - March 6, 2007, by Senator **BRANNIGAN** of Cumberland

Pending - **REFERENCE**

(Committee on **HEALTH AND HUMAN SERVICES** suggested and ordered printed.)

On motion by Senator **BRANNIGAN** of Cumberland, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (3/6/07) Assigned matter:

Bill "An Act To Provide Certain Requirements for Rules Related to Rate Setting for Mental Retardation Services and Mental Health Managed Care"

S.P. 370 L.D. 1118

Tabled - March 6, 2007, by Senator **BRANNIGAN** of Cumberland

Pending - **REFERENCE**

(Committee on **HEALTH AND HUMAN SERVICES** suggested and ordered printed.)

On motion by Senator **BRANNIGAN** of Cumberland, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (3/6/07) Assigned matter:

Bill "An Act To Amend MaineCare Benefits as Allowed by the Federal Deficit Reduction Act of 2005"

S.P. 372 L.D. 1120

Tabled - March 6, 2007, by Senator **BRANNIGAN** of Cumberland

Pending - **REFERENCE**

(Committee on **HEALTH AND HUMAN SERVICES** suggested and ordered printed.)

On motion by Senator **BRANNIGAN** of Cumberland, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (3/6/07) Assigned matter:

Bill "An Act To Establish a Complimentary Moose Permit Drawing for 100% Disabled Veterans"

S.P. 353 L.D. 1101

Tabled - March 6, 2007, by Senator **BRYANT** of Oxford

Pending - **REFERENCE**

(Committee on **INLAND FISHERIES AND WILDLIFE** suggested and ordered printed.)

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

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (3/6/07) Assigned matter:

Bill "An Act To Amend Certain Provisions of Fish and Wildlife Law"

S.P. 356 L.D. 1104

Tabled - March 6, 2007, by Senator **BRYANT** of Oxford

Pending - **REFERENCE**

(Committee on **INLAND FISHERIES AND WILDLIFE** suggested and ordered printed.)

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

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (3/6/07) Assigned matter:

Bill "An Act To Lower Mandatory Group Participation Rates to 60%"

S.P. 354 L.D. 1102

Tabled - March 6, 2007, by Senator **SULLIVAN** of York

Pending - **REFERENCE**

(Committee on **INSURANCE AND FINANCIAL SERVICES** suggested and ordered printed.)

On motion by Senator **SULLIVAN** of York, **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES** and ordered printed.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (3/6/07) Assigned matter:

Bill "An Act To Create a State-sponsored Mutual Liability Company To Underwrite Risk for Snowmobile and ATV Clubs"

S.P. 368 L.D. 1116

Tabled - March 6, 2007, by Senator **SULLIVAN** of York

Pending - **REFERENCE**

(Committee on **INSURANCE AND FINANCIAL SERVICES** suggested and ordered printed.)

On motion by Senator **SULLIVAN** of York, **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES** and ordered printed.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (3/6/07) Assigned matter:

Bill "An Act To Amend the Charter of the Somerset Woods Trustees"

S.P. 369 L.D. 1117

Tabled - March 6, 2007, by Senator **HOBBS** of York

Pending - **REFERENCE**

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

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

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (3/6/07) Assigned matter:

Bill "An Act To Permit Mental Health Professionals To Disclose Risks to People Likely To Be Harmed by a Patient"

S.P. 371 L.D. 1119

Tabled - March 6, 2007, by Senator **HOBBS** of York

Pending - **REFERENCE**

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

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

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (3/6/07) Assigned matter:

Bill "An Act To Promote Compliance with the Workers' Compensation Laws"

S.P. 359 L.D. 1107

Tabled - March 6, 2007, by Senator **STRIMLING** of Cumberland

Pending - **REFERENCE**

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

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

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (3/6/07) Assigned matter:

Bill "An Act To Prevent Workplace Bullying"

S.P. 365 L.D. 1113

Tabled - March 6, 2007, by Senator **STRIMLING** of Cumberland

Pending - **REFERENCE**

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

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

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (3/6/07) Assigned matter:

Bill "An Act To Provide That Lottery Proceeds Be Devoted to Public or Charitable Uses"

S.P. 373 L.D. 1121

Tabled - March 6, 2007, by Senator **MARRACHÉ** of Kennebec

Pending - **REFERENCE**

(Committee on **LEGAL AND VETERANS AFFAIRS** suggested and ordered printed.)

On motion by Senator **MARRACHÉ** of Kennebec, **REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS** and ordered printed.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (3/6/07) Assigned matter:

Bill "An Act To Change the Impact of the Rate of Growth Ordinance Limit on the Town of York"

S.P. 360 L.D. 1108

Tabled - March 6, 2007, by Senator **MARTIN** of Aroostook

Pending - **REFERENCE**

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

On motion by Senator **MARTIN** of Aroostook, **REFERRED** to the Committee on **NATURAL RESOURCES** and ordered printed.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (3/6/07) Assigned matter:

Bill "An Act To Protect Citizens' Privacy"

S.P. 334 L.D. 1017

Tabled - March 6, 2007, by Senator **SCHNEIDER** of Penobscot

Pending - **REFERENCE**

(Committee on **STATE AND LOCAL GOVERNMENT** suggested and ordered printed.)

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

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (3/6/07) Assigned matter:

Bill "An Act To Prohibit a Person from Serving as Both Municipal Tax Collector and Treasurer"

S.P. 374 L.D. 1122

Tabled - March 6, 2007, by Senator **SCHNEIDER** of Penobscot

Pending - **REFERENCE**

(Committee on **STATE AND LOCAL GOVERNMENT** suggested and ordered printed.)

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

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (3/6/07) Assigned matter:

Bill "An Act To Strengthen Maine's Craft Brewers"

S.P. 357 L.D. 1105

Tabled - March 6, 2007, by Senator **PERRY** of Penobscot

Pending - **REFERENCE**

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

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

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (3/6/07) Assigned matter:

Resolve, To Establish a Study Commission To Reform Taxes and Spending in Maine (EMERGENCY)

S.P. 361 L.D. 1109

Tabled - March 6, 2007, by Senator **PERRY** of Penobscot

Pending - **REFERENCE**

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

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

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (3/6/07) Assigned matter:

Bill "An Act To Exempt from Maine Taxes Wine Shipped to Other States"

S.P. 364 L.D. 1112

Tabled - March 6, 2007, by Senator **PERRY** of Penobscot

Pending - **REFERENCE**

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

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

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (3/6/07) Assigned matter:

Bill "An Act To Encourage Wind Energy Development"
S.P. 351 L.D. 1099

Tabled - March 6, 2007, by Senator **BARTLETT** of Cumberland

Pending - **REFERENCE**

(Committee on **UTILITIES AND ENERGY** suggested and ordered printed.)

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

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (3/6/07) Assigned matter:

Bill "An Act To Repeal the Laws That Establish a Deposit for Bottles and Cans"

S.P. 321 L.D. 1004

Tabled - March 6, 2007, by Senator **SCHNEIDER** of Penobscot

Pending - **REFERENCE**

(Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** suggested and ordered printed.)

On motion by Senator **BOWMAN** of York, Bill and accompanying papers **INDEFINITELY POSTPONED**.

Sent down for concurrence.

All matters thus acted upon, with exception of those matters being held, were ordered sent down forthwith for concurrence.

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

NOMINATION - of Anne H. Jordan of South Portland, for appointment as the Commissioner, Department of Public Safety

Tabled - March 8, 2007, by Senator **MARTIN** of Aroostook

Pending - **CONSIDERATION**

(In Senate, March 8, 2007, Communication (S.C. 96) from the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY**, **READ** and **ORDERED PLACED ON FILE**.)

The President Pro Tem laid before the Senate the following: "Shall the recommendation of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 123rd Legislature, the vote was taken by the Yeas and Nays.

The Chair noted the absence of the Senator from Cumberland, Senator **EDMONDS** and further excused the same Senator from today's Roll Call votes.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#24)

YEAS: Senators: None

NAYS: Senators: **BARTLETT, BENOIT, BOWMAN, BRANNIGAN, BROMLEY, BRYANT, COURTNEY, DAMON, DIAMOND, DOW, GOOLEY, HOBBS, MARRACHE, MARTIN, MCCORMICK, MILLS, NASS, NUTTING, PERRY, PLOWMAN, RAYE, ROSEN, ROTUNDO, SAVAGE, SCHNEIDER, SHERMAN, SMITH, SNOWE-MELLO, STRIMLING, SULLIVAN, WESTON, THE PRESIDENT PRO TEM - ELIZABETH H. MITCHELL**

ABSENT: Senators: **HASTINGS, TURNER**

EXCUSED: Senator: **EDMONDS**

No Senator having voted in the affirmative and 32 Senators having voted in the negative, with 2 Senators being absent and 1 Senator being excused, 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 **Anne H. Jordan** of South Portland, for appointment as the Commissioner, Department of Public Safety was **CONFIRMED**.

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

THE PRESIDENT PRO TEM: The Chair is pleased to recognize in the rear of the Chamber Anne H. Jordan of South Portland. Would she please rise and accept the greetings of the Maine Senate.

Senate at Ease.

Senate called to order by President Pro Tem
ELIZABETH H. MITCHELL of Kennebec County.

Off Record Remarks

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

PAPERS FROM THE HOUSE

House Papers

Resolve, Directing the Department of Agriculture, Food and Rural Resources To Establish Rules Concerning Certified Organic Seed
H.P. 850 L.D. 1157

Bill "An Act To Protect Dogs Tied Outside"
H.P. 866 L.D. 1185

Come from the House, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed.

On motion by Senator **NUTTING** of Androscoggin, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed, in concurrence.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Authorize a General Fund Bond Issue To Improve Child Care Facilities in Maine"

H.P. 842 L.D. 1149

Bill "An Act To Authorize a General Fund Bond Issue To Create Jobs through Enhancing Maine's Commercial Marine Resources"
H.P. 879 L.D. 1237

Bill "An Act To Authorize a General Fund Bond Issue for Community Recycling and Household Hazardous Waste Collection"

H.P. 884 L.D. 1256

Bill "An Act To Fund the Nursing Education Loan Repayment Program and Fund"

H.P. 896 L.D. 1268

Come from the House, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed.

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Require Electronic Monitoring of Secondary Sales Transactions"

H.P. 821 L.D. 1128

Bill "An Act To Increase Access to Oral Health Care"
H.P. 822 L.D. 1129

Bill "An Act Regarding Returnable Containers"
H.P. 832 L.D. 1139

Bill "An Act To Require Licensing for Certain Mechanical Trades"
H.P. 906 L.D. 1278

Come from the House, **REFERRED** to the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed.

On motion by Senator **BROMLEY** of Cumberland, **REFERRED** to the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed, in concurrence.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Decriminalize Certain Actions"

H.P. 820 L.D. 1127

Bill "An Act To Clarify Public Safety Laws Regarding the Disclosure of Information and the Storage of Evidence, To Reauthorize the United States Secret Service To Enforce Certain State Laws and To Allow Designees To Serve on the Maine Communications System Policy Board"

H.P. 864 L.D. 1183

Bill "An Act To Create a Certificate of Need Process for the Construction of Correctional Facilities"

H.P. 870 L.D. 1228

Bill "An Act To Prohibit Sex Offenders from Areas around Schools"

H.P. 871 L.D. 1229

Come from the House, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed.

On motion by Senator **DIAMOND** of Cumberland, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed, in concurrence.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Improve Public Education in Maine"

H.P. 845 L.D. 1152

Bill "An Act To Apply Municipal Nepotism Policies to Municipal School Units"

H.P. 856 L.D. 1175

Bill "An Act To Update and Clarify Laws Relating to Maine's Community Colleges"

H.P. 859 L.D. 1178

Bill "An Act To Establish Educational Excellence for the Towns of Corinna, Etna, Dixmont, Hartland, Newport, Palmyra, Plymouth and St. Albans" (EMERGENCY)

H.P. 867 L.D. 1186

Bill "An Act Regarding the Terms of Members of the Maine State Museum Commission"

H.P. 885 L.D. 1257

Come from the House, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.

On motion by Senator **BOWMAN** of York, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed, in concurrence.

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

PAPERS FROM THE HOUSE

House Papers

Resolve, To Increase Fairness in Medical Payments

H.P. 823 L.D. 1130

Bill "An Act To Provide Payment for Homeless Respite Care Services through the MaineCare Program"

H.P. 830 L.D. 1137

Bill "An Act To Enhance the Newborn Hearing Program"

H.P. 835 L.D. 1142

Bill "An Act To Promote Healthy Practices for MaineCare Members"

H.P. 839 L.D. 1146

Bill "An Act Regarding MaineCare Prescription Drug and Tobacco Sales"

H.P. 857 L.D. 1176

Bill "An Act To Provide Regional Coordination and Planning for Public Health Programs and Activities"

H.P. 860 L.D. 1179

Resolve, To Establish a Commission To Study the Possibility of Implementing the Proposed Healthy Americans Act (EMERGENCY)

H.P. 865 L.D. 1184

Bill "An Act To Recoup Health Care Funds through the Maine False Claims Act"

H.P. 868 L.D. 1187

Resolve, To Establish a Working Group To Study the Effectiveness and Timeliness of Early Identification and Intervention for Children with Hearing Loss in Maine (EMERGENCY)

H.P. 881 L.D. 1239

Come from the House, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

On motion by Senator **BRANNIGAN** of Cumberland, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed, in concurrence.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Protect Consumers against Inadequate Health Care Coverage"

H.P. 872 L.D. 1230

Bill "An Act Regarding Property and Casualty Insurance Actuarial Opinion of Reserves"

H.P. 890 L.D. 1262

Resolve, To Study the Feasibility of Pine Tree Health Care Insurance Zones

H.P. 897 L.D. 1269

Come from the House, **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES** and ordered printed.

On motion by Senator **SULLIVAN** of York, **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES** and ordered printed, in concurrence.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Clarify the Status of Subsidy Payments to Guardians"

H.P. 819 L.D. 1126

Bill "An Act To Prohibit Maine from Participating in a National Identification Card System"

H.P. 831 L.D. 1138

Bill "An Act To Improve Efficiency in the Courts"

H.P. 833 L.D. 1140

Bill "An Act To Ensure Basic Rights of Judicial Employees"

H.P. 834 L.D. 1141

Bill "An Act To Protect Owners and Occupiers of Homes from Civil Liability"

H.P. 849 L.D. 1156

Bill "An Act To Serve the Best Interests of Children in Divorce"

H.P. 873 L.D. 1231

Bill "An Act To Clarify the Laws Governing Landowner Liability"

H.P. 886 L.D. 1258

Resolve, To Continue the Tribal-State Work Group (EMERGENCY)

H.P. 891 L.D. 1263

Come from the House, **REFERRED** to the Committee on **JUDICIARY** and ordered printed.

On motion by Senator **HOBBS** of York, **REFERRED** to the Committee on **JUDICIARY** and ordered printed, in concurrence.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Increase the Per Diem for Members of the State Board of Arbitration and Conciliation"

H.P. 851 L.D. 1158

Resolve, To Establish the Commission on Retirement Policy Funding and Reform

H.P. 858 L.D. 1177

Bill "An Act To Use the Date of Injury To Calculate the Average Weekly Wage in Occupational Disease Cases"

H.P. 887 L.D. 1259

Bill "An Act To Clarify Intermittent Leave under the Family Medical Leave Laws"

H.P. 889 L.D. 1261

Bill "An Act To Repeal Certain Unemployment Benefit Disqualifications"

H.P. 900 L.D. 1272

Bill "An Act To Promote Workplace Safety and Certainty within the Construction Industry by Authorizing the Workers' Compensation Board To Issue Construction Contractor Certificates"

H.P. 903 L.D. 1275

Come from the House, **REFERRED** to the Committee on **LABOR** and ordered printed.

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Create an Ownership Interest in Agency Liquor Store Licenses"

H.P. 817 L.D. 1124

Bill "An Act To Amend the Commission on Governmental Ethics and Election Practices' Appointment Process"

H.P. 829 L.D. 1136

Bill "An Act To Establish Random Audits of Voting Machines"
H.P. 843 L.D. 1150

Bill "An Act To Limit the Duration of the Placement of Campaign Signs"
H.P. 874 L.D. 1232

Bill "An Act To Amend Requirements for Participation of Gubernatorial Candidates under the Maine Clean Election Act"
H.P. 875 L.D. 1233

Bill "An Act To Create an Animal Welfare Lottery Game"
H.P. 888 L.D. 1260

Bill "An Act To Increase Beano Revenue"
H.P. 901 L.D. 1273

Come from the House, **REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS** and ordered printed.

On motion by Senator **MARRACHÉ** of Kennebec, **REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS** and ordered printed, in concurrence.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Require Clear Warnings on Light Bulbs Containing Mercury"
H.P. 876 L.D. 1234

Resolve, To Clarify the Definition of Smart Growth
H.P. 898 L.D. 1270

Bill "An Act To Allow the Discharge of Aquatic Pesticides Approved by the Department of Environmental Protection for the Control of Mosquito-borne Diseases in the Interest of Public Health and Safety"
H.P. 902 L.D. 1274

Come from the House, **REFERRED** to the Committee on **NATURAL RESOURCES** and ordered printed.

On motion by Senator **MARTIN** of Aroostook, **REFERRED** to the Committee on **NATURAL RESOURCES** and ordered printed, in concurrence.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Make Technical Changes to the Maine Municipal Bond Bank Laws"
H.P. 825 L.D. 1132

Bill "An Act To Allow Municipal Cost Sharing for County Services"
H.P. 828 L.D. 1135

Bill "An Act To Impose a Modified Hiring Freeze in State Government" (EMERGENCY)
H.P. 840 L.D. 1147

Bill "An Act To Clarify the Application of the Definition of 'Tract or Parcel of Land' under the State Subdivision Laws"
H.P. 854 L.D. 1173

Bill "An Act To Resolve Differences in the Laws Regarding Public Shade Trees"
H.P. 892 L.D. 1264

Come 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.

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 a Sales Tax Rebate for Certain Vehicles"
H.P. 824 L.D. 1131

Bill "An Act To Provide Information to Property Tax Payers"
H.P. 837 L.D. 1144

Bill "An Act To Impose a Real Estate Transfer Tax Based on the Value of the Property"
H.P. 838 L.D. 1145

Bill "An Act To Include Fuel Economy when Calculating the Excise Tax on Motor Vehicles"
H.P. 848 L.D. 1155

Bill "An Act To Reclassify Certain Tobacco Products"
H.P. 862 L.D. 1181

Bill "An Act To Enable the Creation of Tax Increment Financing Districts for Arts Districts"
H.P. 863 L.D. 1182

Bill "An Act Regarding Recreational Vehicle Excise Taxes"
H.P. 877 L.D. 1235

Bill "An Act To Support County Government"
H.P. 894 L.D. 1266

Bill "An Act To Promote Funding for Wildlife"
H.P. 904 L.D. 1276

Come 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.

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

PAPERS FROM THE HOUSE

House Papers

Resolve, Directing the Department of Transportation to Expend Funds for Ocean Commerce in Casco Bay (EMERGENCY)
H.P. 847 L.D. 1154

Bill "An Act To Promote Transportation Planning, Increase Efficiency and Reduce Sprawl"
H.P. 861 L.D. 1180

Bill "An Act To Keep Private Road Maintenance Costs Affordable"
H.P. 893 L.D. 1265

Resolve, To Study the Feasibility of Off-road Bike and Walking Paths along the Busiest Commuting Corridors in the State
H.P. 905 L.D. 1277

Come from the House, **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed.

On motion by Senator **DAMON** of Hancock, **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed, in concurrence.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Prevent the Public Utilities Commission from Disclosing Private Information to the Federal Government"
H.P. 836 L.D. 1143

Bill "An Act To Streamline the Review of Minor Tariff Filings of Consumer-owned Water Utilities"
H.P. 844 L.D. 1151

Bill "An Act To Allow Affordable Housing Discretionary Water and Sewer Fee Waivers"
H.P. 846 L.D. 1153

Resolve, To Encourage Increased Use of Biodiesel Fuels in Maine
H.P. 852 L.D. 1159

Resolve, To Encourage the Development of Water Power To Provide for Maine's Energy Needs
H.P. 853 L.D. 1160

Bill "An Act To Create the Princeton Standard Water District" (EMERGENCY)
H.P. 878 L.D. 1236

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

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

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

PAPERS FROM THE HOUSE

**Pursuant to Statute
Criminal Law Advisory Commission**

The **Criminal Law Advisory Commission**, pursuant to the Maine Revised Statutes, Title 17-A, section 1354, subsection 2 asked leave to report that the accompanying Bill "An Act To Implement the Recommendations of the Criminal Law Advisory Commission"

H.P. 882 L.D. 1240

Be **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** 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 **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed pursuant to Joint Rule 218.

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

On motion by Senator **DIAMOND** of Cumberland, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed pursuant to Joint Rule 218, in concurrence.

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

PAPERS FROM THE HOUSE

**Pursuant to Statute
Criminal Law Advisory Commission**

The **Criminal Law Advisory Commission**, pursuant to the Maine Revised Statutes, Title 17-A, section 1354, subsection 2 asked leave to report that the accompanying Bill "An Act To Provide Uniform Treatment of Prior Convictions in the Maine Criminal Code"

H.P. 883 L.D. 1241

Be **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** 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 **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed pursuant to Joint Rule 218.

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

On motion by Senator **DIAMOND** of Cumberland, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed pursuant to Joint Rule 218, in concurrence.

ORDERS OF THE DAY

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

Bill "An Act To Make Supplemental Allocations from the Highway Fund and Other Funds for the Expenditures of State Government and To Change Certain Provisions of State Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2007" (EMERGENCY)

H.P. 262 L.D. 327

Tabled - March 8, 2007, by Senator **DAMON** of Hancock

Pending - **ADOPTION OF COMMITTEE AMENDMENT "A" (H-5)**, in concurrence

(In House, March 1, 2007, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-5).**)

(In Senate, March 8, 2007, **READ A SECOND TIME**. On motion by Senator **DAMON** of Hancock, **RULES SUSPENDED**. **RECONSIDERED ADOPTION** of Committee Amendment "A" (H-5).)

On motion by Senator **DAMON** of Hancock, Senate Amendment "A" (S-9) to Committee Amendment "A" (H-5) **READ** and **ADOPTED**.

Committee Amendment "A" (H-5) as Amended by Senate Amendment "A" (S-9) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-5) AS AMENDED BY SENATE AMENDMENT "A" (S-9) thereto, in NON-CONCURRENCE.

Sent down for concurrence.

All matters thus acted upon, with exception of those matters being held, were ordered sent down forthwith for concurrence.

Senator **GOOLEY** of Franklin was granted unanimous consent to address the Senate on the Record.

Senator **GOOLEY**: Thank you, Madame President. I was remiss earlier this morning to not address this distinguished Body on an item on today's calendar that is in reference to Kay Mills. Kay Mills is the mother of a number of children. I was hoping that Senator Mills would be here to address this honorable group this morning. I looked back and said to myself, 'My goodness, I blew it.' Anyways all is not lost and I would like to stand here before you today to recognize Kay Mills who celebrated her 90th birthday, I think it was two Saturdays ago, in Farmington. There were 200 individuals who attended the birthday party for her. It was a very eloquent occasion.

I should just mention to you that Kay Mills was born into a frontier farm family in Aroostook County. She graduated from Ashland High School and Colby College. She then embarked on a distinguished career teaching English. In fact my two children took English under Kay Mills and their usage of the English language is very good. Hopefully mine should be as good, I guess.

Kay's husband, Peter, did serve here in the Senate many years ago. They had five children. You know the five children. I make reference to Senator Peter Mills, who is here with us in this session; David Mills, who lives in Farmington; and of course State Representative Janet Mills, who is on the Appropriations Committee and currently serving her third term. There is also Paul Mills, who is a distinguished attorney in Farmington and is currently President of the Farmington Rotary Club. Lastly, there is Dr. Dora Mills. Dora Mills is the Public Health Officer for the State of Maine and currently one of her endeavors is making us understand what a pandemic is all about because, who knows, we may have to deal with that at some point in time.

We like to think of this family, the Mills family in Farmington, as being one of our more famous families in the state of Maine. I just wanted to stand before you this morning to say that we did recognize Kay Mills the other day and it was a well-deserved occasion. We congratulate her on her 90th birthday. Thank you.

Off Record Remarks

Senator **ROTUNDO** of Androscoggin was granted unanimous consent to address the Senate off the Record.

Off Record Remarks

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

Off Record Remarks

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

Senator **DAMON** of Hancock was granted unanimous consent to address the Senate off the Record.

On motion by Senator **MARTIN** of Aroostook, **ADJOURNED**, pursuant to the Joint Order, to Tuesday, March 13, 2007, at 10:00 in the morning.