

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
Wednesday
March 21, 2007

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

Prayer by Reverend Paul Dumais of Parish of the Holy Spirit in
Waterville.

REVEREND DUMAIS: May the Lord, who went about doing good, be with you. God is love. In the desire to make us share in this love He sent His son into the world to come to our aid in gentle kindness to help those who are weak, sick, and unfortunate. In His great love for us all, Christ said that whatever we do for the least among us we do for Him. He called those who showed mercy the blessed of his Father and promised them eternal life. Let us then pray for the Lord's richest blessings on the members of this assembly who are devoted to helping their brothers and sisters so generously. Brothers and sisters, listen to the words of the holy gospel according to Mathew.

Jesus said to his disciples, 'When the son of man comes in his glory and all the angels with him, he will sit upon his glorious throne and all the nations will be assembled before him and he will separate them from one another as a shepherd separates the sheep from the goats. He will place the sheep on his right and the goats on his left. Then the King will say to those on his right, 'Come, you who are blessed by my Father. Inherit the kingdom prepared for you from the foundation of the world, for I was hungry and you gave me food, I was thirsty and you gave me drink, a stranger and you welcomed me, naked and you clothed me, ill and you cared for me, imprisoned and you visited me.' Then the righteous will answer him and say, 'Lord, when did we see you hungry and feed you or thirsty and give you drink? When did we see you a stranger and welcome you or naked and clothe you? When did we see you ill or imprisoned and visit you?' The King will say to them in reply, 'Of men I say to you, whatever you did for one of these least brothers of mine you did to me.'

Let us pray. Our Father, who art in heaven, hallowed be thy name, thy kingdom come, thy will be done on earth as it is in heaven. Give us this day our daily bread and forgive us our trespasses as we forgive those who trespass against us. Lead us not into temptation but deliver us from evil. For thine is the kingdom and the power and glory now and forever.

God of mercy, who through Your son gave us a marvelous example of charity and a commandment to love one another, send down Your blessings on these, Your servants, who so generously devote themselves to helping others. When they are called on in times of need, let them faithfully serve You in their neighbor. We ask this through Christ, our Lord. Amen.

Posting of the Colors by The Franco-American Veterans, Post 31
of Lewiston

Pledge of Allegiance led by Senator John L. Martin of Aroostook
County.

Reading of the Journal of Tuesday, March 20, 2007.

Doctor of the day, Gavin Ducker, MD of Winslow.

Off Record Remarks

PAPERS FROM THE HOUSE

Non-Concurrent Matter

Bill "An Act To Prohibit Constitutional Officers from Endorsing
Candidates for the Legislature"

H.P. 930 L.D. 1322

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

In House, March 13, 2007, **REFERRED** to the Committee on
STATE AND LOCAL GOVERNMENT.

In Senate, March 15, 2007, **REFERRED** to the Committee on
LEGAL AND VETERANS AFFAIRS, in **NON-CONCURRENCE**.

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

Senator **MARRACHÉ** of Kennebec moved the Senate **ADHERE**.

Senator **ROSEN** of Hancock moved the Senate **RECEDE** and
CONCUR.

On motion by Senator **MARTIN** of Aroostook, **TABLED** until Later
in Today's Session, pending the motion by Senator **ROSEN** of
Hancock to **RECEDE** and **CONCUR**.

House Papers

Bill "An Act Concerning Harness Racing Association Funding"
H.P. 991 L.D. 1408

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

Comes from the House, **REFERRED** to the Committee on
AGRICULTURE, CONSERVATION AND FORESTRY.

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

Bill "An Act To Prohibit Inappropriate Software Advertising of Prescription Drugs"

H.P. 1009 L.D. 1440

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

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

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 Amend the Auto Impoundment and Forfeiture Laws"

H.P. 994 L.D. 1411

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

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

Resolve, To Explore the Feasibility of Enrolling the Legislature as an Employer Group in Dirigo Health

H.P. 1093 L.D. 1568

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

Comes from the House, **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES**.

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

Off Record Remarks

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Limit the Frequency with which an Issue May Appear on the Ballot as a Result of a Direct Initiative

H.P. 936 L.D. 1328

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

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

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

Sent down for concurrence.

Bill "An Act To Support Commercial Groundfishing" (EMERGENCY)

H.P. 1095 L.D. 1570

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

Comes from the House, **REFERRED** to the Committee on **MARINE RESOURCES**.

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

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Provide 4-year Terms for Legislators

H.P. 880 L.D. 1238

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.

Joint Order

The following Joint Order:

H.P. 1055

ORDERED, the Senate concurring, that the Joint Standing Committee on Agriculture, Conservation and Forestry shall submit, to the House, a bill to adopt certain rules proposed by the Board of Pesticides Control as major substantive rules pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

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

READ and **PASSED**, in concurrence.

COMMUNICATIONS

The Following Communication: S.C. 145

**STATE OF MAINE
ONE HUNDRED AND TWENTY-THIRD LEGISLATURE
COMMITTEE ON INSURANCE AND FINANCIAL SERVICES**

March 20, 2007

The Honorable Beth Edmonds
President of the Senate of Maine
123rd 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 123rd Maine Legislature, the Joint Standing Committee on Insurance & Financial Services has had under consideration the nomination of Edward David of Bangor, for appointment to the Dirigo Health Board of Directors.

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	Sullivan of York, Bowman of York, Snowe-Mello of Androscoggin
	Representatives	10	Brautigam of Falmouth, Canavan of Waterville, Conover of Oakland, Crockett of Augusta, McKane of Newcastle, Priest of Brunswick, Richardson of Warren, Savage of Falmouth, Treat of Farmingdale, Vaughan of Durham
NAYS		0	
ABSENT		0	

Thirteen 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 Edward David of Bangor, for appointment to the Dirigo Health Board of Directors be confirmed.

Signed,

S/Nancy B. Sullivan
Senate Chair

S/John R. Brautigam
House Chair

READ and ORDERED PLACED ON FILE.

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

The Following Communication: S.C. 135

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

March 16, 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 Agriculture, Conservation and Forestry has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 400	An Act To Provide Funding to the Department of Agriculture, Food and Rural Resources for Veterinarians for Farm Animals
L.D. 406	An Act To Prohibit Aerial Spraying of Pesticides near Buildings, Roads and Bodies of Water

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

Sincerely,

S/Sen. John M. Nutting
Senate Chair

S/Rep. Wendy Pieh
House Chair

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

The Following Communication: S.C. 136

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

March 15, 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 Criminal Justice and Public Safety has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 238 An Act To Require Maine To Submit DNA Samples of Sex Offenders to the National DNA Registry
- L.D. 316 An Act To Reduce Bomb Threats at Public Institutions and Businesses
- L.D. 696 An Act To Require Credentials for Amateur Radio Emergency Communications Volunteers

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

Sincerely,

S/Sen. Bill Diamond
Senate Chair

S/Rep. Stanley J. Gerzofsky
House Chair

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

The Following Communication: S.C. 137

**STATE OF MAINE
ONE HUNDRED AND TWENTY-THIRD LEGISLATURE
COMMITTEE ON HEALTH AND HUMAN SERVICES**

March 16, 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 Health and Human Services has voted unanimously to report the following bill out "Ought Not to Pass":

- L.D. 568 An Act To Conform HIV Testing to the Recommendations of the Federal Centers for Disease Control and Prevention

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

Sincerely,

S/Sen. Joseph C. Brannigan
Senate Chair

S/Rep. Anne C. Perry
House Chair

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

The Following Communication: S.C. 138

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

March 16, 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 Inland Fisheries and Wildlife has voted unanimously to report the following bill out "Ought Not to Pass":

- L.D. 653 An Act Regarding Proof of a Violation of the Laws against Hunting on Sunday

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

Sincerely,

S/Sen. Bruce Bryant
Senate Chair

S/Rep. Troy D. Jackson
House Chair

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

The Following Communication: S.C. 139

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

March 15, 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 Judiciary has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 540 An Act To Authorize a Court To Appoint
 Counsel in Protection from Abuse Hearings

L.D. 779 An Act To Remove Clergy as Signatories on
 Marriage Licenses

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.**

The Following Communication: S.C. 140

**STATE OF MAINE
ONE HUNDRED AND TWENTY-THIRD LEGISLATURE
COMMITTEE ON LEGAL AND VETERANS AFFAIRS**

March 15, 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 Legal and Veterans Affairs has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 563 An Act To Move the Primary Election from June
 to September

L.D. 699 Resolve, Establishing the Commission To
 Improve Certain Aspects of the Citizen Initiative
 Process (EMERGENCY)

L.D. 732 An Act To Improve the Candidate Nomination
 and Replacement Process

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

Sincerely,

S/Sen. Lisa T. Marrache
Senate Chair

S/Rep. John L. Patrick
House Chair

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

The Following Communication: S.C. 141

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

March 16, 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. 170 An Act To Permit the Landing of Lobsters
 Harvested by Methods other than Conventional
 Traps (EMERGENCY)

L.D. 621 Resolve, To Establish a Lobster Trap Tag
 Transfer Program

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.**

The Following Communication: S.C. 142

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

March 15, 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 Natural Resources has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 537 An Act to Protect the Machiasport Clam Flats along the Machias River from Effluent Contamination
- L.D. 637 An Act To Limit Mercury Exposure (EMERGENCY)
- L.D. 692 An Act To Eradicate Invasive Aquatic Plants and Nuisance Species

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

Sincerely,

S/Sen. John L. Martin
Senate Chair

S/Rep. Theodore S. Koffman
House Chair

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

The Following Communication: S.C. 143

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

March 15, 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 State and Local Government has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 204 Resolve, To Combine Payroll and Human Resources for All State Agencies into One Central Agency
- L.D. 601 Resolve, To Direct the Bureau of General Services To Develop a Purchasing Pool for Political Subdivisions of the State and School Administrative Units

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

Sincerely,

S/Sen. Elizabeth M. Schneider
Senate Chair

S/Rep. Christopher R. Barstow
House Chair

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

The Following Communication: S.C. 144

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

March 20, 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 Transportation has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 212 An Act Regarding Penalties for Logbook Violations
- L.D. 350 An Act To Protect Citizens from Physical Injury Due to Obstructed Driveways
- L.D. 532 Resolve, To Create a Plan for the Downeast Airport Authority

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.**

The Following Communication: H.C. 117

**STATE OF MAINE
CLERK'S OFFICE
2 STATE HOUSE STATION
AUGUSTA, MAINE 04333**

March 20, 2007

Honorable Joy J. O'Brien
Secretary of the Senate
123rd Maine Legislature
Augusta, Maine 04333

Dear Secretary O'Brien:

The House voted today to insist on its previous action whereby Bill "An Act To Provide Firearms Safety Instruction for Adolescents" (S.P. 326) (L.D. 1009) was REFERRED to the Committee on EDUCATION AND CULTURAL AFFAIRS.

Sincerely,

S/Millicent M. MacFarland
Clerk of the House

READ and **ORDERED PLACED ON FILE.**

SENATE PAPERS

Bill "An Act To Fund the Fuel Assistance Reserve Fund To Ensure That Help from the Low-income Home Energy Assistance Program Is Received in a Timely Fashion"

S.P. 572 L.D. 1628

Sponsored by Senator DIAMOND of Cumberland.
Cosponsored by Representative MOORE of Standish and Senator: McCORMICK of Kennebec, Representatives: BRYANT of Windham, PLUMMER of Windham.

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 Provide for the 2007 and 2008 Allocations of the State Ceiling on Private Activity Bonds" (EMERGENCY)
S.P. 564 L.D. 1620

Sponsored by Senator BROMLEY of Cumberland.
(GOVERNOR'S BILL)
Cosponsored by Representative SMITH of Monmouth and Senator: COURTNEY of York, Representatives: AUSTIN of Gray, BEAUDETTE of Biddeford, CLEARY of Houlton, RECTOR of Thomaston.

Bill "An Act To Expand Exemptions from Licensing Laws for Professional Engineers"

S.P. 566 L.D. 1622

Sponsored by Senator BROMLEY of Cumberland.
Cosponsored by Representative CLEARY of Houlton and Senators: COURTNEY of York, PERRY of Penobscot, Representative: RECTOR of Thomaston.
Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.

Bill "An Act To Create the Board of Speech-language Pathology, Audiology and Hearing Aid Dealing and Fitting"
S.P. 567 L.D. 1623

Sponsored by Senator BROMLEY of Cumberland.
Cosponsored by Representative MacDONALD of Boothbay and Senators: COURTNEY of York, PERRY of Penobscot, Representatives: CLEARY of Houlton, RECTOR of Thomaston.
Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.

Bill "An Act To Ensure Cost-effective Training for Certified Nursing Assistants"

S.P. 570 L.D. 1626

Sponsored by Senator NASS of York.

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 Protect Families and Enhance Public Safety by Making Domestic Violence a Crime"

S.P. 571 L.D. 1627

Sponsored by President EDMONDS of Cumberland.
Cosponsored by Representative SIMPSON of Auburn and Senators: BARTLETT of Cumberland, BENOIT of Sagadahoc, COURTNEY of York, DAMON of Hancock, DOW of Lincoln, GOOLEY of Franklin, MARTIN of Aroostook, McCORMICK of Kennebec, MITCHELL of Kennebec, ROTUNDO of Androscoggin, STRIMLING of Cumberland, Representatives: ADAMS of Portland, ANNIS of Dover-Foxcroft, AYOTTE of Caswell, BABIDGE of Kennebunk, BEAUDOIN of Biddeford, BERRY of Bowdoinham, BLANCHARD of Old Town, BLANCHETTE of Bangor, BLISS of South Portland, BOLAND of Sanford, CAIN of Orono, CANAVAN of Waterville, CASAVANT of Biddeford, CHASE of Wells, CLEARY of Houlton, CONNOR of Kennebunk, CONOVER of Oakland, CRAVEN of Lewiston, CRAY of Palmyra, CROCKETT of Augusta, Speaker CUMMINGS of Portland, CURTIS of Madison, DILL of Cape Elizabeth, EATON of Sullivan, EDGECOMB of Caribou, FAIRCLOTH of Bangor, FINLEY of Skowhegan, FLETCHER of Winslow, GERZOFISKY of Brunswick, GOULD of South Berwick, GROSE of Woolwich, HARLOW of Portland, HILL of York, HINCK of Portland, HOGAN of Old Orchard Beach, JACKSON of Allagash, LUNDEEN of Mars Hill, MacDONALD of Boothbay, MAKAS of Lewiston, MAREAN of Hollis, McDONOUGH of Scarborough, McFADDEN of Dennysville, MILLER of Somerville, MIRAMANT of Camden, MOORE of Standish, MUSE of Fryeburg, NORTON of Bangor, PATRICK of Rumford, PEOPLES of Westbrook, PERCY of Phippsburg, PERRY of Calais, PINGREE of North Haven, PRATT of Eddington, PRIEST of Brunswick, RAND of Portland, RICHARDSON of Carmel, RICHARDSON of Greenville, RICHARDSON of Warren, RINES of Wiscasset, ROSEN of Bucksport, SAVAGE of Falmouth, SAVIELLO of Wilton, SCHATZ of Blue Hill, SILSBY of Augusta, SIROIS of Turner, SMITH of Monmouth, SUTHERLAND of Chapman, SYKES of Harrison, TARDY of Newport, THIBODEAU of Winterport, TREAT of Farmingdale, TRINWARD of Waterville, VALENTINO of Saco, WALCOTT of Lewiston, WEBSTER of Freeport, WEDDELL of Frankfort, WHEELER of Kittery.

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 Amend the Laws Regarding Adult Education"
S.P. 563 L.D. 1619

Sponsored by Senator ROTUNDO of Androscoggin.
Cosponsored by Senator BOWMAN of York and Representatives: EDGECOMB of Caribou, NORTON of Bangor.
Submitted by the Department of Education pursuant to Joint Rule 204.

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 Hold School Systems to the Same Spending Limits as Municipalities"

S.P. 568 L.D. 1624

Sponsored by Senator NASS of York.

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

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

Off Record Remarks

Bill "An Act To Repeal Strict Foreclosure"

S.P. 561 L.D. 1617

Sponsored by Senator WESTON of Waldo.

Bill "An Act Regarding Jury Service"

S.P. 573 L.D. 1629

Sponsored by Senator ROSEN of Hancock.
Cosponsored by Representative ROSEN of Bucksport.

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

Sent down for concurrence.

Bill "An Act To Allow Temporary State Workers To Contribute to Social Security"

S.P. 560 L.D. 1616

Sponsored by Senator NASS of York.

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

Sent down for concurrence.

Bill "An Act To Seek Direct Voter Approval To Exceed Government Spending Limits"

S.P. 562 L.D. 1618

Sponsored by Senator ROSEN of Hancock.
Cosponsored by Senators: COURTNEY of York, MILLS of Somerset, NASS of York, PERRY of Penobscot, RAYE of Washington, Representatives: PERCY of Phippsburg, WATSON of Bath.

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

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

Bill "An Act To Protect Maine Consumers from Windfall Profits of Generators"

S.P. 569 L.D. 1625

Sponsored by Senator MARTIN of Aroostook.

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

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

Sent down for concurrence.

Bill "An Act To Strengthen Maine's Distracted-driving Penalties"

S.P. 559 L.D. 1587

Sponsored by Senator SHERMAN of Aroostook.
Cosponsored by Representative: CLEARY of Houlton.

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

Sent down for concurrence.

Bill "An Act To Ensure the Reliability of Communications Equipment in Certain Buildings"

S.P. 565 L.D. 1621

Sponsored by Senator SAVAGE of Knox.
Cosponsored by Representative MARLEY of Portland and Senators: DAMON of Hancock, NASS of York, Representative: RECTOR of Thomaston.

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

Sent down for concurrence.

**Pursuant to Statutes
Judicial Compensation Commission**

President EDMONDS for the **Judicial Compensation Commission**, pursuant to the Maine Revised Statutes, Title 4, section 1701 asked leave to report that the accompanying Bill "An Act To Address an Inequity in the Judicial Retirement System" S.P. 574 L.D. 1630

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

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

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

Sent down for concurrence.

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

ORDERS

Joint Order

On motion by Senator **SULLIVAN** of York, the following Joint Order:

S.P. 575

ORDERED, the House concurring, that the Joint Standing Committee on Insurance and Financial Services shall submit, to the Senate, a Bill, "An Act To Amend the Banking Laws Regarding the Establishment of Branches by Financial Institutions with Affiliates That Engage in Commercial Activity."

READ.

On motion by Senator **MITCHELL** of Kennebec, **TABLED** until Later in Today's Session, pending the motion by Senator **SULLIVAN** of York to **PASS**.

On motion by Senator **MARRACHÉ** of Kennebec (Cosponsored by Senators: **BARTLETT** of Cumberland, **BENOIT** of Sagadahoc, **BOWMAN** of York, **BRANNIGAN** of Cumberland, **BROMLEY** of Cumberland, **BRYANT** of Oxford, **COURTNEY** of York, **DAMON** of Hancock, **DIAMOND** of Cumberland, **DOW** of Lincoln, President **EDMONDS** of Cumberland, **GOOLEY** of Franklin, **HASTINGS** of Oxford, **HOBBINS** of York, **MARTIN** of Aroostook, **McCORMICK** of Kennebec, **MILLS** of Somerset, **MITCHELL** of Kennebec, **NASS** of York, **NUTTING** of Androscoggin, **PERRY** of Penobscot, **PLOWMAN** of Penobscot, **RAYE** of Washington, **ROSEN** of Hancock, **ROTUNDO** of Androscoggin, **SAVAGE** of Knox, **SCHNEIDER** of Penobscot, **SHERMAN** of Aroostook, **SMITH** of Piscataquis, **SNOWE-MELLO** of Androscoggin, **STRIMLING** of Cumberland, **SULLIVAN** of York, **TURNER** of Cumberland, **WESTON** of Waldo, Representatives: **ADAMS** of Portland, **ANNIS** of Dover-Foxcroft, **AUSTIN** of Gray, **AYOTTE** of Caswell, **BABBIDGE** of Kennebunk, **BARSTOW** of Gorham, **BEAUDETTE** of Biddeford, **BEAUDOIN** of Biddeford, **BEAULIEU** of Auburn, **BERRY** of Bowdoinham, **BERUBE** of Lisbon, **BLANCHARD** of Old Town, **BLANCHETTE** of Bangor, **BLISS** of South Portland, **BOLAND** of Sanford, **BRAUTIGAM** of Falmouth, **BROWNE** of Vassalboro, **BRYANT** of Windham, **BURNS** of Berwick, **CAIN** of Orono, **CAMPBELL** of Newfield, **CANAVAN** of Waterville, **CARTER** of Bethel, **CASAVANT** of Biddeford, **CEBRA** of Naples, **CHASE** of Wells, **CLARK** of Millinocket, **CLEARY** of Houlton, **CONNOR** of Kennebunk, **CONOVER** of Oakland, **COTTA** of China, **CRAVEN** of Lewiston, **CRAY** of Palmyra, **CRESSEY** of Cornish, **CROCKETT** of Augusta, **CROSTHWAITE** of Ellsworth, **Speaker CUMMINGS** of Portland, **CURTIS** of Madison, **DILL** of Cape Elizabeth, **DRISCOLL** of Westbrook, **DUCHESNE** of Hudson, **DUNN** of Bangor, **DUPREY** of Hampden, **EATON** of Sullivan, **EBERLE** of South Portland, **EDGECOMB** of Caribou, **EMERY** of Cutler, **FAIRCLOTH** of Bangor, **FARRINGTON** of Gorham, **FINCH** of Fairfield, **FINLEY** of Skowhegan, **FISCHER** of Presque Isle, **FISHER** of Brewer, **FITTS** of Pittsfield, **FLETCHER** of Winslow, **FLOOD** of Winthrop, **GERZOFKY** of Brunswick, **GIFFORD** of Lincoln, **GILES** of Belfast, **GOULD** of South Berwick, **GREELEY** of Levant, **GROSE** of Woolwich, **HAMPER** of Oxford, **HANLEY** of Gardiner, **HARLOW** of Portland, **HASKELL** of Portland, **HAYES** of Buckfield, **HILL** of York, **HINCK** of Portland, **HOGAN** of Old Orchard Beach, **HOLMAN** of Fayette, **HOTHAM** of Dixfield, **JACKSON** of Allagash, **JACOBSEN** of Waterboro, **JOY** of Crystal, **KAENRATH** of South Portland, **KNIGHT** of Livermore Falls, **KOFFMAN** of Bar Harbor, **LANSLEY** of Sabattus, **LEWIN** of Eliot, **LORING** of the Penobscot Nation, **LUNDEEN** of Mars Hill, **MacDONALD** of Boothbay, **MAKAS** of Lewiston, **MAREAN** of Hollis, **MARLEY** of Portland, **MAZUREK** of Rockland, **McDONOUGH** of Scarborough, **McFADDEN** of Dennysville, **McKANE** of Newcastle, **McLEOD** of Lee, **MILLER** of Somerville, **MILLETT** of Waterford, **MILLS** of Farmington, **MIRAMANT** of Camden, **MOORE** of Standish, **MUSE** of Fryeburg, **NASS** of Acton, **NORTON** of Bangor, **PATRICK** of Rumford, **PENDLETON** of Scarborough, **PEOPLES** of Westbrook, **PERCY** of Phippsburg, **PERRY** of Calais, **PIEH** of Bremen, **PILON** of Saco, **PINEAU** of Jay, **PINGREE** of North Haven, **PINKHAM** of Lexington Township, **PIOTTI** of Unity, **PLUMMER** of Windham, **PRATT** of Eddington, **PRESCOTT** of Topsham, **PRIEST** of Brunswick, **RAND** of Portland, **RECTOR** of Thomaston, **RICHARDSON** of Carmel, **RICHARDSON** of Greenville, **RICHARDSON** of Warren, **RINES** of Wiscasset, **ROBINSON** of Raymond, **ROSEN** of Bucksport, **SAMSON** of Auburn, **SAVAGE** of Falmouth,

SAVIELLO of Wilton, **SCHATZ** of Blue Hill, **SILSBY** of Augusta, **SIMPSON** of Auburn, **SIROIS** of Turner, **SMITH** of Monmouth, **SOCTOMAH** of the Passamaquoddy Tribe, **STRANG BURGESS** of Cumberland, **SUTHERLAND** of Chapman, **SYKES** of Harrison, **TARDY** of Newport, **THERIAULT** of Madawaska, **THIBODEAU** of Winterport, **THOMAS** of Ripley, **TIBBETTS** of Columbia, **TREAT** of Farmingdale, **TRINWARD** of Waterville, **TUTTLE** of Sanford, **VALENTINO** of Saco, **VAUGHAN** of Durham, **WAGNER** of Lewiston, **WALCOTT** of Lewiston, **WALKER** of Lincolnville, **WATSON** of Bath, **WEAVER** of York, **WEBSTER** of Freeport, **WEDDELL** of Frankfort, **WHEELER** of Kittery, **WOODBURY** of Yarmouth), the following Joint Resolution:

S.P. 576

RÉSOLUTION CONJOINTE HONORANT LES FRANCO-AMÉRICAINS

Considérant que, l'état du Maine est nommé après la province du Maine en France et que les villages de Paris et Calais dans l'état du Maine portent les noms de la capitale de France et du port français de Calais, respectivement; et

Considérant que, plus d'un tiers de la population du Maine est de descendance française et canadienne, et les franco-américains du Maine ont contribué beaucoup à la beauté et la qualité de cet état; et

Considérant que, le français est la première langue de milliers de citoyens du Maine; et

Considérant que, il y a eu une augmentation de l'utilisation de la langue française et une appréciation croissante de l'héritage franco-américain à travers l'état; et

Considérant que, des clubs et des associations pour promouvoir la culture et la langue française sont nés à travers l'état, y inclus le caucus francophone à la capitale; et

Considérant que, les gens qui parlent couramment le français et l'anglais sont une ressource économique et culturelle pour l'état du Maine; et

Considérant que, le tourisme culturel sera accru par les véritables centres franco-américains à travers l'état et la grande présence de franco-américains dans le Maine peut renforcer davantage nos relations avec le Canada, la France, et les autres pays francophones; et

Considérant que, le premier Jour Franco-Américain a été célébré mercredi, 6 mars, 2002, à la Capitale de l'État; maintenant, alors, qu'il soit

Résolu, que nous, les membres de la Cent-Vingt-troisième Législature, assemblés dans le première session régulière, au nom des gens que nous représentons, proclamons que mercredi, 21 mars, 2007 est le Jour Franco-Américain, soit célébré à la Capitale de l'État; et qu'il soit aussi

Résolu, que nous suggérons que le Jour Franco-Américain soit célébré chaque année pour commémorer la riche histoire du peuple français dans l'état du Maine et aux États-Unis d'Amérique.

**JOINT RESOLUTION RECOGNIZING
FRANCO-AMERICAN DAY**

WHEREAS, the State of Maine is named after the Province of Maine in France and the towns of Paris and Calais owe their names to the capital city of France and the French port city of Calais, respectively; and

WHEREAS, more than 1/3 of the population of Maine is of French and Canadian descent. Franco-Americans in Maine have contributed much to the beauty and quality of this State; and

WHEREAS, French is the primary language of thousands of Mainers and there has been a resurgence in the use of the French language and a heightened appreciation of the Franco-American heritage throughout the State; and

WHEREAS, clubs and organizations to promote French culture and language have sprung up throughout the State, including the Francophone Caucus at the Capitol; and

WHEREAS, fluent French-English bilingual people are a cultural and economic resource to the State of Maine; and

WHEREAS, cultural tourism can be greatly enhanced by the genuine Franco-American centers throughout the State and the large Franco-American presence in Maine can further strengthen our relationships with Canada, France and the rest of the francophone world; and

WHEREAS, the first Franco-American Day was celebrated on Wednesday, March 6, 2002 at the State Capitol; now, therefore, be it

RESOLVED: That We, the members of the One Hundred and Twenty-third Legislature now assembled in the First Regular Session, on behalf of the people we represent, proclaim that Wednesday, March 21, 2007 is Franco-American Day, to be celebrated at the State Capitol; and be it further

RESOLVED: That Franco-American Day be celebrated to commemorate the rich history of the French people in the State of Maine and the United States of America.

READ and ADOPTED.

Ordered sent down forthwith for concurrence.

Off Record Remarks

REPORTS OF COMMITTEES

House

Change of Committee

The Committee on **TRANSPORTATION** on Bill "An Act To Authorize the Issuance of a Highway Fund Bond Issue for Maine's Roads and Bridges"

H.P. 333 L.D. 417

Reported that the same be **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**.

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.

REFERRED to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**, in concurrence.

Ought to Pass

The Committee on **JUDICIARY** on Bill "An Act To Increase the Value of an Estate Collectible by Affidavit in Probate Law to \$20,000"

H.P. 169 L.D. 198

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

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Ought to Pass As Amended

The Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Strengthen 'Permissible Inference' in the Law Concerning Dissemination of Sexually Explicit Material" (EMERGENCY)

H.P. 4 L.D. 3

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-20)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-20)**.

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

READ ONCE.

Committee Amendment "A" (H-20) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Use Forfeited Bail Money for the Victims of an Offender"

H.P. 190 L.D. 219

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-19).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-19).**

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

READ ONCE.

Committee Amendment "A" (H-19) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Increase the Fines for Littering"

H.P. 239 L.D. 295

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

Signed:

Senators:

DIAMOND of Cumberland
McCORMICK of Kennebec
SHERMAN of Aroostook

Representatives:

GERZOFKY of Brunswick
BLANCHETTE of Bangor
GREELEY of Levant
HILL of York
HANLEY of Gardiner
PLUMMER of Windham
TIBBETTS of Columbia
HASKELL of Portland
SYKES of Harrison

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

Signed:

Representative:

KAENRATH of South Portland

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

Reports **READ.**

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

Divided Report

The Majority of the Committee on **TRANSPORTATION** on Bill "An Act To Create a One-time Fee for Veterans Vanity Registration Plates"

H.P. 104 L.D. 112

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

Signed:

Senators:

DAMON of Hancock
DIAMOND of Cumberland
SAVAGE of Knox

Representatives:

MARLEY of Portland
PEOPLES of Westbrook
HOGAN of Old Orchard Beach
THOMAS of Ripley
FISHER of Brewer
BROWNE of Vassalboro
MAZUREK of Rockland
CEBRA of Naples

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-16).**

Signed:

Representatives:

THERIAULT of Madawaska
ROSEN of Bucksport

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.

SECOND READERS

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

House As Amended

Bill "An Act To Study the Feasibility of Locating a New Bridge in the St. David Area"

H.P. 394 L.D. 511
(C "A" H-17)

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

Senate As Amended

Bill "An Act To Establish November as Lung Cancer Awareness Month"

S.P. 80 L.D. 243
(C "A" S-13)

Bill "An Act To Establish May as Missing Persons Month" (EMERGENCY)

S.P. 86 L.D. 249
(C "A" S-14)

Resolve, To Direct the Department of Transportation To Rename State Bridge Number 5278 the Ryan Quirion Guthrie Bridge

S.P. 161 L.D. 474
(C "A" S-15)

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

Sent down for concurrence.

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

Off Record Remarks

ENACTORS

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

Acts

An Act To Improve Access to the Government Chart of Accounts

H.P. 185 L.D. 214
(C "A" H-12)

An Act To Authorize the Bureau of Warden Service to Provide Assistance to Other Entities

S.P. 88 L.D. 251
(C "A" S-8)

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

An Act Regarding the Enforcement of Penalties under the Maine Workers' Compensation Act of 1992

S.P. 44 L.D. 136

On motion by Senator **STRIMLING** of Cumberland, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED**.

On further motion by same Senator, Senate Amendment "A" (S-18) **READ** and **ADOPTED**.

On motion by Senator **DOW** of Lincoln, **TABLED** until Later in Today's Session, pending **PASSAGE TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-18)**, in **NON-CONCURRENCE**.

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Amend the Animal Welfare Laws"

H.P. 1137 L.D. 1615

Comes 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 Paper

Bill "An Act To Authorize a General Fund Bond Issue for Research and Development to Create Jobs in Maine's Emerging Biobased Plastics Industry"

H.P. 1133 L.D. 1611

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

On motion by Senator **MARTIN** of Aroostook, **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 Grant Supervisory Privileges to Qualified Independent Nurse Practitioners"

H.P. 1120 L.D. 1598

Bill "An Act To Allocate the Number of Redemption Centers Based on Population"

H.P. 1122 L.D. 1600

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.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Prohibit the Use of Opposite-gender Bathrooms, Changing Rooms and Locker Rooms"

H.P. 1111 L.D. 1589

Bill "An Act To Protect School Athletic Contest Officials"

H.P. 1127 L.D. 1605

Bill "An Act To Reduce the Incidence of Incarceration for People with Mental Illness"

H.P. 1134 L.D. 1612

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 Clarify the Method of Education Cost Sharing among Certain Municipalities"

H.P. 1112 L.D. 1590

Bill "An Act To Provide Educational Opportunities for Dependents of Maine Military Personnel"

H.P. 1113 L.D. 1591

Bill "An Act To Require Legislative Review of Rules Governing the Requirements for Local Support Systems Required as Part of the Certification Process of Educational Personnel"

H.P. 1130 L.D. 1608

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 Paper

Bill "An Act To Protect Small Businesses and Individual Health Insurance Consumers"

H.P. 1114 L.D. 1592

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 Paper

Bill "An Act To Direct Fines Collected on Tribal Lands to the Passamaquoddy Tribe and the Penobscot Nation"
H.P. 1128 L.D. 1606

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Require the Consent of Union Members To Have Dues Used for Political Purposes"
H.P. 1115 L.D. 1593

Bill "An Act To Allow Service Credit for Teachers in the Retirement System for Certain Educational Development"
H.P. 1121 L.D. 1599

Bill "An Act To Make Actuarially Fair Adjustments in Retirement Benefits for Older Employees"
H.P. 1125 L.D. 1603

Bill "An Act To End the Automatic Deduction of Union Dues from the Paychecks of Nonunion Members"
H.P. 1126 L.D. 1604

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.

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Establish a Fund to Provide American Flags at Veterans' Graves"
H.P. 1129 L.D. 1607

Comes 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 Amend the Laws Governing Closed Periods for the Hauling of Lobster Traps"
H.P. 1116 L.D. 1594

Bill "An Act To Ensure the Proper Management of the Sea Urchin Industry"
H.P. 1117 L.D. 1595

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

On motion by Senator **DAMON** of Hancock, **REFERRED** to the Committee on **MARINE 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 Paper

Resolve, Directing the Department of Environmental Protection To Study Construction and Demolition Debris Recycling
H.P. 1118 L.D. 1596

Comes 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 Paper

Bill "An Act To Transfer All Registry of Deeds and Probate Functions to the Secretary of State and Courts"
H.P. 1136 L.D. 1614

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

Senator **SCHNEIDER** of Penobscot moved to **REFER** to the Committee on **BANKING AND INSURANCE**, in concurrence.

On motion by Senator **HASTINGS** of Oxford, **TABLED** until Later in Today's Session, pending the motion by Senator **SCHNEIDER** of Penobscot to **REFER** to the Committee on **BANKING AND INSURANCE**, 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 Enact the 2007 Tax Reform and Tax Relief Act"
H.P. 1110 L.D. 1588

Bill "An Act Regarding the Service Provider Tax"
H.P. 1119 L.D. 1597

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Create a Longtime Resident Tax Cap Program
H.P. 1123 L.D. 1601

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Reduce Homestead Property Taxes
H.P. 1124 L.D. 1602

Bill "An Act To Preserve Manufacturing in Maine"
H.P. 1132 L.D. 1610

Bill "An Act To Reduce Property Taxes through a Municipal Tax Deferral Program"
H.P. 1135 L.D. 1613

Bill "An Act To Cut Taxes for Working-income Mainers"
H.P. 1139 L.D. 1631

Bill "An Act To Provide a Sales Tax Exemption for College Textbooks"
H.P. 1141 L.D. 1633

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.

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Require the Review of Utility Pole Placement during Road Improvement"
H.P. 1131 L.D. 1609

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.

Senate at Ease.

Senate called to order by the President.

ORDERS OF THE DAY

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

NOMINATION - of Edward David of Bangor, for appointment to the Dirigo Health Board of Directors

Tabled - March 21, 2007, by Senator **SULLIVAN** of York

Pending - **CONSIDERATION**

(In Senate, March 21, 2007, Communication (S.C. 145) from the Committee on **INSURANCE AND FINANCIAL SERVICES**, **READ** and **ORDERED PLACED ON FILE**.)

The President laid before the Senate the following: "Shall the recommendation of the Committee on **INSURANCE AND FINANCIAL SERVICES** 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 Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#36)

YEAS: Senators: None

NAYS: Senators: BARTLETT, BENOIT, BOWMAN, BRYANT, COURTNEY, DAMON, DIAMOND, DOW, GOOLEY, HASTINGS, HOBBS, MARRACHE, MARTIN, MCCORMICK, MILLS, MITCHELL, NASS, NUTTING, PERRY, PLOWMAN, RAYE, ROSEN, ROTUNDO, SAVAGE, SCHNEIDER, SHERMAN, SNOWE-MELLO, STRIMLING, SULLIVAN, TURNER, WESTON, THE PRESIDENT - BETH G. EDMONDS

ABSENT: Senators: BRANNIGAN, BROMLEY, SMITH

No Senator having voted in the affirmative and 32 Senators having voted in the negative, with 3 Senators being absent, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Edward David** of Bangor, for appointment to the Dirigo Health Board of Directors was **CONFIRMED**.

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

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

Bill "An Act Regarding the Enforcement of Penalties under the Maine Workers' Compensation Act of 1992"

S.P. 44 L.D. 136
(S "A" S-18)

Tabled - March 21, 2007, by Senator **DOW** of Lincoln

Pending - **PASSAGE TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-18), in NON-CONCURRENCE**

(In House, March 20, 2007, **PASSED TO BE ENACTED.**)

(In Senate, March 21, 2007, on motion by Senator **STRIMLING** of Cumberland, **RULES SUSPENDED. RECONSIDERED PASSAGE TO BE ENGROSSED.** On further motion by same Senator, Senate Amendment "A" (S-18) **READ** and **ADOPTED.**)

PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-18), in NON-CONCURRENCE.

Ordered sent down forthwith for concurrence.

Senator **MARTIN** of Aroostook was granted unanimous consent to address the Senate off the Record.

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

On motion by Senator **MITCHELL** of Kennebec, **ADJOURNED**, to Thursday, March 22, 2007, at 10:00 in the morning.