

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 22, 2007

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

Prayer by Pastor Stephen Tracey, of Lakeview Orthodox
Presbyterian Church in Rockport.

PASTOR TRACEY: Thank you for the great privilege of opening today's session with a few remarks and prayer. I had the great privilege of growing up a stones throw away from a stump of volcanic rock known as Slemish. It's in County Antrim in Northern Ireland. It's reputed to be the place where the famous Saint Patrick looked after a herd of pigs when he was a slave. It's a wild looking place, fertile but lonely. As you know very well, Saint Patrick ran away from herding pigs at Slemish. He returned later to Ireland, being burdened for the Irish and their lack of the knowledge of God. Last Saturday, as you know, was Saint Patrick's Day. He was a remarkable man. The Irish are rightly proud of him. He had the courage to chase the snakes out of Ireland. I think he chased them across the Atlantic Ocean. He had the courage to face the high Kings of Ireland, a fierce looking lot. You can't go far in Ireland without coming across numerous places that are named after Patrick himself. Downpatrick, Ardpatrick, Kilpatrick, Templepatrick, and about 80 towns in all of Ireland carry Patrick's name. Maybe some of you have ancestors from those great towns. Royal Irish blood pulsing through your veins, imagine that. There is currently a great interest in Patrick and others like him. Celtic Christianity is what he represents and there is a fascination with Celtic Christianity and what it looked like. It is fascinating because it was pre-reformation Christianity and some feel that this was more authentic. Authenticity is important today. Saint Patrick was an authentic Christian. Perhaps you should Google his prayer called Patrick's Breastplate. This is what Patrick believed. Let me quote just a few sentences.

I arise today
Through a mighty strength, the invocation of the Trinity,
Through a belief in the Threeness,
Through confession of the Oneness
Of the Creator of creation.

I arise today
Through the strength of Christ's birth and baptism,
Through the strength of His crucifixion and burial,
Through the strength of His resurrection and ascension,
Through the strength of His descent for the judgment of doom.

Christ with me, Christ before me, Christ behind me,
Christ in me, Christ beneath me, Christ above me,
Christ on my right, Christ on my left,
Christ when I lie down, Christ when I sit down,

Christ in the heart of every man who thinks of me,
Christ in the mouth of every man who speaks of me,
Christ in the eye that sees me,
Christ in the ear that hears me.

That is what Patrick believed. Google Patrick's Breastplate. That is what made a saint out of him. That's what he believed God does, makes saints out of sinners. I think it's worth considering, that Patrick would commend Christ to you and so do I.

Let us pray. Oh Lord, our God, we come before You knowing that You are the great and mighty one. We acknowledge that we are small creatures. We are dust and we return to dust. Help us not to think more highly of ourselves than we ought. We confess that we are prone to be proud. We pray that as authority has been given to the Senators that You will guide them in their work, that they may use their authority as faithful public servants, that they may serve the people. Help them to nurture and protect the weak, the sick, the elderly, and all who are in need. Help them do so with authentic affection and compassion.

We pray that Your hand will protect those who serve in the military and that You will comfort those who even this day mourn for loved ones lost in the line of duty.

We pray that You will be pleased to uphold the cause of justice. Grant wisdom that is necessary to know what is good and what is evil, what is right and what is wrong, and to know the difference between the two. Help us to speak when we must speak; to be silent when we must be silent. Bless each Senator and their families. May they know Your favor and Your grace. Grant to us all humility and grace in Jesus Christ. Amen.

Reading of the Journal of Wednesday, March 21, 2007.

Doctor of the day, Julie Pease, MD of Brunswick.

Off Record Remarks

Out of order and under suspension of the Rules, on motion by Senator **MITCHELL** of Kennebec, the following Joint Order:
S.P. 582

Ordered, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, March 27, 2007, at 10:00 in the morning.

READ and PASSED.

Ordered sent down forthwith for concurrence.

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Increase the Safety of Hospital Patients"
H.P. 1063 L.D. 1538

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

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

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

Bill "An Act To Impose Reasonable Limits on the Growth of State Government"
H.P. 1140 L.D. 1632

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

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

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

Joint Resolutions

The following Joint Resolution:

H.P. 1109

JOINT RESOLUTION HONORING EDWIN ARLINGTON ROBINSON

WHEREAS, Edwin Arlington Robinson was born in the village of Head Tide on December 22, 1869 and spent the first 28 years of his life in Gardiner, Maine, which he immortalized in his "Tilbury Town" poems; and

WHEREAS, Edwin Arlington Robinson is recognized as one of the greatest writers in the English language in the first half of the 20th century; and

WHEREAS, Edwin Arlington Robinson was awarded the Pulitzer Prize in 1922 for his "Collected Poems," in 1925 for "The Man Who Died Twice" and in 1928 for "Tristram"; and

WHEREAS, Edwin Arlington Robinson was awarded the degree of Doctor of Literature from Bowdoin College in 1925; and

WHEREAS, Colby College maintains the world's largest collection of the manuscripts of Edwin Arlington Robinson in its library's Special Collections department; and

WHEREAS, the Gardiner Library Association in 2006 created an Internet website entitled "A Virtual Tour of Robinson's Gardiner, Maine"; and

WHEREAS, the United States Department of the Interior, National Part Service has named the Robinson family residence at 67 Lincoln Avenue, Gardiner, Maine a National Historic Landmark in recognition of the literary accomplishments of Edwin Arlington Robinson; and

WHEREAS, Edwin Arlington Robinson's significant contribution to American letters has been recently confirmed by the publication of 3 major books about his life and work: "An Edwin Arlington Robinson Encyclopedia"; "Poems of Edwin Arlington Robinson"; and "Edwin Arlington Robinson: A Poet's Life"; and

WHEREAS, the Patten Free Library in Bath; the Kennebec Historical Society in Augusta; Colby College in Waterville; and the Gardiner Library Association in Gardiner are hosting throughout the first week of April 2007 celebrations in the form of lectures, symposia, walking tours and receptions in honor of the new biography of Edwin Arlington Robinson; 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, take this opportunity to honor this fine Maine poet and declare the first week of April 2007 Edwin Arlington Robinson Week in Maine; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Gardiner Library Association, the Patten Free Library in Bath, the Kennebec Historical Society in Augusta and Colby College in Waterville as a token of our esteem.

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

READ and **ADOPTED**, in concurrence.

The following Joint Resolution:

H.P. 1138

JOINT RESOLUTION TO RECOGNIZE MANUFACTURING IN MAINE ON MARCH 21, 2007

WHEREAS, manufacturing employs 58,000 of Maine's citizens, 12% of Maine's private sector work force; and

WHEREAS, manufacturing is the 3rd largest sector of Maine's gross domestic product, ranking behind only government and real estate; and

WHEREAS, Maine's manufacturing output continues to grow at a steady pace, rising 6-fold between 1947 and 2005; and

WHEREAS, Maine has a long history in manufacturing, including one of the first paper mills in North America; and

WHEREAS, manufacturing served as a magnet, drawing a rich diversity of cultures that form a social fabric of the fine qualities of Maine people; and

WHEREAS, manufacturing has the highest multiplier effect of any sector of Maine's economy, generating over \$6 billion of economic activity in other sectors of the economy; and

WHEREAS, Maine's manufacturing workers earn an average of \$42,000 per year, with generous health care and other benefits; and

WHEREAS, Maine's paper industry alone, just one part of Maine's manufacturing community, pays more than \$500 million in direct wages to its employees; and

WHEREAS, 67% of workers engaged in goods production jobs in Maine are located in rural areas of the State, and manufacturing jobs are critical to maintaining the economic vitality of rural communities; and

WHEREAS, thousands of jobs in the manufacturing industry in Maine are expected to become available in the next 10 years through job growth and the aging workforce; and

WHEREAS, manufacturing productivity consistently outpaces productivity growth in other areas, and Maine's economic health is tied to the viability and competitiveness of Maine's manufacturers; and

WHEREAS, Maine manufacturers are facing increasing competition from global markets, and it is in the best interests of the State to promote and encourage the health and competitiveness of Maine manufacturers; 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, take this opportunity to express our support for the manufacturing industry in Maine and to recognize the contributions of Maine manufacturers and their employees on March 21, 2007 at the State House.

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

READ and **ADOPTED**, in concurrence.

COMMUNICATIONS

The Following Communication: S.P. 589

**123RD MAINE LEGISLATURE
3 STATE HOUSE STATION
AUGUSTA, ME 04333-0003**

March 20, 2007

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

Dear Secretary O'Brien:

Pursuant to Joint Rule 501, we are pleased to appoint Andrew Worcester of the Senate Republican Office to serve as Partisan Staff Assistant for Nominations.

Please let us know if you have any questions.

Sincerely,

S/Carol Weston
Senate Republican Leader

S/Joshua Tardy
House Republican Leader

S/Richard Rosen
Assistant Senate Republican Leader

S/Robert Crosthwaite
Assistant House Republican Leader

READ and **ORDERED PLACED ON FILE**.

Sent down for concurrence.

SENATE PAPERS

Bill "An Act To Change the Registration Fees for Home-based Manufacturers of Pet Foods"

S.P. 578 L.D. 1673

Sponsored by Senator DOW of Lincoln.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

Sent down for concurrence.

Bill "An Act To Authorize a General Fund Bond Issue for Riverfront Community Development"

S.P. 583 L.D. 1677

Sponsored by Senator ROTUNDO of Androscoggin.
Cosponsored by Representative ROSEN of Bucksport and Senators: BARTLETT of Cumberland, BENOIT of Sagadahoc, DOW of Lincoln, President EDMONDS of Cumberland, GOOLEY of Franklin, HOBBS of York, MARRACHÉ of Kennebec, MARTIN of Aroostook, McCORMICK of Kennebec, MILLS of Somerset, MITCHELL of Kennebec, PERRY of Penobscot, RAYE of Washington, ROSEN of Hancock, SCHNEIDER of Penobscot, TURNER of Cumberland, Representatives: BABBIDGE of Kennebunk, BEAUDETTE of Biddeford, BERRY of Bowdoinham, BLANCHARD of Old Town, BOLAND of Sanford, BRAUTIGAM of Falmouth, CAIN of Orono, CARTER of Bethel, CASAVANT of Biddeford, CLARK of Millinocket, CLEARY of Houlton, CONOVER of Oakland, CRAVEN of Lewiston, CRAY of Palmyra, Speaker CUMMINGS of Portland, DRISCOLL of Westbrook, DUCHESNE of Hudson, DUNN of Bangor, EATON of Sullivan, FAIRCLOTH of Bangor, FINLEY of Skowhegan, FLOOD of Winthrop, GERZOFKY of Brunswick, GIFFORD of Lincoln, GILES of Belfast, GROSE of Woolwich, KOFFMAN of Bar Harbor, MAKAS of Lewiston, McDONOUGH of Scarborough, McFADDEN of Dennysville, MILLER of Somerville, MILLETT of Waterford, PERCY of Phippsburg, PERRY of Calais, PINGREE of North Haven, PINKHAM of Lexington Township, PRATT of Eddington, RECTOR of Thomaston, ROBINSON of Raymond, SAMSON of Auburn, SAVAGE of Falmouth, SCHATZ of Blue Hill, SILSBY of Augusta, SIMPSON of Auburn, SIROIS of Turner, SOCTOMAH of the Passamaquoddy Tribe, TARDY of Newport, TIBBETTS of Columbia, TREAT of Farmingdale, WAGNER of Lewiston, WALCOTT of Lewiston, WATSON of Bath.

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 Preserve and Grow Maine Jobs"

S.P. 587 L.D. 1681

Sponsored by Senator SCHNEIDER of Penobscot.
Cosponsored by Senators: COURTNEY of York, ROTUNDO of Androscoggin, Representatives: BEAULIEU of Auburn, CLEARY of Houlton, MacDONALD of Boothbay, PRESCOTT of Topsham, SAMSON of Auburn, SILSBY of Augusta.

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 Amend the Habitual Offender and Felony Operating Under the Influence Laws"

S.P. 579 L.D. 1674

Sponsored by Senator DIAMOND of Cumberland.
Cosponsored by Representatives: GREELEY of Levant, SYKES of Harrison.

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 Ensure the Effective Management of the Behavioral Health Care Services System in Maine" (EMERGENCY)

S.P. 581 L.D. 1676

Sponsored by President EDMONDS of Cumberland.
Cosponsored by Representative: PINGREE of North Haven.

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

Sent down for concurrence.

Bill "An Act Relating to Retirement and Death Benefits for Certain Law Enforcement Officers"

S.P. 577 L.D. 1672

Sponsored by President EDMONDS of Cumberland.
Cosponsored by Representative TUTTLE of Sanford and Senator: STRIMLING of Cumberland, Representative: WATSON of Bath.

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

Sent down for concurrence.

Bill "An Act To Change and Clarify the Maine Clean Election Laws"

S.P. 585 L.D. 1679

Sponsored by Senator SCHNEIDER of Penobscot.
Cosponsored by Representative SAMSON of Auburn and Representatives: BEAUDETTE of Biddeford, CLEARY of Houlton, MacDONALD of Boothbay.

Bill "An Act To Reform and Simplify the Clean Election Process" S.P. 586 L.D. 1680

Sponsored by Senator MILLS of Somerset.

Bill "An Act To Improve Maine's Clean Election Law"
S.P. 588 L.D. 1682

Sponsored by Senator RAYE of Washington.
Cosponsored by Representative HOLMAN of Fayette and
Senators: MARRACHÉ of Kennebec, MARTIN of Aroostook,
NUTTING of Androscoggin, PLOWMAN 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 Implement the Recommendations of the Working
Group on the State Purchasing Code of Conduct Laws"
S.P. 584 L.D. 1678

Sponsored by Senator ROTUNDO of Androscoggin.
Cosponsored by Representative BURNS of Berwick and Senator:
STRIMLING of Cumberland, Representative: PINGREE of North
Haven.

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 Protect Network Neutrality"
S.P. 580 L.D. 1675

Sponsored by Senator STRIMLING of Cumberland.
Cosponsored by Representative BLISS of South Portland and
Senators: MARTIN of Aroostook, MITCHELL of Kennebec,
Representatives: ADAMS of Portland, FAIRCLOTH of Bangor,
HINCK of Portland, PINGREE of North Haven, RINES of
Wiscasset, SIMPSON of Auburn.

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

Sent down for concurrence.

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

ORDERS

Joint Resolution

On motion by Senator **SAVAGE** of Knox (Cosponsored by
Representative TARDY of Newport and Senator: WESTON of
Waldo), the following Joint Resolution:
S.P. 590

JOINT RESOLUTION CELEBRATING MARCH 25, 2007 AS THE 186TH ANNIVERSARY OF GREEK INDEPENDENCE DAY

WHEREAS, on March 25, 1821, on the Feast Day of the
Annunciation, the Greek nation began a war of independence and
overthrew the Ottoman Empire which had oppressed and
enslaved its people since the fall of Constantinople in 1453, and
by this war reinstituted a democracy, reclaiming its ancient
heritage as the "Cradle of Democracy"; and

WHEREAS, it was the genius of Greece which first ignited the
flame of freedom in the 6th and 5th centuries B.C., when Athens
introduced the idea of direct representative government to the
world, and ushering in a golden age of art, architecture,
philosophy and drama under such giants of Western history as
Pericles, Sophocles, Euripedes, Socrates and Plato; and

WHEREAS, Philip of Macedonia, his son Alexander the Great
and Alexander's tutor, the noted philosopher Aristotle, were born
and raised in the northern province of Greece, Macedonia, and
the language and culture of the ancient Macedonians and the
ancestors of the inhabitants of northern Greece today were
Hellenic; and

WHEREAS, the Founding Fathers of the United States of
America drew extensively from the political experience and
philosophy of ancient Greece in forming our representative
democracy, and people from all over the world have emulated the
Greeks in art, culture and politics; and

WHEREAS, modern-day Greece is a valuable and trusted ally of
the United States, and is one of only 3 nations in the world
outside of the former British Empire that has joined the United
States in every major international conflict in the last 100 years;
and

WHEREAS, it is proper and fitting that the United States celebrate
with the Greek people and reaffirm the democratic principles from
which our 2 great nations were born; 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, take this
opportunity to celebrate March 25, 2007 as the 186th Anniversary
of Greek Independence, and we reaffirm Maine's abiding
commitment to the principles of democracy and religious freedom;
and be it further

RESOLVED: That suitable copies of this resolution, duly
authenticated by the Secretary of State, be transmitted to the
Archbishop Demetrios of the Greek Orthodox Archdiocese of
America and to the Greek Embassy in Washington, D.C.

READ and ADOPTED.

Sent down for concurrence.

Joint Resolution in Memoriam:

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

Lewis Bion "Lew" Perkins, of Livermore. Mr. Perkins was best known for his upholstery and decorating business, The Center Shop, Inc., which he ran from his home in Livermore. A very skilled craftsman, Mr. Perkins did both commercial and residential upholstery but specialized in antiques. His work is known throughout the eastern United States and he was especially proud of the work that he did for the Community Little Theater in Auburn and the Maine State Senate Chamber. Mr. Perkins served his community in various capacities: he was a selectman for the Town of Buckfield, a member of the Solid Waste Board in Livermore and a member of the Planning Board for the Town of Livermore. He was also a member of the Western Maine Beekeepers Association. Mr. Perkins will be sadly missed by his family and friends, but he will be long remembered through his fine craftsmanship in the work he left behind;

SLS 87

Sponsored by Senator ROTUNDO of Androscoggin.
Cosponsored by Senator: NUTTING of Androscoggin,
Representative: KNIGHT of Livermore Falls.

READ.

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

Senator **ROTUNDO:** Thank you, Madame President, men and women of the Senate. Lou Perkins embodied all those wonderful and precious qualities that we associate with the best of Maine. He was devoted to his family and community and was always there to help a neighbor if he needed a helping hand. He possessed great ingenuity and common sense and a dry and sometimes slightly wicked sense of humor. Lou was a small businessman who was honest and fair and took enormous pride in his craft. He was a gifted upholsterer who lovingly and skillfully restored the pieces of furniture that his customers brought to him. He enjoyed learning from his customers about the furniture he worked on and with each restoration he gave his customers back a piece of their family history. Lou restored the furniture in this Chamber. If you look at the couches and chairs that surround the room and if you look at the President's chair you will see Lou's magnificent work. Lou's restorations have given back a piece of history to all of us and adds to the grandeur of this room. Lou lives on in the beauty of this Chamber, and I for one will always be grateful for him for the gift that he has given to the people of Maine. Thank you.

ADOPTED.

Sent down for concurrence.

THE PRESIDENT: The Chair is pleased to recognize in the rear of the Chamber Bonnie Perkins, widow of Lou Perkins; Suzanne Perkins, their daughter; Matt Rassmussen, Suzanne's fiancé;

Bonnie Hurley, their daughter; Pete Perkins, their son; Millicent Thyng, their mother-in-law; Skip and Patty Estes; and Bonnie Lansbury, close friends. Will they please rise and accept the greetings of the Maine Senate.

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Enhance Consumer Awareness of Insurance Sales Activity"

H.P. 331 L.D. 415

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-24).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-24).**

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

READ ONCE.

Committee Amendment "A" (H-24) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Allow Residents of a Township in the Unorganized Territory To Enact a Noise Ordinance for That Township"

H.P. 256 L.D. 312

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-23).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-23).**

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

READ ONCE.

Committee Amendment "A" (H-23) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **TRANSPORTATION** on Bill "An Act To Provide Safe All-terrain Vehicle Access on Public Ways"
H.P. 142 L.D. 160

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-25)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-25)**.

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

READ ONCE.

Committee Amendment "A" (H-25) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

SECOND READERS

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

House

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

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

House As Amended

Bill "An Act To Strengthen 'Permissible Inference' in the Law Concerning Dissemination of Sexually Explicit Material"
(EMERGENCY)

H.P. 4 L.D. 3
(C "A" H-20)

Bill "An Act To Use Forfeited Bail Money for the Victims of an Offender"

H.P. 190 L.D. 219
(C "A" H-19)

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

ENACTORS

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

Acts

An Act To Designate the Arctic Charr as a State Heritage Fish
H.P. 147 L.D. 165
(C "A" H-14)

An Act To Provide for Minimum Wage and Overtime Coverage for Certain Domestic Workers
H.P. 195 L.D. 224

An Act To Correct an Inconsistency in Unemployment Insurance Tax Law
S.P. 129 L.D. 382

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

An Act To Promote Mandatory Assignments and Training for Assistant Game Wardens
H.P. 208 L.D. 274
(C "A" H-15)

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

HELD MATTER

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.)

(In House, March 20, 2007, **REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS**.)

(In Senate, March 21, 2007, on motion by Senator **SCHNEIDER** of Penobscot, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**, in **NON-CONCURRENCE**.)

On motion by Senator **MARRACHÉ** of Kennebec, the Senate **RECONSIDERED** whereby the Bill was **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**, in **NON-CONCURRENCE**.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by Senator **SCHNEIDER** of Penobscot to **REFER** to the Committee on **STATE AND LOCAL GOVERNMENT**, in **NON-CONCURRENCE**.

HELD MATTER

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Provide 4-year Terms for Legislators
H.P. 880 L.D. 1238

(In House, March 20, 2007, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**.)

(In Senate, March 21, 2007, on motion by Senator **SCHNEIDER** of Penobscot, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**, in concurrence.)

On motion by Senator **MARRACHÉ** of Kennebec, the Senate **RECONSIDERED** whereby the Bill was **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**, in **NON-CONCURRENCE**.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by Senator **SCHNEIDER** of Penobscot to **REFER** to the Committee on **STATE AND LOCAL GOVERNMENT**, in **NON-CONCURRENCE**.

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

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 (3/8/07) Assigned matter:

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

S.P. 416 L.D. 1168

Tabled - March 8, 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 Committees on **NATURAL RESOURCES** and **TRANSPORTATION**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (3/20/07) Assigned matter:

Bill "An Act To Eliminate the Placement of Campaign Signs on Public Property"

H.P. 1086 L.D. 1561

Tabled - March 20, 2007, by Senator **DAMON** of Hancock

Pending - **REFERENCE**

(In House, March 20, 2007, **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed.)

On motion by Senator **DAMON** of Hancock, **REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS**, in **NON-CONCURRENCE**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (3/20/07) Assigned matter:

Bill "An Act To Restrict the Placement of Political Signs by Requiring Permission"

H.P. 1087 L.D. 1562

Tabled - March 20, 2007, by Senator **DAMON** of Hancock

Pending - **REFERENCE**

(In House, March 20, 2007, **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed.)

On motion by Senator **DAMON** of Hancock, **REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS**, in **NON-CONCURRENCE**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (3/21/07) Assigned matter:

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

H.P. 930 L.D. 1322

Tabled - March 21, 2007, by Senator **MARTIN** of Aroostook

Pending - motion by Senator **ROSEN** of Hancock to **RECEDE** and **CONCUR**

(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**.)

(In House, March 20, 2007, that Body **INSISTED**.)

(In Senate, March 21, 2007, Senator **MARRACHÉ** of Kennebec moved to **ADHERE**.)

On motion by Senator **ROSEN** of Hancock, the Senate **RECEDED** and **CONCURRED**.

The Chair laid before the Senate the following Tabled and Later (3/21/07) Assigned matter:

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

Tabled - March 21, 2007, by Senator **MARRACHÉ** of Kennebec

Pending - **REFERENCE**

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

(In House, March 20, 2007, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY**.)

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

The Chair laid before the Senate the following Tabled and Later (3/21/07) Assigned matter:

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

H.P. 1093 L.D. 1568

Tabled - March 21, 2007, by Senator **STRIMLING** of Cumberland

Pending - **REFERENCE**

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

(In House, March 20, 2007, **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES**.)

On motion by Senator **SULLIVAN** of York, **REFERRED** to the Committee on **LABOR** and ordered printed, in **NON-CONCURRENCE**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (3/21/07) Assigned matter:

Bill "An Act To Hold School Systems to the Same Spending Limits as Municipalities"

S.P. 568 L.D. 1624

Tabled - March 21, 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 **STATE AND LOCAL GOVERNMENT**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (3/21/07) Assigned matter:

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

S.P. 562 L.D. 1618

Tabled - March 21, 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 (3/21/07) Assigned matter:

JOINT ORDER - Directing the Joint Standing Committee on Insurance and Financial Services To Submit a Bill, "An Act To Amend the Banking Laws Regarding the Establishment of Branches by Financial Institutions with Affiliates That Engage in Commercial Activity."

S.P. 575

Tabled - March 21, 2007, by Senator **MITCHELL** of Kennebec

Pending - motion by Senator **SULLIVAN** of York to **PASS**

(In Senate, March 21, 2007, on motion by Senator **SULLIVAN** of York, **READ**).

On motion by Senator **SULLIVAN** of York, **PASSED**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (3/21/07) Assigned matter:

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

Tabled - March 21, 2007, by Senator **HASTINGS** of Oxford

Pending - motion by Senator **SCHNEIDER** of Penobscot to **REFER** to the Committee on **STATE AND LOCAL GOVERNMENT**

(In House, March 21, 2007, **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.

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

PAPERS FROM THE HOUSE

House Papers

Resolve, To Establish a Stakeholder Group for the Establishment of Site Requirements for Wind Power

H.P. 1153 L.D. 1644

Bill "An Act To Amend the Laws Concerning Genetically Engineered Plants and Seeds"

H.P. 1159 L.D. 1650

Bill "An Act To Create a Saco River Preservation Fund"

H.P. 1177 L.D. 1668

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.

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Reduce the Cost of the Unfunded Liability of the State Employee and Teacher Retirement Fund and To Reduce the Cost to Maine Citizens of Purchasing State Bonds"

H.P. 1163 L.D. 1654

Come 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 Paper

Bill "An Act To Support and Enhance Maine's Beverage Container Recycling Laws and Household Hazardous Waste Collection"
H.P. 1166 L.D. 1657

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 Reduce School Construction Costs"

H.P. 1143 L.D. 1634

Resolve, To Limit the Department of Education's Rulemaking in the Area of Special Education to Matters Required To Align State Rules with Federal Law (EMERGENCY)

H.P. 1147 L.D. 1638

Bill "An Act To Appropriate Funds for the Katahdin Cultural Center"

H.P. 1181 L.D. 1683

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, Directing the Commissioner of Health and Human Services To Implement Representative Payee and Disability Specialists Programs

H.P. 1148 L.D. 1639

Bill "An Act To Provide One-time Funds To Leverage Private Funds To Strengthen Children and Families in Maine"

H.P. 1169 L.D. 1660

Resolve, To Support Community Planning for the Aging of the Population

H.P. 1170 L.D. 1661

Bill "An Act To Amend the Laws Governing Reimbursement of Nursing Facilities"

H.P. 1178 L.D. 1669

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

On motion by Senator **MARRACHÉ** of Kennebec, **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 Prohibit Recreational Bear Trapping"

H.P. 1144 L.D. 1635

Resolve, To Improve Landowner Relations

H.P. 1151 L.D. 1642

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

On motion by Senator **MARTIN** of Aroostook, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** 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 Allow Health Insurance Premiums To Vary Based on Behaviors Pertaining to Health"

H.P. 1149 L.D. 1640

Bill "An Act To Provide for Transparency in Insurance Rate Proceedings"

H.P. 1150 L.D. 1641

Bill "An Act To Improve the Affordability of Health Insurance for Maine People"

H.P. 1168 L.D. 1659

Bill "An Act To Require Health Insurers To Provide Coverage for Nutritional Wellness and Prevention"

H.P. 1176 L.D. 1667

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 Prevent Real Minimum Wages from Falling"

H.P. 1162 L.D. 1653

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

On motion by Senator **SULLIVAN** of York, **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 Clarify Alcohol Enforcement"

H.P. 1152 L.D. 1643

Bill "An Act To Permit the Use of Surety Bonds in Lieu of Security Deposits"

H.P. 1160 L.D. 1651

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 Paper

Bill "An Act To Protect Pregnant Women and Children from Toxic Chemicals Released into the Home"
H.P. 1167 L.D. 1658

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 Papers

Bill "An Act To Extend the Right To Vote by Absentee Ballot at an Annual Town Meeting"
H.P. 1145 L.D. 1636

Bill "An Act To Modify Daylight Savings Time According to Federal Statute"
H.P. 1172 L.D. 1663

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 Clarify That Certain Separately Itemized Charges Are Subject to the Sales Tax on the Rental of Motor Vehicles"
H.P. 1154 L.D. 1645

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Provide Property Tax Relief to the Elderly and Disabled
H.P. 1155 L.D. 1646

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Reduce Taxes for Affordable Housing
H.P. 1156 L.D. 1647

Bill "An Act To Exempt Housing Owned by Nonprofit Organizations for People with Disabilities from the Municipal Service Fee Laws"
H.P. 1157 L.D. 1648

Bill "An Act To Establish a Local Option Real Estate Transfer Tax for Homestead Tax Relief"
H.P. 1158 L.D. 1649

Bill "An Act To Support County Corrections and Public Education"
H.P. 1161 L.D. 1652

Bill "An Act To Exempt Vegetable Seeds and Fertilizer from the Sales Tax"
H.P. 1173 L.D. 1664

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Limit the Rate of Change in the Property Tax Liability of Elderly Maine Residents
H.P. 1174 L.D. 1665

Bill "An Act To Promote Tax Fairness"
H.P. 1179 L.D. 1670

Bill "An Act To Limit Homestead Property Taxes to 5% of Income"
H.P. 1180 L.D. 1671

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

On motion by Senator **MARTIN** of Aroostook, **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

Bill "An Act To Improve Home and Commercial Building Energy Efficiency"
H.P. 1164 L.D. 1655

Bill "An Act To Amend the Fryeburg Water District Charter" (EMERGENCY)
H.P. 1165 L.D. 1656

Resolve, Directing the Public Utilities Commission To Amend its Rules To Increase the Amount of Energy Conservation Funds for School Administrative Units
H.P. 1175 L.D. 1666

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

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

Senate at Ease.

Senate called to order by the President.

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

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **MARINE RESOURCES** on Bill "An Act To Encourage Municipalities To Abate Coastal Pollution"
H.P. 319 L.D. 403

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-31)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-31) AS AMENDED BY HOUSE AMENDMENT "A" (H-33)** thereto.

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

READ ONCE.

Committee Amendment "A" (H-31) **READ**.

House Amendment "A" (H-33) to Committee Amendment "A" (H-31) **READ** and **ADOPTED**, in concurrence.

Committee Amendment "A" (H-31) as Amended by House Amendment "A" (H-33) thereto, **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

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

Off Record Remarks

Senate at Ease.

Senate called to order by the President.

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

ENACTORS

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

Emergency Measure

An Act To Encourage Municipalities To Abate Coastal Pollution
H.P. 319 L.D. 403
(H "A" H-33 to C "A" H-31)

This being an Emergency Measure and having received the affirmative vote of 31 Members of the Senate, with no Senators having voted in the negative, and 31 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

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

Off Record Remarks

Senator **MITCHELL** of Kennebec 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.

Off Record Remarks

On motion by Senator **MITCHELL** of Kennebec, **ADJOURNED**, pursuant to the Joint Order, until Tuesday, March 27, 2007, at 10:00 in the morning, in memory of and lasting tribute to Lewis Bion "Lew" Perkins of Livermore.