

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

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
Monday
April 2, 2007

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

Prayer by Senator Elizabeth M. Schneider of Penobscot County.

SENATOR SCHNEIDER: Good morning. I'm very grateful to be here this morning with all of you. This time is the time when I've really thoroughly enjoyed it because it's one of the few moments during our busy day that we get to just take a moment of peace, which has made me think a great deal about peace. In our committee, the State and Local Government Committee, we had a bill that discussed setting up a Department of Peace, so it's got me thinking about peace in general and the great leaders who are known for promoting peace. I hope that in our work that's what we will do and throughout time it will promote peace.

Lord, make me an instrument of Thy peace. Where there is hatred, let me sow love. Where there is injury, pardon. Where there is doubt, faith. Where there is despair, hope. Where there is darkness, light. Where there is sadness, joy. Oh Devine Master, grant that I may not much seek to be consoled as to console, to be understood as to understand, to be loved as to love. It is in giving that we receive. It is pardoning that we pardon. It is in dying that we are born to eternal life. Amen. St. Francis of Assisi, 13th century.

Pledge of Allegiance led by Senator Douglas M. Smith of
Piscataquis County.

Reading of the Journal of Thursday, March 29, 2007.

Off Record Remarks

PAPERS FROM THE HOUSE

House Papers

Resolve, Establishing a Commission To Review State House and
Capitol Complex Security Issues

H.P. 1189 L.D. 1706

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

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

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

Resolve, To Study the Funding Formula of Cumberland County
To More Equitably Apportion the Taxes Paid to County
Government

H.P. 1012 L.D. 1443

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

Comes from the House, Resolve and accompanying papers
INDEFINITELY POSTPONED.

On motion by Senator **STRIMLING** of Cumberland, Resolve and
accompanying papers **INDEFINITELY POSTPONED**, in
concurrence.

COMMUNICATIONS

The Following Communication: S.P. 644

STATE OF MAINE
123RD MAINE LEGISLATURE
AUGUSTA, MAINE 04333-0003

March 28, 2007

Sen. Bill Diamond
Senate Chair, Joint Standing Committee on Criminal Justice and
Public Safety
Rep. Stan Gerzofsky
House Chair, Joint Standing Committee on Criminal Justice and
Public Safety
123rd Legislature
Augusta, ME 04333

Dear Senator Diamond and Representative Gerzofsky:

This is to inform you that Public Safety Commissioner Anne
Jordan with the advice and consent of the Governor has
nominated Lieutenant Patrick Fleming of Fairfield for appointment
as Chief of the Maine State Police.

Pursuant to Title 25 M.R.S.A. § 1501, the nomination of
Lieutenant Patrick Fleming of Fairfield for appointment as Chief of
the Maine State Police is subject to review by the Joint Standing
Committee on Criminal Justice and Public Safety and
confirmation by the Senate.

Sincerely,

S/Beth Edmonds
President of the Senate

S/Glenn Cummings
Speaker of the House

READ and REFERRED to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY**.

Sent down for concurrence.

The Following Communication: S.P. 645

**STATE OF MAINE
123RD MAINE LEGISLATURE
AUGUSTA, MAINE 04333-0003**

March 29, 2007

Sen. Barry Hobbins
Senate Chair, Joint Standing Committee on Judiciary
Rep. Deborah Simpson
House Chair, Joint Standing Committee on Judiciary
123rd Legislature
Augusta, ME 04333

Dear Senator Hobbins and Representative Simpson:

Please be advised that Governor John E. Baldacci has nominated Justice Ellen Gorman of Auburn and Justice Nancy Mills of Cornville for reappointment to the Maine Superior Court.

Pursuant to Maine Constitution Article 5, Part 1, Section 8, these nominations will require review by the Joint Standing Committee on Judiciary and confirmation by the Senate.

Sincerely,

S/Beth Edmonds
President of the Senate

S/Glenn Cummings
Speaker of the House

READ and REFERRED to the Committee on **JUDICIARY**.

Sent down for concurrence.

The Following Communication: S.C. 149

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

March 28, 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. 598 Resolve, To Allow Municipalities To Purchase Burn Permit Software

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

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. 150

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

March 28, 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 Business, Research and Economic Development has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 451 An Act To Support the Creative Economy Effort

- L.D. 452 An Act To Encourage the Reuse of Plastic Containers BY REQUEST
- L.D. 748 An Act To Expand the Recycling of Beverage Containers BY REQUEST
- L.D. 749 An Act To Dedicate Unclaimed Beverage Deposits to Beverage Container Recycling Development BY REQUEST
- L.D. 831 An Act Regarding Ticket Refunds

Sincerely,

S/Sen. Bill Diamond
Senate Chair

S/Rep. Stanley J. Gerzofsky
House Chair

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

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

Sincerely,

S/Sen. Lynn Bromley
Senate Chair

S/Rep. Nancy E. Smith
House Chair

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

The Following Communication: S.C. 152

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

March 28, 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 Education and Cultural Affairs has voted unanimously to report the following bill out "Ought Not to Pass":

- L.D. 1186 An Act To Establish Educational Excellence for the Towns of Corinna, Etna, Dixmont, Hartland, Newport, Palmyra, Plymouth and St. Albans (EMERGENCY)

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

Sincerely,

S/Sen. Peter B. Bowman
Senate Chair

S/Rep. Jacqueline Norton
House Chair

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

The Following Communication: S.C. 159

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

The Following Communication: S.C. 151

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

March 28, 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. 69 An Act To Impose Zero Tolerance for Methamphetamine Production
- L.D. 606 An Act To Protect Licensed Pawnbrokers
- L.D. 649 Resolve, To Ensure Pet Safety during Emergencies
- L.D. 908 An Act To Ensure Safety at Motor Vehicle Events

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

March 28, 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 bills out "Ought Not to Pass":

- | | |
|-----------|--|
| L.D. 72 | An Act To Improve MaineCare Members' Access to Information |
| L.D. 283 | An Act To Require Direct Payment to Child Care Centers |
| L.D. 500 | An Act To Amend the Definition of Health Care Facility To Include Hospice Facilities (EMERGENCY) |
| L.D. 722 | An Act To Create the Acquired Brain Injury Fund |
| L.D. 808 | Resolve, To Establish the Study Group To Examine Strategies for Integrating Nutritional Wellness and Prevention Measures into Maine's Health Care System |
| L.D. 1176 | An Act Regarding MaineCare Prescription Drug and Tobacco Sales BY REQUEST |

We have also notified the sponsors and cosponsors of each bill listed 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. 153

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

March 28, 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 bills out "Ought Not to Pass":

- | | |
|----------|---|
| L.D. 15 | An Act Imposing a Horsepower Restriction for Boat Motors on Muddy Pond |
| L.D. 152 | An Act To Restrict the Use of Personal Watercraft on Crescent Lake and Tenney River in Raymond BY REQUEST |
| L.D. 771 | An Act To Allow a Hunter To Retrieve a Dog from Posted Property |
| L.D. 799 | An Act To Prohibit the Use of Motorized Watercraft on Lily Pond in Deer Isle |

We have also notified the sponsors and cosponsors of each bill listed 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. 154

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

March 28, 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. 47 An Act To Prohibit the Promotion of Travel for Sex Tourism
- L.D. 255 An Act Concerning Litigation Brought by the Attorney General To Enforce Provisions of the Forest Practices Laws
- L.D. 308 An Act To Establish the Fully Informed Jury Act BY REQUEST
- L.D. 341 An Act To Amend the Probate Code To Affect Claims against an Estate
- L.D. 489 Resolve, To Increase the Authority of the Consumer Protection Division of the Office of the Attorney General
- L.D. 506 An Act To Rescind the Statute of Limitations on the Ability To File a Civil Suit in Cases Dealing with Unlawful Sexual Contact
- L.D. 756 An Act To Enhance and Clarify the Small Claims System BY REQUEST

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. 155

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

March 28, 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 Labor has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 225 An Act To Provide Flexibility in Health Insurance for Spouses under the State Employee Health Insurance Plan
- L.D. 660 An Act To Change the Qualifications for the Chair of the Maine Unemployment Insurance Commission
- L.D. 661 An Act To Maintain Retirement Health Benefits for State Retirees
- L.D. 757 An Act To Improve the Ability of Superintendents To Act in the Best Interests of Students
- L.D. 845 An Act To Tie the Percentage of Health Insurance Benefits for Retired Teachers to That of Retired Legislators
- L.D. 913 An Act To Amend State Employees' Bargaining Agents' Election Contributions
- L.D. 933 An Act To Authorize the Certification of Workplace Safety Programs Offered by Workers' Compensation Insurers

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

Sincerely,

S/Sen. Ethan Strimling
Senate Chair

S/Rep. John L. Tuttle, Jr.
House Chair

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

The Following Communication: S.C. 156

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

March 28, 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. 585 An Act To Establish Instant Run-off Voting for
Gubernatorial Races

L.D. 731 An Act To Preserve the Integrity of Elections by
Removing the Requirement for a Challenge
Affidavit

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

Sincerely,

S/Sen. Lisa T. Marraché
Senate Chair

S/Rep. John L. Patrick
House Chair

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

The Following Communication: S.C. 157

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

March 28, 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 bill out "Ought Not
to Pass":

L.D. 715 An Act To Disclose Legislative Spending

We have also notified the sponsor and cosponsors 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. 158

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

March 28, 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. 533 An Act To Establish "Clean Air - No Idling"
Zones

L.D. 535 An Act To Create a Retired Firefighter
Registration Plate

L.D. 546 Resolve, Directing the Department of
Transportation To Amend Its Rules Regarding
Noise Abatement Costs

L.D. 625 Resolve, To Establish a Commission To Study
the Feasibility of the State's Acquiring the
Golden Road (EMERGENCY)

L.D. 626 An Act To Require Warning Lights at All
Railroad Crossings BY REQUEST

L.D. 669 Resolve, To Direct the Department of
Transportation To Make Improvements to U.S.
Route 2-A

L.D. 694 An Act Regarding Fines for Overweight Trucks

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: S.C. 160

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

March 28, 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 Utilities and Energy has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 369 An Act To Require High-speed Internet Access
for All Maine Residents

L.D. 710 An Act To Promote Rural Broadband Access

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

Sincerely,

S/Sen. Philip L. Bartlett II
Senate Chair

S/Rep. Lawrence Bliss
House Chair

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

SENATE PAPERS

Bill "An Act To Provide for Civil Commitment for Sexually Violent Predators and To Prohibit Sex Offenders from Residing Together"
S.P. 641 L.D. 1807

Sponsored by Senator PLOWMAN of Penobscot.
Cosponsored by Representative VAUGHAN of Durham and
Senators: BENOIT of Sagadahoc, COURTNEY of York,
Representatives: ROBINSON of Raymond, THOMAS of Ripley,
TIBBETTS of Columbia.

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 Relating to Corporations, Limited Partnerships, Limited Liability Companies and Limited Liability Partnerships" (EMERGENCY)

S.P. 642 L.D. 1806

Sponsored by Senator HASTINGS of Oxford.
Cosponsored by Representative SIMPSON of Auburn and
Senator: HOBBS of York, Representatives: CLEARY of
Houlton, CRAY of Palmyra, Speaker CUMMINGS of Portland,
DUNN of Bangor, MILLS of Farmington, TARDY of Newport.
Submitted by the Secretary of State pursuant to Joint Rule 204.

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

Sent down for concurrence.

Bill "An Act To Improve Road Safety and Update Bicycling Laws"
S.P. 643 L.D. 1808

Sponsored by Senator DAMON of Hancock.
Cosponsored by Representative CLEARY of Houlton and
Representatives: BARSTOW of Gorham, KOFFMAN of Bar
Harbor, MARLEY of Portland, PIOTTI of Unity, SIMPSON of
Auburn, WOODBURY of Yarmouth.

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

Sent down for concurrence.

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

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **TRANSPORTATION** on Bill "An Act To Allow a Weight Tolerance for Vehicle Auxiliary Power Units"
H.P. 221 L.D. 265

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-36).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-36).**

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

READ ONCE.

Committee Amendment "A" (H-36) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on RESOLUTION, Proposing an Amendment to the Constitution of Maine To Require a 2/3 Vote of Each House of the Legislature To Enact or Increase a Tax or License Fee
H.P. 283 L.D. 353

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

Signed:

Senators:

SCHNEIDER of Penobscot
BRANNIGAN of Cumberland

Representatives:

BARSTOW of Gorham
BOLAND of Sanford
BEAUDETTE of Biddeford
SIROIS of Turner
HAYES of Buckfield
SCHATZ of Blue Hill

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-34)**.

Signed:

Senator:

BENOIT of Sagadahoc

Representatives:

WEAVER of York
CURTIS of Madison
JOY of Crystal
COTTA of China

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

Reports **READ**.

Senator **SCHNEIDER** of Penobscot moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence.

Senate

Ought to Pass

Senator DAMON for the Committee on **MARINE RESOURCES** on Bill "An Act To Fund a Joint Appointment for a Groundfish Ecologist"

S.P. 121 L.D. 377

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **TRANSPORTATION** on Bill "An Act To Waive Tolls on the Maine Turnpike for People Who Are Traveling for Treatment of Catastrophic Illnesses"
S.P. 183 L.D. 592

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

Signed:

Senators:

DAMON of Hancock
DIAMOND of Cumberland
SAVAGE of Knox

Representatives:

MARLEY of Portland
BROWNE of Vassalboro
FISHER of Brewer
MAZUREK of Rockland
HOGAN of Old Orchard Beach
CEBRA of Naples
ROSEN of Bucksport
THERIAULT of Madawaska
PEOPLES of Westbrook

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

Signed:

Representative:

THOMAS of Ripley

Reports **READ**.

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

Sent down for concurrence.

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

SECOND READERS

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

House

Bill "An Act To Encourage Greater Public Input into the State Environmental Licensing Process"

H.P. 647 L.D. 848

Bill "An Act To Amend the Charter of the Harrison Water District" (EMERGENCY)

H.P. 668 L.D. 878

Bill "An Act To Amend the Charter of the Long Pond Water District" (EMERGENCY)

H.P. 716 L.D. 941

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

House As Amended

Bill "An Act To Improve the Control and Prevention of Invasive Plant Infestations"

H.P. 135 L.D. 153
(C "A" H-28)

Bill "An Act To Allow Expense Reimbursement for the Commercial Fishing Safety Council"

H.P. 213 L.D. 257
(C "A" H-32)

Bill "An Act To Ensure Uniform Emergency Medical Dispatch Services in Maine" (EMERGENCY)

H.P. 476 L.D. 627
(C "A" H-30)

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

Bill "An Act To Protect Seniors and the Public from Unfair Health Insurance Sales Practices"

H.P. 332 L.D. 416
(C "A" H-29)

READ A SECOND TIME.

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

Senate

Bill "An Act To Repeal the Laws Governing Long-term Foster Care"

S.P. 187 L.D. 596

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

Sent down for concurrence.

Senate As Amended

Bill "An Act To Make Allocations from Maine Turnpike Authority Funds for the Maine Turnpike Authority for the Fiscal Year Ending December 31, 2008"

S.P. 102 L.D. 319
(C "A" S-23)

Bill "An Act To Increase the Bonding Capacity of the Maine Turnpike Authority"

S.P. 104 L.D. 321
(C "A" S-24)

Bill "An Act To Reauthorize the Community Preservation Advisory Committee"

S.P. 108 L.D. 336
(C "A" S-22)

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

Sent down for concurrence.

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

ENACTORS

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

Emergency Measure

An Act To Establish May 25th as Missing Persons Day
S.P. 86 L.D. 249
(C "A" S-14)

This being an Emergency Measure and having received the affirmative vote of 27 Members of the Senate, with no Senators having voted in the negative, and 27 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Acts

An Act To Provide Safe All-terrain Vehicle Access on Public Ways
H.P. 142 L.D. 160
(C "A" H-25)

An Act To Establish Cancer Awareness Week and Lung Cancer Awareness Day

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

An Act To Allow Plantations To Enact an Animal Control Ordinance

H.P. 256 L.D. 312
(C "A" H-23)

An Act To Enhance Consumer Awareness of Insurance Sales Activity

H.P. 331 L.D. 415
(C "A" H-24)

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

Resolve

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)

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

ORDERS OF THE DAY

Unfinished Business

The following matters in the consideration of which the Senate was engaged at the time of Adjournment had preference in the Orders of the Day and continued with such preference until disposed of as provided by Senate Rule 516.

The Chair laid before the Senate the following Tabled and Later (3/29/07) Assigned matter:

JOINT RESOLUTION - relative to Memorializing the President of the United States and the Congress of the United States to Fulfill the Intent to Fund 60% of the Costs of Special Education and to End Unfunded Mandates

H.P. 1182

Tabled - March 29, 2007, by Senator **MARTIN** of Aroostook

Pending - **ADOPTION**, in concurrence

(In House, March 27, 2007, **READ** and **ADOPTED**.)

(In Senate, March 29, 2007, **READ**.)

ADOPTED, in concurrence.

The Chair laid before the Senate the following Tabled and Later (3/29/07) Assigned matter:

JOINT RESOLUTION - Relative to Expressing the Legislature's Support for the Installation of Wind Power Generating Facilities in the State

S.P. 631

Tabled - March 29, 2007, by Senator **STRIMLING** of Cumberland

Pending - motion by same Senator to **ADOPT**

(In Senate, March 29, 2007, on motion by Senator **STRIMLING** of Cumberland, **READ**.)

On motion by Senator **STRIMLING** of Cumberland, **ADOPTED**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (3/29/07) Assigned matter:

HOUSE REPORT - from the Committee on **EDUCATION AND CULTURAL AFFAIRS**, pursuant to the Maine Revised Statutes, Title 5, section 8072, on Resolve, Regarding Legislative Review of Portions of Chapter 28: Closing a School in the Unorganized Territory, a Major Substantive Rule of the Department of Education (EMERGENCY)

H.P. 35 L.D. 34

Report - **Ought to Pass**

Tabled - March 29, 2007, by Senator **BOWMAN** of York

Pending - **ACCEPTANCE OF REPORT**

(In House, March 27, 2007, Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED**.)

(In Senate, March 29, 2007, Report **READ**.)

Report **ACCEPTED**, in concurrence.

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Chair laid before the Senate the following Tabled and Later (3/29/07) Assigned matter:

Bill "An Act To Assist Maine Pharmacies"
S.P. 450 L.D. 1287

Tabled - March 29, 2007, by Senator **MARTIN** of Aroostook

Pending - motion by Senator **BRANNIGAN** of Cumberland to **RECEDE** and **CONCUR**

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

(In Senate, March 15, 2007, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**.)

(In House, March 22, 2007, **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES**, in **NON-CONCURRENCE**.)

(In Senate, March 29, 2007, on motion by Senator **BRANNIGAN** of Cumberland, **RECEDED** and **CONCURRED**. On motion by Senator **MARTIN** of Aroostook, **RECONSIDERED**.)

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

Senate at Ease.

Senate called to order by the President.

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Ensure Public Benefit from Investments in Taxpayer-funded Research"
H.P. 1257 L.D. 1802

Comes 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 Clarify the Definition of Autism and Eligibility for Services from the Department of Health and Human Services"
H.P. 1256 L.D. 1801

Bill "An Act To Preserve Home Care Coordination Services for Long-term Care Consumers Served in the Community"
H.P. 1260 L.D. 1805

Resolve, Regarding the Role of Local Regions in Maine's Emerging Public Health Infrastructure (EMERGENCY)
H.P. 1264 L.D. 1812

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

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

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Base Minimum Wage Increases on the Consumer Price Index"
H.P. 1261 L.D. 1809

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 Create a Saltwater Recreational Fishing License"
H.P. 1263 L.D. 1811

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

Bill "An Act To Clarify Comprehensive Planning and Land Use Ordinances"

H.P. 1258 L.D. 1803

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 Permit Greater Voter Participation Regarding Municipal Expenditures" (EMERGENCY)

H.P. 1259 L.D. 1804

Bill "An Act To Enact the Informed Growth Act"

H.P. 1262 L.D. 1810

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.

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

Senator **WESTON** of Waldo was granted unanimous consent to address the Senate off the Record.

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

Senator **MITCHELL** of Kennebec was granted unanimous consent to address the Senate off the Record.

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

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

Off Record Remarks

On motion by Senator **MITCHELL** of Kennebec, **ADJOURNED**, to Tuesday, April 3, 2007, at 10:00 in the morning.