

# 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  
Tuesday  
April 10, 2007

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

Prayer by Reverend Kathi Smith of Bread of Life Ministries of  
Augusta.

**REVEREND SMITH:** Let us pray. Creator God, we gather before  
You on this day deeply aware of the fragility of life. We recognize  
that we waste precious time in our strivings. We believe that what  
is important is wealth or power or prestige. We believe that all we  
accomplish is a testimony to our own strategies and skills and  
abilities. We neglect the most basic truth, that You are the  
sovereign God of all time and all we have is a gift from You. Help  
us, oh God, to remember that this beautiful spring day, our  
bountiful country, and our magnificent state are gifts of Your  
creation. Remind us that the opportunity to serve, the company  
of our co-workers, the laughter of our friends, and the love of our  
families are all granted to us to Your grace. Let us be always  
thankful for the blessings You continue to shower upon us. Grant  
us this day, Lord, and help us to be fully present in it. We ask for  
Your constant guidance for all who are gathered here to conduct  
the business of this state in the name of all its residents. Help  
them to be responsible in their duties and yet gracious in their  
speech, to be kind in their actions, and just in their decisions.  
Give them strength, compassion, and courage in all that they do.  
May we all be mindful of what is good in Your eyes, to do what is  
just, to show constant love, and to live in humble fellowship with  
You. Amen.

Pledge of Allegiance led by Senator Elizabeth H. Mitchell of  
Kennebec County.

Reading of the Journal of Thursday, April 5, 2007.

Off Record Remarks

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Further the Implementation of the Essential  
Programs and Services Funding Act"  
H.P. 1282 L.D. 1839

Comes 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.

Bill "An Act To Amend the Unemployment Compensation Laws"  
H.P. 1279 L.D. 1832

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

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

Bill "An Act To Provide Property Tax and Income Tax Relief"  
H.P. 1280 L.D. 1833

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

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

Bill "An Act To Ensure Safety on Freshwater Ferry Vessels"  
H.P. 1281 L.D. 1838

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

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

Pursuant to Statute  
Department of Education

The **Department of Education**, pursuant to the Maine Revised  
Statutes, Title 5, section 8072 asked leave to report that the  
accompanying Resolve, Regarding Legislative Review of Portions  
of Chapter 115: Certification, Authorization and Approval of  
Educational Personnel Part I and II, Requirements for Specific  
Certificates and Endorsements, a Major Substantive Rule of the  
Department of Education (EMERGENCY)  
H.P. 1278 L.D. 1831

Be **REFERRED** to the Committee on **EDUCATION AND  
CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule  
218.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218.

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

On motion by Senator **BOWMAN** of York, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218, in concurrence.

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**Pursuant to Statute  
Department of Environmental Protection**

The **Department of Environmental Protection**, pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 872: Exemptions from the Ban on Sale of Mercury-added Switches, Relays and Measuring Devices, a Major Substantive Rule of the Department of Environmental Protection (EMERGENCY)

H.P. 1277 L.D. 1830

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

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

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

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

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**COMMUNICATIONS**

The Following Communication: S.P. 665

**STATE OF MAINE  
123<sup>RD</sup> MAINE LEGISLATURE  
AUGUSTA, MAINE 04333**

April 6, 2007

Sen. John M. Nutting  
Senate Chair, Joint Standing Committee on Agriculture,  
Conservation and Forestry  
Rep. Wendy Pieh  
House Chair, Joint Standing Committee on Agriculture,  
Conservation and Forestry  
123<sup>rd</sup> Legislature  
Augusta, ME 04333

Dear Senator Nutting and Representative Pieh:

Please be advised that Governor John E. Baldacci has nominated the following to the Land for Maine's Future Board:

Leon Gorman of Yarmouth for reappointment  
Diane Doyle of Saco for appointment  
Benjamin Emory of Salisbury Cove for appointment

Pursuant to Title 5 M.R.S.A. §6204, these nominations will require review by the Joint Standing Committee on Agriculture, Conservation and Forestry and to 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 **AGRICULTURE, CONSERVATION AND FORESTRY**.

Sent down for concurrence.

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The Following Communication: S.C. 176

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

April 4, 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. 480	Resolve, To Reduce Paperwork Retention Required by the Maine State Housing Authority
L.D. 1404	Resolve, Directing the Establishment of a Building Contractor's License and Education Requirements for Code Enforcement Officers BY REQUEST

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.**

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The Following Communication: S.C. 177

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

April 4, 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. 517  | Resolve, To Promote Public Safety by Establishing a Multiple-OUI Registry   |
| L.D. 673  | An Act To Address the Issue of Drive-offs from Service Stations   |
| L.D. 832  | Resolve, Directing the Department of Public Safety To Convene a Working Group To Review the Functioning of College and University Law Enforcement Departments |
| L.D. 864  | An Act To Protect Local Police Departments  |
| L.D. 1078 | An Act To Amend the OUI Laws Regarding the Use of Immunoassays  |
| L.D. 1166 | An Act To Reduce the OUI Limit to .06   |

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.**

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**SENATE PAPERS**

Bill "An Act To Update Professional and Occupational Licensing Laws"

S.P. 659 L.D. 1842

Sponsored by Senator BROMLEY of Cumberland.  
Cosponsored by Representative RECTOR of Thomaston and Senator: SCHNEIDER of Penobscot, Representatives: AUSTIN of Gray, BEAUDETTE of Biddeford.  
Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.

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

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Bill "An Act To Promote Sustainable Prosperity"

S.P. 662 L.D. 1848

Sponsored by President EDMONDS of Cumberland.  
Cosponsored by Senator HOBBS of York and Senators: NUTTING of Androscoggin, SCHNEIDER of Penobscot, Representatives: Speaker CUMMINGS of Portland, EBERLE of South Portland, PIOTTI of Unity, SIROIS of Turner.

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

On motion by Senator **BROMLEY** of Cumberland, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS.**

Sent down for concurrence.

Bill "An Act To Protect Consumers from Rising Health Care Costs"

S.P. 664 L.D. 1849

Sponsored by Senator BARTLETT of Cumberland.  
Cosponsored by Representative BRAUTIGAM of Falmouth and  
Senators: BRANNIGAN of Cumberland, BROMLEY of  
Cumberland, BRYANT of Oxford, COURTNEY of York, President  
EDMONDS of Cumberland, MARTIN of Aroostook, MILLS of  
Somerset, NUTTING of Androscoggin, ROTUNDO of  
Androscoggin, SCHNEIDER of Penobscot, STRIMLING of  
Cumberland, SULLIVAN of York, Representatives: BARSTOW of  
Gorham, BERRY of Bowdoinham, BLISS of South Portland,  
BOLAND of Sanford, BRYANT of Windham, BURNS of Berwick,  
CONOVER of Oakland, CROCKETT of Augusta, Speaker  
CUMMINGS of Portland, DRISCOLL of Westbrook, EBERLE of  
South Portland, FISCHER of Presque Isle, HINCK of Portland,  
JACKSON of Allagash, MAKAS of Lewiston, MOORE of  
Standish, PATRICK of Rumford, PERRY of Calais, PRIEST of  
Brunswick, SIROIS of Turner, TREAT of Farmingdale, WALCOTT  
of Lewiston, WEDDELL of Frankfort.

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

Sent down for concurrence.

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Bill "An Act To Improve the Quality of Health Care in Maine"  
S.P. 660 L.D. 1843

Sponsored by Senator MARRACHÉ of Kennebec.  
Cosponsored by Representative MILLER of Somerville.  
Submitted by the Maine Health Data Organization pursuant to  
Joint Rule 204.

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

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

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

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Off Record Remarks

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## ORDERS

### Joint Order

On motion by Senator MITCHELL of Kennebec, the following  
Joint Order:

S.P. 663

ORDERED, the House concurring, that the Joint Rules be  
amended by striking out all of Joint Rule 353 and inserting the  
following:

### Rule 353. Legislative Studies.

To assist in the exercise of its duties, the Legislature may establish legislative study committees or may alternatively refer matters to joint standing committees or subcommittees of joint standing committees for study. This Joint Rule establishes standards that govern the drafting of legislative study instruments and the authorization of legislative studies. All legislative studies must be consistent with this Joint Rule and with Legislative Council policies adopted under this Joint Rule. A joint standing or joint select committee may not, except upon the prior approval of the Legislative Council, report to the Legislature any bill, resolve or joint order proposing a legislative study that is inconsistent with this Joint Rule.

1. Definitions. For the purposes of this Joint Rule, the following terms have the following meanings:

A. The term "legislative study" or "legislative study committee" means any group of individuals, except those exempted under policies adopted by the Legislative Council, whose duties include studying and reporting to the Legislature on any matter or advising the Legislature on any matter and that requires the use of legislative resources;

B. The term "legislative resources" means the expenditure of any funds appropriated or allocated to the Legislative Account, the appointment of one or more persons by the Legislature, the inclusion of one or more legislators as members of the legislative study committee or the use of Legislative Council staff; and

C. The term "non-legislative study" or "non-legislative study group" means any group of individuals directed by legislation to report back to the Legislature on any issue but that is not otherwise a legislative study.

2. Establishing legislative studies. A legislative study may only be created by joint study order, unless the instrument directs an agency or a person who is not a legislator to take an action or has an existence that extends beyond the Legislature in which it is introduced.

3. Appointment of members. A majority of legislative study members must be legislators and the legislative study committee must be chaired by legislators appointed in a manner consistent with subsection 4. All members of legislative study committees established by joint study order must be appointed by the presiding officers: Senate members by the President and House members by the Speaker. Members of a legislative study created by joint study order who are not legislators must be appointed either by the President or the Speaker. Legislative studies may include a minority of non-legislative members appointed by someone outside the Legislature. Joint appointment of members is not permitted.

4. Appointment of chairs. Legislative studies having more than 5 members must be cochaired by legislators. The first appointed Senate member must be the Senate chair and the first appointed House member must be the House chair. Legislative studies having 5 or fewer members must have a single legislative chair appointed by the presiding officer of the body of the originating study order or legislation.

5. Committee size. Legislative study committees may consist of no fewer than 3 and no more than 13 members.

6. Staffing. Unless the Legislative Council directs otherwise, Legislative Council staff will only be assigned to legislative studies that conform to this Joint Rule.

7. Reporting dates. All reports of legislative study committees that are to be submitted to a first regular session must be completed and submitted not later than the first Wednesday in November preceding the convening of the first regular session of the next legislature. All reports of legislative study committees that are to be submitted to a second regular session must be completed and submitted not later than the first Wednesday in December preceding the convening of the second regular session. Upon request of the study committee, the Legislative Council may extend the reporting date, except that the extension may not go beyond December 15th in odd numbered years or beyond the first Wednesday of December in even numbered years.

8. Legislation may not be introduced by legislative studies or non-legislative study groups. Legislative and non-legislative study committees or groups may include proposed legislation in their reports to the Legislature, but are not authorized to introduce legislation. Upon receipt of a report submitted by a legislative or non-legislative study committee or group, the joint standing committee to which the report is submitted, or the appropriate joint standing committee of jurisdiction in the event that the report is submitted to the Legislature as a whole, may introduce a bill during the session to which the report is submitted to implement its recommendations on matters relating to the study.

9. Compensation. Legislative members are entitled to receive the legislative per diem and reimbursement of necessary expenses for their attendance at authorized meetings of a study committee. Public members not otherwise compensated by their employers or other entities whom they represent are entitled to receive reimbursement of necessary expenses and, upon demonstration of financial hardship, a per diem equal to the legislative per diem for their attendance at authorized meetings of a study committee.

10. Study table. All joint study orders or legislation proposing legislative studies must be placed on a special study table in the Senate or House. The Legislative Council shall review the proposed studies and authorize the allocation of budgetary and staffing resources for those studies.

11. Legislative Council study policies. The Legislative Council shall adopt policies governing legislative studies at the beginning of each legislative biennium. Those policies may include conditions on the funding of legislative studies, exceptions

to this Joint Rule, drafting standards or other provisions necessary to satisfy the requirements of this Joint Rule.

**READ.**

On motion by Senator **MARTIN** of Aroostook, **REFERRED** to the Joint Select Committee on **JOINT RULES**.

Sent down for concurrence.

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### Joint Resolution

On motion by Senator **BOWMAN** of York (Cosponsored by Representative **NORTON** of Bangor and Senator: **MITCHELL** of Kennebec, Representatives: **EDGEComb** of Caribou, **FINCH** of Fairfield, **HARLOW** of Portland, **MAKAS** of Lewiston, **MUSE** of Fryeburg, **STRANG BURGESS** of Cumberland, **SUTHERLAND** of Chapman) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 214.), the following Joint Resolution:

S.P. 661

### **JOINT RESOLUTION MEMORIALIZING THE PRESIDENT AND THE CONGRESS OF THE UNITED STATES TO EXEMPT SCHOOL ADMINISTRATIVE UNITS FROM THE FEDERAL NO CHILD LEFT BEHIND ACT OF 2001 WHEN STUDENT ATTENDANCE FALLS BELOW THE STATE TARGET DUE TO EXCESSIVE STUDENT ABSENTEEISM**

WE, your Memorialists, the Members of the One Hundred and Twenty-third Legislature of the State of Maine now assembled in the First Regular Session, most respectfully present and petition the President and the Congress of the United States as follows:

WHEREAS, the No Child Left Behind Act of 2001, Public Law 107-110, commonly known as "NCLB," is a federal law that reauthorizes a number of federal programs that aim to improve the performance of primary and secondary schools; and

WHEREAS, NCLB increases the standards of accountability for states, school districts and schools, and it has specific guidelines to reach the certain expectations and goals, which include having a requirement of schools to have a 95% rate of student attendance; and

WHEREAS, the intent of requiring a 95% attendance rate is to ensure that low-achieving students are not excluded from testing, but the problem with a 95% rate is that it is not a reasonable threshold with which to measure the average daily attendance rate in most schools in the United States and in the State of Maine; and

WHEREAS, the 95% attendance rate is an arbitrary figure that should be changed to a more realistic target that is based upon national or state attendance averages as recorded by school administrative units, since the rate does not reflect whether the absent students composing the remaining 5% are truants or students with excused absences; and

WHEREAS, most student absenteeism in the State of Maine is not due to truancy, but is actually due to excused absences as defined by Maine law; yet the excused absences, valid under Maine law, put our schools at risk of noncompliance with NCLB; now, therefore, be it

RESOLVED: That We, your Memorialists, on behalf of the people we represent, take this opportunity to request that the No Child Left Behind Act of 2001 be amended to require that the rate of attendance in a school administrative unit be measured by an accurate count and that the percentage of the rate of attendance of a school should reflect only unexcused absences; and be it further

RESOLVED: That official copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable George W. Bush, President of the United States, Margaret Spellings, United States Secretary of Education, the Speaker of the House of Representatives of the United States, the President of the Senate of the United States and each member of the Maine Congressional Delegation.

**READ.**

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ADOPT.**

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**REPORTS OF COMMITTEES**

**House**

**Change of Committee**

The Committee on **UTILITIES AND ENERGY** on Resolve, To Encourage Increased Use of Biodiesel Fuels in Maine  
H.P. 852 L.D. 1159

Reported that the same be **REFERRED** to the Committee on **TRANSPORTATION.**

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **TRANSPORTATION.**

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

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

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**Ought to Pass**

The Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Strengthen OUI Laws As They Pertain to Drugs"

H.P. 480 L.D. 631

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.**

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The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Resolve, Directing the Department of Education To Review and Assess Distance Learning Opportunities for High School Students  
H.P. 365 L.D. 481

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

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

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

**READ ONCE.**

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

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The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Update and Clarify Laws Relating to Maine's Community Colleges"

H.P. 859 L.D. 1178

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.**

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**Ought to Pass As Amended**

The Committee on **NATURAL RESOURCES** on Bill "An Act To Protect and Improve Lake Water Quality"  
H.P. 454 L.D. 587

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-49).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-49)**.

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

**READ ONCE.**

Committee Amendment "A" (H-49) **READ** and **ADOPTED**, in concurrence.

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

---

The Committee on **TRANSPORTATION** on Bill "An Act To Continue the Axle Weight Law Changes beyond September 15, 2007"

H.P. 10 L.D. 9

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-48)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-48)**.

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

**READ ONCE.**

Committee Amendment "A" (H-48) **READ** and **ADOPTED**, in concurrence.

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

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The Committee on **TRANSPORTATION** on Bill "An Act To Allow Funeral Processions To Use Certain Lights"

H.P. 381 L.D. 497

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-47)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-47)**.

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

**READ ONCE.**

Committee Amendment "A" (H-47) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **UTILITIES AND ENERGY** on Bill "An Act To Promote Municipal Energy Conservation"

H.P. 494 L.D. 645

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-45)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-45)**.

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

**READ ONCE.**

Committee Amendment "A" (H-45) **READ** and **ADOPTED**, in concurrence.

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

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**Senate**

**Ought to Pass As Amended**

Senator BROMLEY for the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Restructure the Board of Commissioners of the Maine State Housing Authority To Closely Match Local Authorities"

S.P. 142 L.D. 441

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-33)**.

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

**READ ONCE.**

Committee Amendment "A" (S-33) **READ** and **ADOPTED**.

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

---

Senator SULLIVAN for the Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Make Technical and Supervisory Amendments to the Banking Laws"

S.P. 292 L.D. 904

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-34)**.

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

**READ ONCE.**

Committee Amendment "A" (S-34) **READ** and **ADOPTED**.

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

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

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**SECOND READERS**

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

**House As Amended**

Bill "An Act Regarding the Slaughter of Animals"  
H.P. 55 L.D. 57  
(C "A" H-43)

Bill "An Act To Allocate a Portion of the Land for Maine's Future Fund for the Purchase of Archeological Sites"  
H.P. 127 L.D. 145  
(C "A" H-44)

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

---

**Senate**

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. 651 L.D. 1829

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

Sent down for concurrence.

---

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

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**ENACTORS**

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

**Emergency Measure**

An Act To Continue To Allow Public Retiree Organizations Access to the Maine State Retirement System's List of All State Retirees

S.P. 229 L.D. 712

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

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**Emergency Resolve**

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  
H.P. 35 L.D. 34

This being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with no Senators having voted in the negative, and 32 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

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**Acts**

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

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

An Act To Repeal the Laws Governing Long-term Foster Care  
S.P. 187 L.D. 596

**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 Allow a Weight Tolerance for Vehicle Auxiliary Power Units

H.P. 221 L.D. 265  
(C "A" H-36)

On motion by Senator **ROTUNDO** of Androscoggin, **TABLED** until Later in Today's Session, pending **ENACTMENT**, in concurrence.

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An Act To Reauthorize the Community Preservation Advisory Committee

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

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

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Senate at Ease.

Senate called to order by the President.

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**ORDERS OF THE DAY**

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

Bill "An Act To Improve the Quality of Health Care in Maine"  
S.P. 660 L.D. 1843

Tabled - April 10, 2007, by Senator **MARRACHÉ** of Kennebec

Pending - **REFERENCE**

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

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

Sent down for concurrence.

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Off Record Remarks

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The Chair laid before the Senate the following Tabled and Later (4/5/07) Assigned matter:

Bill "An Act To Amend the Laws Relating to Notaries Public"  
S.P. 653 L.D. 1835

Tabled - April 5, 2007, by Senator **HOBBS** of York

Pending - **REFERENCE**

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

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

Sent down for concurrence.

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The Chair laid before the Senate the following Tabled and Later (4/5/07) Assigned matter:

SENATE REPORTS - from the Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Eliminate the Interest on Security Deposits for Mobile Homes"  
S.P. 212 L.D. 675

Majority - **Ought Not to Pass** (12 members)

Minority - **Ought to Pass** (1 member)

Tabled - April 5, 2007, by Senator **MITCHELL** of Kennebec

Pending - **ACCEPTANCE OF EITHER REPORT**

(In Senate, April 5, 2007, Reports **READ**.)

On motion by Senator **MITCHELL** of Kennebec, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**.

Sent down for concurrence.

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Senator **DOW** of Lincoln was granted unanimous consent to address the Senate off the Record.

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

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

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Off Record Remarks

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

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On motion by Senator **MITCHELL** of Kennebec, **ADJOURNED**, to Wednesday, April 11, 2007, at 10:00 in the morning.