

MAINE STATE LEGISLATURE

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One Hundred and Twenty-Third Legislature
State of Maine

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

In Senate Chamber
Wednesday
June 13, 2007

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

Prayer by The Rt. Reverend Chilton R. Knudsen of The Episcopal
Diocese of Maine.

REVEREND KNUDSEN: Good morning. I invite you, as your
Legislative day begins, to become still and quiet. As we gather
today as servants of the common good we turn our attention, for
these moments, to that which is beyond us, that which is life itself,
known by many names here and around the globe. We ask for
the gift of wisdom in proceeding present challenges and
opportunities to serve the wellbeing of our fellow citizens. We ask
for the gift of insight as various possibilities are explored and
decisions are considered. We ask for clarity in speaking and
listening, for courage to chose the right, and perseverance to
pursue it. We ask for creativity to envision options, alliances, and
initiatives which will bring fresh hope to the people who have
called us to lead and serve them. We ask for patience to seek
collaboration and compromise so that our dedicated commitments
may take flesh and form here in our state. Finally we ask for
energy and focus so that we may keep to our tasks when the
hours grow long and the day grows late. On behalf of all who call
this state of Maine their home, whatever their address or station
in life, or particular circumstance or political preference, I give
thanks to one who is beyond, for the devotion and skill gathered
in this room, and I ask that in the midst of hard work, which often
goes unacknowledged, you may find joy and peace in what you
do today and in every day. Amen.

Reading of the Journal of Tuesday, June 12, 2007.

Doctor of the day, John Joseph, MD of Brunswick

Off Record Remarks

PAPERS FROM THE HOUSE

Non-Concurrent Matter

Bill "An Act To Improve Road Safety and Update Bicycling Laws"
S.P. 643 L.D. 1808
(C "A" S-166)

In Senate, June 11, 2007, **PASSED TO BE ENGROSSED AS
AMENDED BY COMMITTEE AMENDMENT "A" (S-166).**

Comes from the House, **PASSED TO BE ENGROSSED AS
AMENDED BY COMMITTEE AMENDMENT "A" (S-166) AS
AMENDED BY HOUSE AMENDMENT "A" (H-447)** thereto, in
NON-CONCURRENCE.

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

Joint Order

The following Joint Order:

H.P. 1363

ORDERED, the Senate concurring, that the Joint Standing
Committee on Insurance and Financial Services shall report out,
to the House, a bill relating to changes in Maine's health
insurance laws.

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

READ.

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

ORDERS

Joint Orders

Expressions of Legislative Sentiment recognizing:

Larry Tibbetts, of Sidney, for his 38 years of dedicated service to
the town. Mr. Tibbetts served on the Memorial Day Committee,
the Fire Department, the Advisory Committee and the Salt and
Sand Committee and for 38 years on the budget committee. He
served as code enforcement officer, plumbing inspector, deputy
constable, animal control officer and selectman. He also was a
Boy Scout Master for many years. We extend our appreciation to
Mr. Tibbetts for his commitment to the citizens of the Town of
Sidney;

SLS 302

Sponsored by Senator **MITCHELL** of Kennebec.
Cosponsored by Representative: **CONOVER** of Oakland.

READ.

THE PRESIDENT: The Chair recognizes the Senator from
Kennebec, Senator Mitchell.

Senator **MITCHELL:** Thank you, Madame President and
colleagues in the Senate. It seems that all of the extraordinary
men and women in the committees I represent are retiring after
many years of faithful service. It is a special honor to recognize

Mr. Tibbetts here today, who is indeed the Renaissance man from Sidney, who has done everything that can be done in a small community to make it better. He and his wife are here with us today. I am so grateful for the opportunity to recognize him.

PASSED.

Sent down for concurrence.

THE PRESIDENT: The Chair is pleased to recognize in the rear of the Chamber Larry Tibbetts of Sidney. Would he please rise and accept the greetings of the Maine Senate.

The Bates Dance Festival as it celebrates 25 years of offering contemporary dance training, commissioning and performance. The five-week festival will feature workshops and performances by more than 30 internationally recognized dance artists from throughout the United States and abroad. The festival's season features innovative contemporary works that blend dance, video, live music and the spoken word to address perspectives on the body, the community and the environment and themes of political activism, the impact of technology and cultural change. The Bates Dance Festival is recognized throughout the contemporary dance community for its noncompetitive environment and emphasis on experimentation. The festival brings together an international community of contemporary dance choreographers, performers, educators and students in cooperative community to study, perform and create new work. The festival serves as an annual destination for artists, students and audiences to engage in a full range of dance activities and performances that foster creative exchange of ideas, encourage exploration of new ground and provide the opportunity to experience a wide spectrum of dance and movement disciplines. We extend our congratulations to the Bates Dance Festival as it celebrates its 25th anniversary and send our best wishes for continued success in the future;

SLS 308

Sponsored by Senator ROTUNDO of Androscoggin.
Cosponsored by Representatives: CAIN of Orono, CRAVEN of Lewiston, GILES of Belfast, MAKAS of Lewiston, PERCY of Phippsburg, RECTOR of Thomaston, SAMSON of Auburn, SMITH of Monmouth, WAGNER of Lewiston, WALCOTT of Lewiston, WEBSTER of Freeport.

READ.

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

Senator **ROTUNDO:** Thank you, Madame President, men and women of the Senate. I would like you all to join me in congratulating the Bates Dance Festival on its 25th anniversary season. For 25 years the Bates Dance Festival has provided people of all ages and economic backgrounds the sustained and direct contact with world-class artists, demonstrating the valuable role that arts play in our lives. The Festival has been recognized nationally as a haven for many of today's leading dance artists, a place where they can develop new work, have meaningful exchange with their peers, and share their artistry with students and audiences from Maine and across the globe. I would like to

thank the organizers of the Festival for bringing this wonderful experience to Maine and wish them many more years of bringing wonderful world-class performances to the people of Maine. I would also like to invite everyone to have a sampling of the Festival by joining us in the Hall of Flags after we adjourn today. Thank you.

PASSED.

Sent down for concurrence.

THE PRESIDENT: The Chair is very pleased to recognize in the rear of the Chamber Laura Faure, Director of the Bates Dance Festival in Lewiston, and Nancy Salmon, who is the Assistant to the Director and also the wife of the Representative from Freeport, Representative Webster. Would they please rise and accept the greetings of the Maine Senate.

REPORTS OF COMMITTEES

House

Ought to Pass Pursuant to Statute

The Committee on **JUDICIARY** on Bill "An Act To Implement the Recommendations of the Right To Know Advisory Committee Creating the Public Access Ombudsman"

H.P. 1361 L.D. 1923

Reported that the same **Ought to Pass**, pursuant to the Maine Revised Statutes, Title 1, section 411, subsection 6, paragraph G.

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

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

Under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, in concurrence.

Ought to Pass As Amended

The Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Modernize Maine's Accountancy Laws"

H.P. 572 L.D. 751

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-547)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-547)**.

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

READ ONCE.

Committee Amendment "A" (H-547) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Establish a Prescription Drug Academic Detailing Program"

H.P. 638 L.D. 839

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-549)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-549)**.

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

READ ONCE.

Committee Amendment "A" (H-549) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Amend Licensing and Certification Requirements" (EMERGENCY)

H.P. 1254 L.D. 1800

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-552)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-552)**.

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

READ ONCE.

Committee Amendment "A" (H-552) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **JUDICIARY** on Bill "An Act To Establish a Financial Literacy Program"

H.P. 187 L.D. 216

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-554)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-554)**.

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

READ ONCE.

Committee Amendment "A" (H-554) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **LABOR** on Bill "An Act To Enact the Home Care Consumer and Worker Protection Act"

H.P. 1069 L.D. 1544

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-535)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-535)**.

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

READ ONCE.

Committee Amendment "A" (H-535) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **TAXATION** on Bill "An Act To Make Minor Substantive Changes to the Tax Laws"

H.P. 1054 L.D. 1504

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-550)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-550)**.

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

READ ONCE.

Committee Amendment "A" (H-550) **READ** and **ADOPTED**, in concurrence.

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

Senate at Ease.

Senate called to order by the President.

The Committee on **TRANSPORTATION** on Bill "An Act Making Unified Highway Fund and Other Funds Allocations for the Expenditures of State Government and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2008 and June 30, 2009" (EMERGENCY)

H.P. 597 L.D. 781

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-545)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-545)**.

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

READ ONCE.

Committee Amendment "A" (H-545) **READ**.

On motion by Senator **WESTON** of Waldo, **TABLED** until Later in Today's Session, pending **ADOPTION** of Committee Amendment "A" (H-545), in concurrence.

Divided Report

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Reduce the Cost of the Operation of County Jails"

H.P. 65 L.D. 67

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

Signed:

Senators:

DIAMOND of Cumberland
McCORMICK of Kennebec
SHERMAN of Aroostook

Representatives:

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

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-546)**.

Signed:

Representative:

PLUMMER of Windham

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

Reports **READ**.

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

Divided Report

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Implement the Recommendations of the Corrections Alternatives Advisory Committee"

H.P. 1327 L.D. 1895

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-527)**.

Signed:

Senator:

DIAMOND of Cumberland

Representatives:

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

The Minority of the same Committee on the same subject reported that the same **Ought Not To Pass**.

Signed:

Senators:

McCORMICK of Kennebec
SHERMAN of Aroostook

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-527)**.

Reports **READ**.

On motion by Senator **DIAMOND** of Cumberland, the Majority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**, in concurrence.

READ ONCE.

Committee Amendment "A" (H-527) **READ** and **ADOPTED**, in concurrence.

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

Divided Report

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Resolve, To Establish the Work Group To Review and Recommend Improvements for the Certificate of Need Program

H.P. 1060 L.D. 1535

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-519)**.

Signed:

Senators:

BRANNIGAN of Cumberland
MARRACHÉ of Kennebec
RAYE of Washington

Representatives:

PERRY of Calais
WALCOTT of Lewiston
GROSE of Woolwich
MILLER of Somerville
BEAUDOIN of Biddeford
CONNOR of Kennebunk
CAMPBELL of Newfield
FINLEY of Skowhegan

The Minority of the same Committee on the same subject reported that the same **Ought Not To Pass**.

Signed:

Representatives:

WALKER of Lincolnville
LEWIN of Eliot

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-519) AS AMENDED BY HOUSE AMENDMENT "A" (H-553)** thereto.

Reports **READ**.

On motion by Senator **MARRACHÉ** of Kennebec, the Majority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**, in concurrence.

READ ONCE.

Committee Amendment "A" (H-519) **READ**.

House Amendment "A" (H-553) to Committee Amendment "A" (H-519) **READ** and **ADOPTED**, in concurrence.

Committee Amendment "A" (H-519) as Amended by House Amendment "A" (H-553) thereto, **ADOPTED**, in concurrence.

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

Divided Report

The Majority of the Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Require Insurers To Use Savings from Dirigo Health To Reduce Premiums"

H.P. 719 L.D. 959

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

Signed:

Senators:

SULLIVAN of York
BOWMAN of York

Representatives:

BRAUTIGAM of Falmouth
CANAVAN of Waterville
CROCKETT of Augusta
TREAT of Farmingdale
CONOVER of Oakland
PRIEST of Brunswick

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-530)**.

Signed:

Senator:

SNOWE-MELLO of Androscoggin

Representatives:

VAUGHAN of Durham
RICHARDSON of Warren
SAVAGE of Falmouth
McKANE of Newcastle

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

Reports **READ**.

Senator **SULLIVAN** of York 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.

Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Increase the Number of Androscoggin County Commissioners"
H.P. 1349 L.D. 1916

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-507)**.

Signed:

Senator:
BENOIT of Sagadahoc

Representatives:
BARSTOW of Gorham
BOLAND of Sanford
WEAVER of York
BEAUDETTE of Biddeford
SIROIS of Turner
CURTIS of Madison
JOY of Crystal
COTTA of China

The Minority of the same Committee on the same subject reported that the same **Ought Not To Pass**.

Signed:

Senators:
SCHNEIDER of Penobscot
BRANNIGAN of Cumberland

Representatives:
HAYES of Buckfield
SCHATZ of Blue Hill

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-507)**.

Reports **READ**.

On motion by Senator **MARTIN** of Aroostook, **TABLED** until Later in Today's Session, pending **ACCEPTANCE OF EITHER REPORT**.

Divided Report

The Majority of the Committee on **TAXATION** on Bill "An Act To Provide a Tax Credit for the Purchase of Small Wind Power Generators for Personal or Small Business Use"
H.P. 279 L.D. 349

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-548)**.

Signed:

Senator:
NASS of York

Representatives:
PIOTTI of Unity
RAND of Portland
KNIGHT of Livermore Falls
CLARK of Millinocket
WOODBURY of Yarmouth
HOTHAM of Dixfield
WATSON of Bath
CHASE of Wells
PILON of Saco
LANSLEY of Sabattus

The Minority of the same Committee on the same subject reported that the same **Ought Not To Pass**.

Signed:

Senators:
PERRY of Penobscot
STRIMLING of Cumberland

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-548)**.

Reports **READ**.

On motion by Senator **MARTIN** of Aroostook, **TABLED** until Later in Today's Session, pending **ACCEPTANCE OF EITHER REPORT**.

Divided Report

The Majority of the Committee on **TAXATION** on Bill "An Act To Amend the Laws Governing Eligibility for the Maine Residents Property Tax Program"
H.P. 648 L.D. 849

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-551)**.

Signed:

Representatives:

PIOTTI of Unity
RAND of Portland
KNIGHT of Livermore Falls
CLARK of Millinocket
HOTHAM of Dixfield
WATSON of Bath
CHASE of Wells
PILON of Saco
LANSLEY of Sabattus

The Minority of the same Committee on the same subject reported that the same **Ought Not To Pass**.

Signed:

Senators:

PERRY of Penobscot
STRIMLING of Cumberland
NASS of York

Representative:

WOODBURY of Yarmouth

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A"** (H-551).

Reports **READ**.

On motion by Senator **MARTIN** of Aroostook, **TABLED** until Later in Today's Session, pending **ACCEPTANCE OF EITHER REPORT**.

Divided Report

Eleven members of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Create Mandatory Minimum Sentences for Persons Convicted of Certain Sex Offenses against Victims under 12 Years of Age"

H.P. 44 L.D. 46

Reported in Report "A" that the same **Ought Not to Pass**.

Signed:

Senators:

McCORMICK of Kennebec
SHERMAN of Aroostook

Representatives:

GERZOFKY of Brunswick
BLANCHETTE of Bangor
GREELEY of Levant
HILL of York
HANLEY of Gardiner
PLUMMER of Windham
KAENRATH of South Portland
HASKELL of Portland

SYKES of Harrison

One member of the same Committee on the same subject reported in Report "B" that the same **Ought to Pass as Amended by Committee Amendment "A"** (H-542).

Signed:

Senator:

DIAMOND of Cumberland

One member of the same Committee on the same subject reported in Report "C" that the same **Ought to Pass as Amended by Committee Amendment "B"** (H-543).

Signed:

Representative:

TIBBETTS of Columbia

Comes from the House with Report "A", **OUGHT NOT TO PASS READ** and **ACCEPTED**.

Reports **READ**.

Senator **DIAMOND** of Cumberland moved the Senate **ACCEPT** Report "B", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A"** (H-542), in **NON-CONCURRENCE**.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** Report "B", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A"** (H-542), in **NON-CONCURRENCE**.

Senate

Ought to Pass As Amended

Senator **HOBBINS** for the Committee on **JUDICIARY** on Bill "An Act To Address an Inequity in the Judicial Retirement System"

S.P. 574 L.D. 1630

Reported that the same **Ought to Pass as Amended by Committee Amendment "A"** (S-295).

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

READ ONCE.

Committee Amendment "A" (S-295) **READ** and **ADOPTED**.

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

Ordered sent down forthwith for concurrence.

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

Senate at Ease.

Senate called to order by the President.

ENACTORS

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

Acts

An Act To Create a 10-year Statute of Limitations for Certain Environmental Violations

S.P. 275 L.D. 882
(C "A" S-202)

An Act To Create the Board of Speech-language Pathology, Audiology and Hearing Aid Dealing and Fitting

S.P. 567 L.D. 1623
(C "A" S-227)

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 Amend the Tax Laws Concerning Certain Motor Vehicle Dealership Transactions

S.P. 322 L.D. 1005
(C "A" S-233)

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

An Act To Amend Certain Provisions of Fish and Wildlife Law

S.P. 356 L.D. 1104
(C "A" S-234)

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

Resolve

Resolve, Directing the Commission on Governmental Ethics and Election Practices To Provide Historical Data Regarding the Receipt and Resolution of Complaints Pertaining to Legislative Ethics Violations

S.P. 325 L.D. 1008
(C "A" S-228)

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

ORDERS

Joint Order

On motion by Senator **DAMON** of Hancock, the following Joint Order:

S.P. 731

ORDERED, the House concurring, that the Joint Standing Committee on Transportation study certain transportation-related matters as follows.

1. Duties. The Joint Standing Committee on Transportation shall:

A. Examine the physical and functional features of and jurisdictional responsibilities over the current collector and state aid highway networks;

B. Review the evolution of state and federal law governing the current collector and state aid highway networks;

C. Identify inequities experienced by municipalities as a result of current law regarding jurisdictional responsibilities over and funding of the current collector and state aid highway networks;

D. Compare Maine with other states on matters of jurisdiction over and financing of major and minor collector highways;

E. Assess the need to:

(1) Coordinate existing multiple highway classification systems;

(2) Adjust jurisdictional responsibilities for highway maintenance;

(3) Adjust jurisdictional responsibilities for capital improvement of highways;

(4) Amend the level of funding and the distribution formula under the Urban-Rural Initiative Program under the Maine Revised Statutes, Title 23, section 1803-B;

(5) Increase financial resources for maintenance and capital improvement of highways; and

(6) Improve the efficiency and effectiveness of maintenance and capital improvement methods; and

F. Develop recommendations to address identified issues and needs related to the subject matter of this study and identify the anticipated positive and negative impacts to property tax valuations and rates, local road conditions and state aid collector road conditions resulting from those recommendations.

2. Meetings. The Joint Standing Committee on Transportation may meet up to 4 times during the 2007 interim for the purpose of conducting this study. The committee may request authorization from the Legislative Council for additional meetings.

3. Staff assistance. The Legislative Council shall provide necessary staffing services to the Joint Standing Committee on Transportation for this study.

4. Compensation. Committee members are entitled to receive the legislative per diem and reimbursement for travel and other necessary expenses related to their attendance at authorized meetings.

5. Funding. To the extent funding for the study described in this joint order is provided from the Highway Fund by appropriate allocation or other provision of law, the committee is funded from such funds. If such funding is not provided, or if the committee requires additional funding, the committee may be funded from other available funding sources as approved by the Legislative Council.

6. Legislation. The Joint Standing Committee on Transportation may submit a bill during the Second Regular Session of the 123rd Legislature relating to the subject matter of the committee's study pursuant to this joint order.

READ and PASSED.

On motion by Senator **MARTIN** of Aroostook, the Senate **RECONSIDERED** whereby the Joint Order was **PASSED**.

On further motion by same Senator, placed on the **SPECIAL STUDY TABLE**, pending the motion by Senator **DAMON** of Hancock to **PASS**.

ORDERS OF THE DAY

Unfinished Business

The following matter 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 (6/7/07) Assigned matter:

JOINT RESOLUTION - Supporting the Nearshore Coastal Resources Report

S.P. 727

Tabled - June 7, 2007, by Senator **WESTON** of Waldo

Pending - motion by Senator **DAMON** of Hancock to **ADOPT**

(In Senate, June 7, 2007, on motion by Senator **DAMON** of Hancock, **READ**.)

On motion by Senator **DAMON** of Hancock, **ADOPTED**.

Sent down for concurrence.

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

Senator **MITCHELL** of Kennebec 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.

On motion by Senator **MITCHELL** of Kennebec, **ADJOURNED**, to Thursday, June 14, 2007, at 9:00 in the morning.