

MAINE STATE LEGISLATURE

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Senate Legislative Record
One Hundred and Twenty-Third Legislature
State of Maine

Daily Edition

Second Regular Session
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**STATE OF MAINE
ONE HUNDRED AND TWENTY-THIRD LEGISLATURE
SECOND REGULAR SESSION
JOURNAL OF THE SENATE**

In Senate Chamber
Friday
March 14, 2008

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

Prayer by Senator Elizabeth M. Schneider of Penobscot County.

SENATOR SCHNEIDER: Good morning everybody. It's good to see everybody here. Let us be in the spirit of prayer.

Blessed are the poor in spirit, for theirs is the kingdom of Heaven. Blessed are they that mourn, for they shall be comforted. Blessed are the meek, for they shall inherit the earth. Blessed are they which do hunger and thirst after righteousness, for they shall be filled. Blessed are the merciful, for they shall obtain mercy. Blessed are the pure in heart, for they shall see God. Blessed are the peacemakers, for they shall be called the children of God. Blessed are they which are persecuted for righteousness' sake, for theirs is the kingdom of heaven. Amen.

Reading of the Journal of Thursday, March 13, 2008.

Doctor of the day, Maroulla Gleaton, MD of Palermo.

Off Record Remarks

PAPERS FROM THE HOUSE

Non-Concurrent Matter

SENATE REPORTS - from the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Amend the Informed Growth Act"

S.P. 756 L.D. 1962

Majority - **Ought Not to Pass** (7 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (S-436)** (6 members)

In Senate, March 10, 2008, Reports **READ**. On motion by Senator **HASTINGS** of Oxford, Bill **SUBSTITUTED** for the Reports and **PASSED TO BE ENGROSSED**.

Comes from the House, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**, in **NON-CONCURRENCE**.

On motion by Senator **SCHNEIDER** of Penobscot, the Senate **INSISTED**.

Sent down for concurrence.

Non-Concurrent Matter

SENATE REPORTS - from the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Improve the Compliance and Accountability of the Child Development Services System"
S.P. 767 L.D. 1973

Majority - **Ought to Pass** (8 members)

Minority - **Ought Not to Pass** (5 members)

In Senate, March 4, 2008, the Majority **OUGHT TO PASS** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.

Comes from the House, the Minority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**, in **NON-CONCURRENCE**.

On motion by Senator **BOWMAN** of York, the Senate **INSISTED**.

Sent down for concurrence.

Non-Concurrent Matter

HOUSE REPORTS - from the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Amend the Conflict of Interest Laws for Notaries Public"

H.P. 1441 L.D. 2057

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-707)** (11 members)

Minority - **Ought Not to Pass** (2 members)

In House, March 5, 2008, 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-707)**.

In Senate, March 6, 2008, Bill and accompanying papers **INDEFINITELY POSTPONED**, in **NON-CONCURRENCE**.

Comes from the House, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-707) AS AMENDED BY HOUSE AMENDMENT "A" (H-746)** thereto, in **NON-CONCURRENCE**.

On motion by Senator **MARTIN** of Aroostook, the Senate **ADHERED**.

COMMUNICATIONS

The Following Communication: S.C. 677

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

March 12, 2008

The Honorable Beth Edmonds
President of the Senate of Maine
123rd Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Madame President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 123rd Maine Legislature, the Joint Standing Committee on Agriculture, Conservation and Forestry has had under consideration the nomination of James W. Tracy of Farmingdale, for reappointment to the Maine State Harness Racing Commission.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

| | | | |
|--------|-----------------|---|--|
| YEAS | Senators | 1 | Nutting of Androscoggin |
| | Representatives | 6 | Pieh of Bremen, Carter of Bethel, Cray of Palmyra, Gifford of Lincoln, Marean of Hollis, Pratt of Eddington |
| NAYS | | 0 | |
| ABSENT | | 6 | Rep. Edgecomb of Caribou, Rep. Lundeen of Mars Hill, Rep. Pineau of Jay, Rep. Piotti of Unity, Sen. Rotundo of Androscoggin, Sen. Sherman of Aroostook |

Seven members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of James W. Tracy of Farmingdale, for reappointment to the Maine State Harness Racing Commission be confirmed.

Signed,

S/John M. Nutting
Senate Chair

S/Wendy Pieh
House Chair

READ and ORDERED PLACED ON FILE.

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

The Following Communication: S.C. 674

**MAINE STATE LEGISLATURE
WORKING GROUP TO STUDY THE EFFECTIVENESS AND
TIMELINESS OF EARLY IDENTIFICATION AND
INTERVENTION FOR CHILDREN WITH HEARING LOSS**

March 11, 2008

The Honorable Beth Edmonds, President
Maine State Senate

The Honorable Glenn Cummings, Speaker
Maine House of Representatives

State House
Augusta, Maine 04333

Dear President Edmonds and Speaker Cummings:

This letter is to inform you that the Working Group to Study the Effectiveness and Timeliness of Early Identification and Intervention for Children with Hearing Loss had completed its work and submitted its final report, including recommended legislation to the Legislature, pursuant to Joint Order, H.P. 1513.

Sincerely,

S/Senator Nancy B. Sullivan
Senate Chair

S/Representative David W. Farrington
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 678

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

March 10, 2008

The Honorable Beth Edmonds
President of the Senate
The Honorable Glenn Cummings
Speaker of the House of Representatives
123rd Legislature
State House
Augusta, ME 04333

Dear Madam President and Mr. Speaker:

Pursuant to Title 3 Maine Revised Statutes, chapter 35, we are pleased to submit the findings of the Joint Standing Committee on Insurance and Financial Services from the review and evaluation of the Department of Professional and Financial Regulation under the State Government Evaluation Act. In its review, the Committee found that the Commissioner's Office, the Bureau of Financial Institutions, the Bureau of Consumer Credit Protection, the Bureau of Insurance and the Office of Securities within the Department of Professional and Financial Regulation are operating within its statutory authority.

Sincerely,

S/Senator Nancy B. Sullivan
Senate Chair

S/Representative John R. Brautigam
House Chair

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

The Following Communication: H.C. 480

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

March 13, 2008

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

Dear Secretary O'Brien:

The Speaker appointed the following conferees to the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act To Amend the Laws Regarding School Funding" (EMERGENCY) (S.P. 741) (L.D. 1932).

Representative PINGREE of North Haven
Representative FARRINGTON of Gorham
Representative JOHNSON of Greenville

Sincerely,

S/Millicent M. MacFarland
Clerk of the House

READ and **ORDERED PLACED ON FILE.**

REPORTS OF COMMITTEES

House

Ought to Pass

The Committee on **LABOR** on Bill "An Act To Further Clarify Worker Payments for Clothing and Equipment"

H.P. 1574 L.D. 2205

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

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Ought to Pass As Amended

The Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Allow Community Service in Lieu of Fines"

H.P. 1372 L.D. 1938

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-736).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-736).**

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

READ ONCE.

Committee Amendment "A" (H-736) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act Containing the Recommendations of the Criminal Law Advisory Commission"

H.P. 1600 L.D. 2240

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-735).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-735).**

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

READ ONCE.

Committee Amendment "A" (H-735) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Resolve, To Expand Access to Foreign Language Instruction in Maine Schools (EMERGENCY)

H.P. 1469 L.D. 2083

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-733).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-733).**

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

READ ONCE.

Committee Amendment "A" (H-733) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Implement the Recommendations of the Legislative Youth Advisory Council with Respect to Educational and Organizational Matters"

H.P. 1510 L.D. 2131

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-734).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-734).**

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

READ ONCE.

Committee Amendment "A" (H-734) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act To Amend the Election Laws"

H.P. 1496 L.D. 2110

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-737).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-737).**

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

READ ONCE.

Committee Amendment "A" (H-737) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **TAXATION** on Bill "An Act To Continue the Maine Military Family Relief Fund Voluntary Checkoff"

H.P. 1405 L.D. 2021

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-731).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-731).**

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

READ ONCE.

Committee Amendment "A" (H-731) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **UTILITIES AND ENERGY** on Bill "An Act To Ensure the Integrity of Prepaid Calling Accounts"

H.P. 1550 L.D. 2180

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-744).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-744).**

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

READ ONCE.

Committee Amendment "A" (H-744) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act To Implement the Recommendation of the Legislative Youth Advisory Council To Allow Youth To Preregister To Vote upon Reaching 16 Years of Age"
H.P. 1509 L.D. 2130

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-738).**

Signed:

Senators:
MARRACHÉ of Kennebec
BRYANT of Oxford
PLOWMAN of Penobscot

Representatives:
MOORE of Standish
WEDDELL of Frankfort
BRYANT of Windham
CAREY of Lewiston
PATRICK of Rumford
TRINWARD of Waterville
TUTTLE of Sanford
FITTS of Pittsfield

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

Signed:

Representatives:
NASS of Acton
PINKHAM of Lexington Township

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-738).**

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-738) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senate

Ought to Pass As Amended

Senator NUTTING for the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act To Create the Maine Agriculture Protection Act"
S.P. 591 L.D. 1684

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-455).**

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

READ ONCE.

Committee Amendment "A" (S-455) **READ** and **ADOPTED.**

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator HOBBS for the Committee on **JUDICIARY** on Bill "An Act To Amend the Laws Relating to Marks, Corporations, Limited Partnerships and Limited Liability Companies"
S.P. 788 L.D. 1994

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-457).**

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

READ ONCE.

Committee Amendment "A" (S-457) **READ** and **ADOPTED.**

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator STRIMLING for the Committee on **LABOR** on Bill "An Act To Require the State To Divest Itself of Funds from Companies Doing Business with Iran"
S.P. 745 L.D. 1934

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-458).**

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

READ ONCE.

Committee Amendment "A" (S-458) **READ** and **ADOPTED.**

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator PERRY for the Committee on **TAXATION** on Bill "An Act To Clarify the Sales Tax on Prepared Meals"

S.P. 799 L.D. 2005

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-461).**

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

READ ONCE.

Committee Amendment "A" (S-461) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **TAXATION** on Bill "An Act To Eliminate the Property Tax on Business Equipment Owned by Small Retailers"

S.P. 318 L.D. 1001

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

Signed:

Senators:

PERRY of Penobscot
STRIMLING of Cumberland

Representatives:

PIOTTI of Unity
RAND of Portland
CLARK of Millinocket
WATSON of Bath
PILON of Saco

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "B" (S-459).**

Signed:

Senator:

NASS of York

Representatives:

KNIGHT of Livermore Falls
WOODBURY of Yarmouth
CHASE of Wells
LANSLEY of Sabattus

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 the Taxation of Partnerships"
S.P. 488 L.D. 1400

Reported that the same **Ought to Pass as Amended by Committee Amendment "B" (S-460).**

Signed:

Senators:

STRIMLING of Cumberland
NASS of York

Representatives:

PIOTTI of Unity
KNIGHT of Livermore Falls
CLARK of Millinocket
WOODBURY of Yarmouth
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:

Representative:

RAND of Portland

Reports **READ**.

On motion by Senator **PERRY** of Penobscot, the Majority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**.

READ ONCE.

Committee Amendment "B" (S-460) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

SECOND READERS

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

House

Resolve, Regarding Legislative Review of Portions of Chapter 11: Consumer Directed Personal Assistance Services, a Major Substantive Rule of the Department of Health and Human Services (EMERGENCY)

H.P. 1378 L.D. 1943

Bill "An Act To Enhance the Newborn Hearing Program"

H.P. 1492 L.D. 2106

Resolve, Regarding Legislative Review of Portions of Chapter 270: Uniform Reporting System for Health Care Quality Data Sets, a Major Substantive Rule of the Maine Health Data Organization (EMERGENCY)

H.P. 1537 L.D. 2163

Resolve, Regarding Legislative Review of Portions of Chapter 294: Rules Governing the Qualifications for Local Health Officers, a Major Substantive Rule of the Department of Health and Human Services, Maine Center for Disease Control and Prevention (EMERGENCY)

H.P. 1541 L.D. 2166

Resolve, Regarding Legislative Review of Portions of Chapter 15: Batterer Intervention Program Certification, a Major Substantive Rule of the Department of Corrections (EMERGENCY)

H.P. 1543 L.D. 2168

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

Bill "An Act To Expand the Natural Resources Protection Act Compensation Program"

H.P. 1589 L.D. 2223

READ A SECOND TIME

On motion by Senator **MARTIN** of Aroostook, Senate Amendment "A" (S-456) **READ**.

THE PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator Martin.

Senator **MARTIN:** Thank you, Madame President and members of the Senate. This merely adds a fiscal note to the bill.

On motion by Senator **MARTIN** of Aroostook, Senate Amendment "A" (S-456) **ADOPTED**.

PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-456), in **NON-CONCURRENCE**.

Sent down for concurrence.

House As Amended

Resolve, Regarding Special Education Evaluations

H.P. 1387 L.D. 1949
(C "A" H-699; H "A" H-722)

Bill "An Act To Extend the Application of Certain Rebuttable Presumptions in the Child Protection Laws"

H.P. 1397 L.D. 2013
(C "A" H-720)

Bill "An Act To Amend the Family Medical Leave Laws To Include Siblings"

H.P. 1514 L.D. 2132
(C "A" H-725)

Bill "An Act To Clarify the Licensing Requirements for Aquaculturists and Allow for the Appropriate Handling of Bycatch from Aquaculture Lease Sites"

H.P. 1517 L.D. 2137
(C "A" H-711)

Resolve, Regarding Legislative Review of Portions of Chapter 34.10(1)(B)(4)(b)(viii): Atlantic Halibut, Landings Tag, Proposed Fee, a Major Substantive Rule of the Department of Marine Resources (EMERGENCY)

H.P. 1533 L.D. 2158
(C "A" H-724)

Resolve, Regarding Legislative Review of Portions of Chapter 103: Sensible Transportation Policy Act, a Major Substantive Rule of the Department of Transportation (EMERGENCY)

H.P. 1539 L.D. 2165
(C "A" H-712)

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

Senate

Bill "An Act To Validate Certain Proceedings Authorizing the Issuance of Bonds and Notes by the City of Brewer High School District" (EMERGENCY)

S.P. 864 L.D. 2234

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

Sent down for concurrence.

Senate As Amended

Resolve, To Determine Appropriate Buffer Zones for Landfill Construction and Expansion

S.P. 758 L.D. 1964
(C "A" S-450)

Bill "An Act To Allow Changes of Beneficiaries under the Maine Public Employees Retirement System"

S.P. 790 L.D. 1996
(C "A" S-453)

Bill "An Act To Provide Accessible Higher Education Financial Assistance for Maine Families" (EMERGENCY)

S.P. 792 L.D. 1998
(C "A" S-447)

Resolve, Requiring the State To Use Valid Risk and Preventive Factors for Youth Programs

S.P. 804 L.D. 2114
(C "A" S-448)

Bill "An Act To Amend the Laws Pertaining To Storm Water Management and To Authorize a General Fund Bond Issue for Drinking Water Management"

S.P. 830 L.D. 2169
(C "A" S-449)

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 Make Technical Corrections to the Employment Security Law

S.P. 801 L.D. 2007
(C "A" S-437)

This being an Emergency Measure and having received the affirmative vote of 26 Members of the Senate, with no Senators having voted in the negative, and 26 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.

Emergency Measure

An Act To Prohibit the Retail Sale and Distribution of Novelty Lighters

H.P. 1467 L.D. 2081
(C "A" H-704)

This being an Emergency Measure and having received the affirmative vote of 26 Members of the Senate, with no Senators having voted in the negative, and 26 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.

Emergency Measure

An Act To Implement the Recommendations of the Committee To Study the Prison Industries Program

H.P. 1499 L.D. 2113
(C "A" H-705)

This being an Emergency Measure and having received the affirmative vote of 26 Members of the Senate, with no Senators having voted in the negative, and 26 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.

Emergency Measure

An Act To Correct the Uniform Limited Partnership Act of 2007

S.P. 811 L.D. 2128
(C "A" S-440)

This being an Emergency Measure and having received the affirmative vote of 26 Members of the Senate, with no Senators having voted in the negative, and 26 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.

Emergency Resolve

Resolve, To Reimburse School Administrative District No. 11 for the State Share of Retirement Contributions Paid in Error

H.P. 1410 L.D. 2026
(C "A" H-702)

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

Emergency Resolve

Resolve, Regarding Legislative Review of Portions of Chapter 850: Health Plan Accountability, a Major Substantive Rule of the Department of Professional and Financial Regulation

H.P. 1536 L.D. 2162

This being an Emergency Measure and having received the affirmative vote of 26 Members of the Senate, with no Senators having voted in the negative, and 26 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.

Emergency Resolve

Resolve, Regarding Legislative Review of Portions of Chapter 26: Standards for Indoor Pesticide Applications and Notification for All Occupied Buildings Except K-12 Schools, a Major Substantive Rule of the Department of Agriculture, Food and Rural Resources, Board of Pesticides Control

H.P. 1564 L.D. 2194

This being an Emergency Measure and having received the affirmative vote of 26 Members of the Senate, with no Senators having voted in the negative, and 26 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.

Emergency Resolve

Resolve, Regarding Legislative Review of Portions of Chapter 29: Standards for Water Quality Protection, Section 6, Buffer Requirement, a Major Substantive Rule of the Department of Agriculture, Food and Rural Resources, Board of Pesticides Control

H.P. 1578 L.D. 2211

This being an Emergency Measure and having received the affirmative vote of 26 Members of the Senate, with no Senators having voted in the negative, and 26 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.

Acts

An Act To Amend the Charter of the Kennebunk Light and Power District

S.P. 422 L.D. 1221
(H "A" H-713;
H "B" H-714 to C "A" S-412)

An Act To Improve Transparency and Accountability in Government

S.P. 684 L.D. 1881
(C "A" S-439)

An Act To Designate Certain Rules of the Bureau of State Police as Major Substantive Rules

H.P. 1406 L.D. 2022
(C "A" H-701)

An Act To Amend the Public Works Contractors' Surety Bond Law of 1971

H.P. 1478 L.D. 2092
(C "A" H-696)

An Act Relating to Insurance Coverage for Colorectal Cancer Early Detection

H.P. 1495 L.D. 2109
(C "A" H-697)

An Act Regarding Tort Liability in the Provision of E-9-1-1 Access-only Service

H.P. 1599 L.D. 2238

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 Extend the ConnectME Authority

H.P. 1607 L.D. 2246

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

Resolves

Resolve, Regarding Loans for Geothermal Heating Systems

H.P. 1376 L.D. 1942
(C "A" H-706)

Resolve, Regarding Legislative Review of Chapter 3: Provision of Enhanced E-9-1-1 Access-only Service, a Major Substantive Rule of the Public Utilities Commission

H.P. 1521 L.D. 2141
(C "A" H-693)

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

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

PAPERS FROM THE HOUSE

Pursuant to Statute

Commission on Governmental Ethics and Election Practices

The **Commission on Governmental Ethics and Election Practices**, 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 3: Maine Clean Election Act and Related Provisions, a Major Substantive Rule of the Commission on Governmental Ethics and Election Practices (EMERGENCY)

H.P. 1621 L.D. 2258

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

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

On motion by Senator **MARRACHÉ** of Kennebec, **REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS** and ordered printed pursuant to Joint Rule 218, in concurrence.

Senate at Ease.

Senate called to order by the President.

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 (3/10/08) Assigned matter:

JOINT ORDER - Amending Joint Rule 312
H.P. 1611

Tabled - March 10, 2008, by Senator **MARTIN** of Aroostook

Pending - **PASSAGE**, in **NON-CONCURRENCE**

(In House, March 6, 2008, **READ** and **REFERRED** to the Joint Select Committee on **JOINT RULES**.)

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

The Chair laid before the Senate the following Tabled and Later (3/13/08) Assigned matter:

SENATE REPORTS - from the Committee on **UTILITIES AND ENERGY** on Bill "An Act Regarding Certain Activities of Electric and Gas Utilities"

S.P. 815 L.D. 2135

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-454)** (7 members)

Minority - **Ought Not to Pass** (5 members)

Tabled - March 13, 2008, by Senator **BARTLETT** of Cumberland

Pending - motion by same Senator to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report

(In Senate, March 13, 2008, Reports **READ**.)

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

READ ONCE.

Committee Amendment "A" (S-454) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

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.

Off Record Remarks

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

Senator **DIAMOND** 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.

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

Senator **DAMON** of Hancock was granted unanimous consent to address the Senate off the Record.

On motion by Senator **MITCHELL** of Kennebec, **ADJOURNED** to Monday, March 17, 2008, at 10:00 in the morning.