

MAINE STATE LEGISLATURE

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Senate Legislative Record

One Hundred and Twenty-Third Legislature

State of Maine

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

In Senate Chamber
Tuesday
March 18, 2008

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

Prayer by Reverend Susan O. Gilpin of Prides Corner United
Church of Christ in Westbrook.

REVEREND GILPIN: This an amazing week. St. Patrick's Day yesterday, the first day of Spring tomorrow, the 5th anniversary of going to war in Iraq, the Persian New Year, Passover, Good Friday, and Easter. We have reasons this week for thanks giving, reasons for repentance, and reasons for hope. The Constitution of the State of Maine implores God's aid and direction upon our Legislatures working for the wellbeing of the people of Maine. Let's take advantage of that commitment that our ancestors made several hundred years ago by asking God's blessing on this day. Will you pray with me.

Creator and still creating God, we thank You for the men and women here in our State Legislature, dedicated to the wellbeing of the people of the state of Maine. We thank You also for those who represent us in Washington; Olympia Snowe, Susan Collins, Tom Allen, and Mike Michaud. We are sorry for the difficulties that our country is experiencing in establishing democracy, peace, and prosperity in Iraq, but we persevere in hope because we remember Your promises. Long ago You led the Hebrew people out of slavery in Egypt. You brought new life from a tomb outside of Jerusalem, and we trust that You are always working, in history and even now in these people here assembled, to bring forth new life and new possibilities for the state of Maine. Bless these men and women assembled here and our Legislators in D.C. Keep their minds sharp, their ears open, and their bodies strong as they work long hours. At the conclusion of this day, give them the peace that passes all understanding and a good night's sleep. Amen.

Reading of the Journal of Monday, March 17, 2008.

Doctor of the day, David Dumont, MD of Lincoln.

Off Record Remarks

PAPERS FROM THE HOUSE

Joint Order

The following Joint Order:

H.P. 1623

ORDERED, the Senate concurring, that the Joint Standing Committee on Utilities and Energy shall submit, to the House, a bill regarding railroad freight service quality.

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

READ.

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

Joint Resolution

The following Joint Resolution:

H.P. 1624

**JOINT RESOLUTION IN HONOR OF ST. PATRICK'S DAY AND
IN RECOGNITION OF THE IRISH CONTRIBUTION TO MAINE
AND TO THE UNITED STATES**

WHEREAS, St. Patrick is the patron saint of Ireland, known for bringing Christianity to Ireland and, it is said, for instilling a sense of literacy and learning that allowed Ireland to become the "isle of saints and scholars" when the rest of Europe was in the Dark Ages; and

WHEREAS, the feast day of St. Patrick is the only national holiday that is given recognition outside its native land, which indicates the Irish influence throughout the world; and

WHEREAS, the modern secular holiday of St. Patrick's Day was first celebrated in America in Boston during colonial days and the first St. Patrick's Day Parade in New York City was in 1766 and now all Americans celebrate St. Patrick's Day with pride; and

WHEREAS, millions of Irish people emigrated from Ireland in the 1800s to escape brutal poverty and starvation due to the Irish potato famine, and most of those people came to America to start new lives and to embrace and contribute to a new land; and

WHEREAS, tens of thousands of Irish immigrants arrived in New England and many came to Maine, and the Irish have been an important part of Maine's culture, history and society ever since; and

WHEREAS, within a few years of their arrival in the United States and in Maine, these Irish immigrants became part of the American cultural landscape while preserving the best of their native culture, and they dedicated themselves to helping build this Nation and State; and

WHEREAS, four signers of the Declaration of Independence were Irish-born and nine signers were of Irish ancestry and 19 Presidents of the United States have proudly claimed Irish heritage, including George Washington, the father of our country; John Fitzgerald Kennedy; and Ronald Reagan; and

WHEREAS, the 44,000,000 Americans of Irish ancestry, like their forebears, continue to enrich all aspects of life in the United States, in science, education, art, agriculture, business, industry, literature, music, athletics, entertainment, and military and government service; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-third Legislature now assembled in the Second Regular Session, on behalf of the people we represent, take this opportunity to encourage the celebration of St. Patrick's Day, and, recognizing the valuable contribution to our State and to our Nation of all Irish-American citizens, we urge the citizens of the State to commend and celebrate the integrity and richness of the Irish culture.

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

READ and **ADOPTED**, in concurrence.

Off Record Remarks

COMMUNICATIONS

The Following Communication: S.C. 681

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

March 11, 2008

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 bill out "Ought Not to Pass":

L.D. 1215 An Act To Attract New Capital for Innovative
Businesses through Equity Investment in Maine

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

Sincerely,

S/Sen. Lynn Bromley
Senate Chair

S/Rep. Nancy E. Smith
House Chair

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

The Following Communication: S.C. 683

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

March 12, 2008

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 out "Ought Not to Pass":

H. P. 1511 **ORDERED**, the Senate concurring, that the Joint Standing Committee on Criminal Justice and Public Safety, referred to in this order as "the committee," study the creation of a catastrophic illness fund to help firefighters, police officers, emergency medical technicians, paramedics and their families

We have also notified the sponsor 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**.

The Following Communication: S.C. 684

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

March 11, 2008

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

Dear President Edmonds and Speaker Cummings:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Health and Human Services has voted unanimously to report the following bills out "Ought Not to Pass":

- | | |
|-----------|---|
| L.D. 2004 | An Act To Establish the Department of Substance Abuse Services |
| L.D. 2148 | An Act To Improve the Health of Maine Communities and Reduce Emergency Care Burdens |
| L.D. 2152 | An Act To Ensure Access to Necessary Health Care Services in Maine by Repealing the Capital Investment Fund |

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

Sincerely,

S/Sen. Joseph C. Brannigan
Senate Chair

S/Rep. Anne C. Perry
House Chair

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

The Following Communication: S.C. 685

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

March 11, 2008

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

Dear President Edmonds and Speaker Cummings:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Transportation has voted unanimously to report the following bill out "Ought Not to Pass":

- | | |
|-----------|--|
| L.D. 2204 | An Act To Amend the Laws Governing Commercial Vehicles |
|-----------|--|

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

Sincerely,

S/Sen. Dennis S. Damon
Senate Chair

S/Rep. Boyd P. Marley
House Chair

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

The Following Communication: H.C. 482

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

March 17, 2008

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

Dear Secretary O'Brien:

The House voted today to adhere to its previous action whereby it accepted the Majority Ought Not to Pass Report of the Committee on State and Local Government on Bill "An Act To Amend the Informed Growth Act" (S.P. 756) (L.D. 1962).

Sincerely,

S/Millicent M. MacFarland
Clerk of the House

READ and **ORDERED PLACED ON FILE.**

The Following Communication: H.P. 1625

**STATE OF MAINE
OFFICE OF THE
SECRETARY OF STATE
AUGUSTA, MAINE 04333-0148**

March 10, 2008

Honorable Millicent M. MacFarland
Clerk of the House
2 State House Station
Augusta, ME 04333

Dear Clerk MacFarland:

Enclosed please find my official certification to the 123rd Legislature of the citizen initiative petition entitled "An Act to Allow a Casino in Oxford County."

Sincerely,

S/Matthew Dunlap
Secretary of State

Comes from the House, **READ** and **ORDERED PLACED ON FILE**.

READ and **ORDERED PLACED ON FILE**, in concurrence.

The accompanying Bill:

"An Act To Allow a Casino in Oxford County"
I.B. 3 L.D. 2261

Comes from the House, **REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS** and ordered printed.

REFERRED to the Committee on **LEGAL AND VETERANS AFFAIRS** and ordered printed, in concurrence.

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act To Update Department of Defense, Veterans and Emergency Management Laws"

H.P. 1453 L.D. 2069

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-752)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-752)**.

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

READ ONCE.

Committee Amendment "A" (H-752) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **MARINE RESOURCES** on Resolve, To Protect Public Health and Promote a Healthy Soft-shell Clam Industry

H.P. 1423 L.D. 2039

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-723)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-723)**.

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

READ ONCE.

Committee Amendment "A" (H-723) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **NATURAL RESOURCES** on Bill "An Act To Streamline and Ensure Adequate Funding for the Bureau of Air Quality"

H.P. 1582 L.D. 2216

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-753)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-753)**.

Report **READ**.

On motion by Senator **SMITH** of Piscataquis, **TABLED** until Later in Today's Session, pending **ACCEPTANCE OF REPORT**, in concurrence.

The Committee on **TAXATION** on Bill "An Act To Clarify the Exemption of Retail Sales of Kerosene from the Sales Tax"

H.P. 1483 L.D. 2097

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-754)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-754)**.

Report **READ**.

On motion by Senator **WESTON** of Waldo, **TABLED** until Later in Today's Session, pending **ACCEPTANCE OF REPORT**, in concurrence.

Divided Report

The Majority of the Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Allow Certain Assistance to Bear Hunters"

H.P. 1475 L.D. 2089

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-740)**.

Signed:

Senators:

BRYANT of Oxford
GOOLEY of Franklin

Representatives:

JACKSON of Allagash
SAVIELLO of Wilton
FINCH of Fairfield
RICHARDSON of Carmel
WHEELER of Kittery
LUNDEEN of Mars Hill
BRIGGS of Mexico

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

Signed:

Representatives:

McLEOD of Lee
SARTY of Denmark

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-740)**.

Reports **READ**.

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

READ ONCE.

Committee Amendment "A" (H-740) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **TAXATION** on Bill "An Act To Implement the Recommendations of the Commission To Study the Costs of Providing Certain Services in the Unorganized Territories"

H.P. 670 L.D. 885

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-729)**.

Signed:

Senator:

NASS of York

Representatives:

KNIGHT of Livermore Falls
CLARK of Millinocket
GOULD of South Berwick
CHASE of Wells
LANSLEY of Sabattus

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "B" (H-730)**.

Signed:

Senator:

PERRY of Penobscot

Representatives:

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

Comes from the House with the Minority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "B" (H-730)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-730)**.

Reports **READ**.

Senator **STRIMLING** of Cumberland moved the Senate **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "B" (H-730)** 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 Minority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "B" (H-730)** Report, in concurrence.

Divided Report

The Majority of the Committee on **UTILITIES AND ENERGY** on Bill "An Act To Provide for Fairness and Accuracy in Utility Rate Setting"

H.P. 1490 L.D. 2104

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-732)**.

Signed:

Senators:

BARTLETT of Cumberland
HOBBINS of York

Representatives:

BLANCHARD of Old Town
RINES of Wiscasset
BLISS of South Portland
ADAMS of Portland
BERRY of Bowdoinham
HINCK of Portland

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

Signed:

Senator:

SMITH of Piscataquis

Representatives:

THIBODEAU of Winterport
CURTIS of Madison
FLETCHER of Winslow
FITTS of Pittsfield

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-732)**.

Reports **READ**.

Senator **BARTLETT** of Cumberland moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence.

THE PRESIDENT: The Chair recognizes the Senator from Piscataquis, Senator Smith.

Senator **SMITH:** Thank you, Madame President. Just a couple of words about this. This is one of those bills that changed greatly in committee. What we have as a result is what I call junk legislation. It is legislation that really doesn't do anything except drive the cost up to the consumer. In this case, if an alternative form of regulation in the telephone utility area is going to be undertaken by the utility with the approval of the Public Utilities Commission it requires that a rate case be undertaken at that stage. That is, in my judgment and I think the judgment of all these signers of the Minority Report and many others who have looked at this, entirely unnecessary and is counterproductive to the whole purpose of alternative forms of regulation. It is ultimately a very large cost that is going to be passed on to telephone ratepayers and is, frankly, unnecessary. I urge you to oppose the current motion and accept the Minority Report. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Bartlett.

Senator **BARTLETT:** Thank you, Madame President. I just want to point out a very brief background about this bill. This bill was motivated because in the past one of the larger telephone companies who was utilizing the system received, what many considered, windfall profits at the direct expense of consumers in

the sense that they were paying much more for their service than they should have in light of the cost structure. That was what originally motivated the whole bill. We've modified the bill substantially, addressing one key piece that had been litigated extensively in the courts, which to me was a pretty good sign that there were some problems with the existing law. In crafting this legislation we worked closely with the telephone companies in particular. Each and every telephone company there, including Fairpoint which is taking over for Verizon, agreed that this was acceptable for them. We incorporated the changes they brought forward. They indicated that this was acceptable to them. There was no opposition from the effected parties in the room. Therefore, we think this is a very straightforward, simple change to the law and would urge you to support the pending motion.

On motion by Senator **WESTON** of Waldo, supported by a Division of one-fifth of the members present and voting, a Roll Call was ordered.

On motion by Senator **MITCHELL** of Kennebec, **TABLED** until Later in Today's Session, pending the motion by Senator **BARTLETT** of Cumberland to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence. (Roll Call Ordered)

Senate

Ought to Pass As Amended

Senator MARTIN for the Committee on **NATURAL RESOURCES** on Bill "An Act Concerning Gasoline Station Vapor Recovery Requirements"

S.P. 765 L.D. 1971

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-465)**.

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

READ ONCE.

Committee Amendment "A" (S-465) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator DAMON for the Committee on **TRANSPORTATION** on Resolve, To Name a Road in Dexter after Harold Alfond
S.P. 866 L.D. 2239

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-466)**.

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

READ ONCE.

Committee Amendment "A" (S-466) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Committee of Conference

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

Had the same under consideration, and asked leave to report:

That the Senate **Recede** from **Passage to be Engrossed as Amended by Committee Amendment "A" (S-410) as Amended by Senate Amendment "D" (S-419) thereto, and Senate Amendments "B" (S-420) and "C" (S-430). Recede** from **Adoption** of Committee Amendment "A" (S-410) as Amended by Senate Amendment "D" (S-419) thereto, and **Indefinitely Postpone** same. **Recede** from **Adoption** of Senate Amendment "B" (S-420) and **Indefinitely Postpone** same. **Recede** from **Adoption** of Senate Amendment "C" (S-430) and **Indefinitely Postpone** same. **Read and Adopt** Committee of Conference Amendment "A" (S-467) and **Pass to be Engrossed as Amended by Committee of Conference Amendment "A" (S-467), in Non-Concurrence.**

That the House **Recede** and **Concur**.

On the Part of the Senate:

Senator BOWMAN of York
Senator MITCHELL of Kennebec
Senator RAYE of Washington

On the Part of the House:

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

Report **READ**.

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

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

SECOND READERS

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

House

Resolve, To Adopt Respectful Language in Programs Affecting Developmental Services

H.P. 1494 L.D. 2108

Resolve, Regarding Legislative Review of Portions of Chapter 157: CO2 Budget Trading Program Waiver and Suspension, a Major Substantive Rule of the Department of Environmental Protection (EMERGENCY)

H.P. 1538 L.D. 2164

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

House As Amended

Bill "An Act Regarding the Application of Term Limits for the State Board of Education"

H.P. 1380 L.D. 1944
(C "A" H-745)

Bill "An Act To Conform the Laws Governing Underground Oil Storage Tanks to the Requirements of the Federal Energy Policy Act"

H.P. 1456 L.D. 2072
(H "A" H-749 to C "A" H-743)

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

Senate

Bill "An Act Regarding the Recommendations of the Committee To Study Appropriate Funding of the State Police"

S.P. 888 L.D. 2259

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

Sent down for concurrence.

Senate As Amended

Bill "An Act Relating to Studded Tires"

S.P. 836 L.D. 2176
(C "A" S-462)

Bill "An Act To Correct the Law Regarding Portability of Pension Benefits for Law Enforcement Officers and Firefighters"

S.P. 837 L.D. 2177
(C "A" S-464)

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:

Acts

An Act To Decrease Energy Costs on Swans Island and Frenchboro

H.P. 1425 L.D. 2041
(C "A" H-708)

An Act To Prohibit the Sale of Firearms Other than Handguns to Persons 16 or 17 Years of Age without Parental Consent

H.P. 1435 L.D. 2051
(C "A" H-695)

An Act To Clarify the Laws Governing the Extension of Health Care Coverage to Dependents

H.P. 1450 L.D. 2066
(C "A" H-710)

PASSED TO BE ENACTED 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:

REPORTS OF COMMITTEES

House

Pursuant to Statute

The Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act Pertaining to the Definition of 'Milk'"
H.P. 1626 L.D. 2262

Reported that the same be **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY**, pursuant to the Maine Revised Statutes, Title 3, section 955, subsection 4.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY**.

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

REFERRED to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY**, in concurrence.

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

PAPERS FROM THE HOUSE

Joint Resolution

The following Joint Resolution:

H.P. 1622

JOINT RESOLUTION IN HONOR OF THE MAINE FARMER AND MAINE AGRICULTURE

WHEREAS, recent statistics show that Maine's 7,100 farms, the bulk of which are small, family-owned operations, provide full-time and part-time employment to more than 65,000 workers, approximately 10% of the State's workforce; and

WHEREAS, Maine's agricultural enterprises provide more than \$600,000,000 through the sale of farm products and contribute more than \$2,000,000,000 annually to the State's economy; and

WHEREAS, Maine farmers are the stewards of 1,360,000 acres of land, a vital resource in maintaining the food security of Maine people, and an overwhelming majority of Maine people believe that buying local Maine agricultural products helps the State; and

WHEREAS, Maine is first in New England in the production of food, first in New England in the value of aquaculture sales, first in the world in the production of wild blueberries, the world leader in the production of brown eggs, second in the Nation in the production of maple syrup, eighth in the Nation in the production of fall potatoes, second in New England in milk and livestock production and the only state anywhere involved in the production of fiddleheads; and

WHEREAS, agriculture shaped Maine's past, maintains much of Maine's scenic open space, provides recreational opportunities, makes a significant contribution to the nature and character of Maine's many rural communities and provides for a strong future; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-third Legislature now assembled in the Second Regular Session, pause in our deliberations to honor Maine farmers and innovators who have contributed so much to the betterment of our State, to pledge our support and encouragement and to urge the youth of Maine to pursue the growing opportunities for careers in today's technologically advanced agriculture industry; and be it further

RESOLVED: That a suitable copy of this resolution, duly authenticated by the Secretary of State, be transmitted to the Commissioner of Agriculture, Food and Rural Resources as a token of the esteem in which those in this vital field are held.

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

READ and **ADOPTED**, in concurrence.

Senate at Ease.

Senate called to order by the President.

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, --
RECESSED until 11:10 in the morning.

After Recess

Senate called to order by the President.

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

The President appointed the Senator from Aroostook, Senator **MARTIN**, to serve as President Pro Tem for the session on Wednesday, March 19, 2008.

Off Record Remarks

On motion by Senator **MITCHELL** of Kennebec, **ADJOURNED** to Wednesday, March 19, 2008, at 10:00 in the morning.