

MAINE STATE LEGISLATURE

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One Hundred and Twenty-Third Legislature
State of Maine

Daily Edition

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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 25, 2008

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

Prayer by Pastor Edward Hatch of Palermo Christian Church.

PASTOR HATCH: I want to thank you for inviting me here this morning. You folks look better today than any other time I have been here. It's amazing. As a person who's responsibility is to share truth, I will want to let you know if you haven't heard, the Red Sox have won and are still undefeated. They won by one game. It was in extra innings but that's why I was able to hear it.

The psalm says, 'I will lift up mine eyes unto the hills from whence cometh mine help. My help cometh from the Lord, which made heaven and earth. He will not suffer thy foot to be moved. He that keepeth thee will not slumber. Behold, he that keepeth Israel shall neither slumber nor sleep. The Lord is thy keeper. The Lord is thy shade upon thy right hand. The sun shall not smite thee by day nor the moon by night. The Lord shall preserve thee from all evil. He shall preserve thy soul. The Lord shall preserve thy going out and thy coming in from this time forth and even for evermore.'

Let us pray. Our Heavenly Father, I come to You today not praying for my own needs this morning but praying for the needs of the men and women who are gathered here. Lord, we have entrusted these people with the responsibility to make decisions on our behalf. Lord, many of them are going to be made today and in the ensuing days. It is my prayer, God, that You will help them to make the decisions that will be helpful for us and that will be the right decisions. Lord, there may be some who are undecided and their vote is going to affect a lot of people here in the state of Maine. We pray for those who might be undecided, that they might make the right choices, ones that would honor You. I also want to pray for those who are in our military, who are in Iraq, Afghanistan, and other dangerous spots in the world. Here, in the state of Maine, we have lost one of our young men just recently. Our hearts and our prayers go out to the people who are overseas on our behalf and their families. We pray for their protection. We pray, God, especially that Your will should be done here within this Body today. We will thank You in Jesus' name. Amen.

Pledge of Allegiance led by Senator David R. Hastings III of
Oxford County.

Reading of the Journal of Thursday, March 20, 2008.

Off Record Remarks

COMMUNICATIONS

The Following Communication: S.P. 895

STATE OF MAINE
123RD MAINE LEGISLATURE

March 19, 2008

Sen. Dennis S. Damon
Senate Chair, Joint Standing Committee on Transportation
Rep. Boyd P. Marley
House Chair, Joint Standing Committee on Transportation
123rd Legislature
Augusta, ME 04333

Dear Senator Damon and Representative Marley:

Please be advised that Governor John E. Baldacci has nominated Thomas B. Federle of Manchester for appointment to the Maine Turnpike Authority.

Pursuant to Title 23 M.R.S.A. §1965, this nomination will require review by the Joint Standing Committee on Transportation and confirmation by the Senate.

Sincerely,

S/Beth Edmonds
President of the Senate

S/Glenn Cummings
Speaker of the House

READ and REFERRED to the Committee on
TRANSPORTATION.

Sent down for concurrence.

The Following Communication: S.P. 897

STATE OF MAINE
123RD MAINE LEGISLATURE

March 20, 2008

Sen. Lynn Bromley
Senate Chair, Joint Standing Committee on Business, Research
and Economic Development
Rep. Nancy E. Smith
House Chair, Joint Standing Committee on Business, Research
and Economic Development
123rd Legislature
Augusta, ME 04333

Dear Senator Bromley and Representative Smith:

Please be advised that Governor John E. Baldacci has nominated Cheri L. Walker of Falmouth for appointment to the Finance Authority of Maine.

Pursuant to Title 10 M.R.S.A. §965, this nomination will require review by the Joint Standing Committee on Business, Research and Economic Development and confirmation by the Senate.

Sincerely,

S/Beth Edmonds
President of the Senate

S/Glenn Cummings
Speaker of the House

**READ and REFERRED to the Committee on BUSINESS,
RESEARCH AND ECONOMIC DEVELOPMENT.**

Sent down for concurrence.

The Following Communication: S.P. 898

**STATE OF MAINE
123RD MAINE LEGISLATURE**

March 21, 2008

Sen. Peter B. Bowman
Senate Chair, Joint Standing Committee on Education and Cultural Affairs
Rep. Jacqueline R. Norton
House Chair, Joint Standing Committee on Education and Cultural Affairs
123rd Legislature
Augusta, ME 04333

Dear Senator Bowman and Representative Norton:

Please be advised that Governor John E. Baldacci has nominated Justin Chenette of Saco and Honor Wilkinson of Calais for appointment as Student Members of the State Board of Education.

Pursuant to Title 20-A M.R.S.A. § 401 (1), these nominations will require review by the Joint Standing Committee on Education and Cultural Affairs and confirmation by the Senate.

Sincerely,

S/Beth Edmonds
President of the Senate

S/Glenn Cummings
Speaker of the House

**READ and REFERRED to the Committee on EDUCATION AND
CULTURAL AFFAIRS.**

Sent down for concurrence.

The Following Communication: S.P. 899

**STATE OF MAINE
123RD MAINE LEGISLATURE**

March 21, 2008

Sen. Peter B. Bowman
Senate Chair, Joint Standing Committee on Education and Cultural Affairs
Rep. Jacqueline R. Norton
House Chair, Joint Standing Committee on Education and Cultural Affairs
123rd Legislature
Augusta, ME 04333

Dear Senator Bowman and Representative Norton:

Please be advised that Governor John E. Baldacci has nominated the following to the School Board of the Governor Baxter School for the Deaf:

Joan Nason of Bath for reappointment
Lisa Penney of New Gloucester for appointment
Samantha Bragg of New Gloucester for appointment
Maggie Hoyt of Edgecomb for appointment
Frances Frost of Portland for appointment

Pursuant to Title 20-A M.R.S.A §7406, these nominations will require review by the Joint Standing Committee on Education and Cultural Affairs and confirmation by the Senate.

Sincerely,

S/Beth Edmonds
President of the Senate

S/Glenn Cummings
Speaker of the House

**READ and REFERRED to the Committee on EDUCATION AND
CULTURAL AFFAIRS.**

Sent down for concurrence.

The Following Communication: S.P. 900

**STATE OF MAINE
123RD MAINE LEGISLATURE**

March 21, 2008

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

Dear Senator Hobbins and Representative Simpson:

Please be advised that Governor John E. Baldacci has nominated Diana Scully of Hallowell for appointment to the Indian Tribal State Commission.

Pursuant to Title 30 M.R.S.A. §6212, this nomination will require review by the Joint Standing Committee on Judiciary and confirmation by the Senate.

Sincerely,

S/Beth Edmonds
President of the Senate

S/Glenn Cummings
Speaker of the House

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

Sent down for concurrence.

The Following Communication: S.P. 901

STATE OF MAINE
123RD MAINE LEGISLATURE

March 21, 2008

Sen. Ethan Strimling
Senate Chair, Joint Standing Committee on Labor
Rep. John L. Tuttle
House Chair, Joint Standing Committee on Labor
123rd Legislature
Augusta, ME 04333

Dear Senator Strimling and Representative Tuttle:

Please be advised that Governor John E. Baldacci has nominated the following for reappointment to the Maine Labor Relations Board:

Carol B. Gilmore of Charleston
Peter T. Dawson of Hallowell
Wayne Whitney of Brunswick
Karl Dornish Jr. of Winslow
Robert L. Piccone of Portland
Richard L. Hornbeck of Bowdoinham

Pursuant to Title 26 M.R.S.A. §968, these nominations will require review by the Joint Standing Committee on Labor and confirmation by the Senate.

Sincerely,

S/Beth Edmonds
President of the Senate

S/Glenn Cummings
Speaker of the House

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

Sent down for concurrence.

The Following Communication: S.P. 902

STATE OF MAINE
123RD MAINE LEGISLATURE

March 21, 2008

Sen. Ethan Strimling
Senate Chair, Joint Standing Committee on Labor
Rep. John L. Tuttle
House Chair, Joint Standing Committee on Labor
123rd Legislature
Augusta, ME 04333

Dear Senator Strimling and Representative Tuttle:

Please be advised that Governor John E. Baldacci has nominated Jeffrey A. Baker of Lewiston for appointment to the Maine Workers' Compensation Board.

Pursuant to Title 39-A M.R.S.A. § 151, this nomination will require review by the Joint Standing Committee on Labor and confirmation by the Senate.

Sincerely,

S/Beth Edmonds
President of the Senate

S/Glenn Cummings
Speaker of the House

READ.

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

The Following Communication: S.P. 903

STATE OF MAINE
123RD MAINE LEGISLATURE

March 24, 2008

Sen. Lisa T. Marrache'
Senate Chair, Joint Standing Committee on Legal and Veterans
Affairs
Rep. John L. Patrick
House Chair, Joint Standing Committee on Legal and Veterans
Affairs
123rd Legislature
Augusta, ME 04333

Dear Senator Marrache' and Representative Patrick:

Please be advised that Governor John E. Baldacci has withdrawn
his nomination of Peter Danton for reappointment to the Gambling
Control Board, pursuant to
Title 3 M.R.S.A. § 154.

This nomination is currently pending before the Joint Standing
Committee on Legal and Veterans Affairs.

Sincerely,

S/Beth Edmonds
President of the Senate

S/Glenn Cummings
Speaker of the House

READ and REFERRED to the Committee on **LEGAL AND
VETERANS AFFAIRS**.

Sent down for concurrence.

The Following Communication: S.C. 691

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

March 19, 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 Ray B. Owen, Jr. of Orono, for
appointment to the Land For Maine's Future Board.

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

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 Ray B. Owen, Jr. of Orono, for appointment to
the Land For Maine's Future Board be confirmed.

Signed,

S/John M. Nutting
Senate Chair

S/Wendy Pieh
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the
recommendation of the Committee on **AGRICULTURE,
CONSERVATION AND FORESTRY** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with
Joint Rule 506 of the 123rd Legislature, the vote was taken by the
Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#308)

YEAS:	Senators:	None
NAYS:	Senators:	BARTLETT, BENOIT, BOWMAN, BRANNIGAN, BROMLEY, BRYANT, COURTNEY, DAMON, DIAMOND, DOW, GOOLEY, HASTINGS, HOBBINS, MARRACHE, MARTIN, MCCORMICK, MILLS, MITCHELL, NASS, NUTTING, PERRY, PLOWMAN, RAYE, ROSEN, ROTUNDO, SAVAGE, SCHNEIDER, SHERMAN, SMITH, SNOWE- MELLO, STRIMLING, SULLIVAN, TURNER, WESTON, THE PRESIDENT - BETH G. EDMONDS

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Ray B. Owen, Jr.** of Orono for appointment to the Land For Maine's Future Board was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

The Following Communication: S.C. 692

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

March 19, 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 Jeffrey A. Thaler of Yarmouth, for reappointment to the Land For Maine's Future Board.

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

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 Jeffrey A. Thaler of Yarmouth, for reappointment to the Land For Maine's Future Board be confirmed.

Signed,

S/John M. Nutting
Senate Chair

S/Wendy Pieh
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 123rd Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#309)

YEAS: Senators: None

NAYS: Senators: BARTLETT, BENOIT, BOWMAN, BRANNIGAN, BROMLEY, BRYANT, COURTNEY, DAMON, DIAMOND, DOW, GOOLEY, HASTINGS, HOBBS, MARRACHE, MARTIN, MCCORMICK, MILLS, MITCHELL, NASS, NUTTING, PERRY, PLOWMAN, RAYE, ROSEN, ROTUNDO, SAVAGE, SCHNEIDER, SHERMAN, SMITH, SNOWE-MELLO, STRIMLING, SULLIVAN, TURNER, WESTON, THE PRESIDENT - BETH G. EDMONDS

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Jeffrey A. Thaler** of Yarmouth for reappointment to the Land For Maine's Future Board was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

The Following Communication: S.C. 693

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

March 20, 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 Education and Cultural Affairs has had under consideration the nomination of Robert D. Somerville of Spring, Texas, for appointment to the Maine Maritime Academy Board of Trustees.

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	Senator	1	Bowman of York
	Representatives	6	Norton of Bangor, Farrington of Gorham, Finch of Fairfield, Makas of Lewiston, McFadden of Dennysville, Strang Burgess of Cumberland
NAYS		0	
ABSENT		6	Rep. Edgecomb of Caribou, Rep. Harlow of Portland, Sen. Mills of Somerset, Sen. Mitchell of Kennebec, Rep. Muse of Fryeburg, Rep. Sutherland of Chapman

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 Robert D. Somerville of Spring, Texas, for appointment to the Maine Maritime Academy Board of Trustees, be confirmed.

Signed,

S/Peter B. Bowman
Senate Chair

S/Jacqueline R. Norton
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **EDUCATION AND CULTURAL AFFAIRS** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 123rd Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#310)

YEAS: Senators: None

NAYS: Senators: BARTLETT, BENOIT, BOWMAN, BRANNIGAN, BROMLEY, BRYANT, COURTNEY, DAMON, DIAMOND, DOW, GOOLEY, HASTINGS, HOBBS, MARRACHE, MARTIN, MCCORMICK, MILLS, MITCHELL, NASS, NUTTING, PERRY, PLOWMAN, RAYE, ROSEN, ROTUNDO, SAVAGE, SCHNEIDER, SHERMAN, SMITH, SNOWE-MELLO, STRIMLING, SULLIVAN, TURNER, WESTON, THE PRESIDENT - BETH G. EDMONDS

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Robert D. Somerville** of Spring, Texas, for appointment to the Maine Maritime Academy Board of Trustees was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

The Following Communication: S.C. 694

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

March 20, 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 Education and Cultural Affairs has had under consideration the nomination of Marian H. Morgan of Cape Elizabeth, for appointment to the Maine Maritime Academy Board of Trustees.

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	Senator	1	Bowman of York
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Representatives 6 Norton of Bangor, Farrington of Gorham, Finch of Fairfield, Makas of Lewiston, McFadden of Dennysville, Strang Burgess of Cumberland

NAYS 0

ABSENT 6 Rep. Edgecomb of Caribou, Rep. Harlow of Portland, Sen. Mills of Somerset, Sen. Mitchell of Kennebec, Rep. Muse of Fryeburg, Rep. Sutherland of Chapman

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 Marian H. Morgan of Cape Elizabeth, for appointment to the Maine Maritime Academy Board of Trustees, be confirmed.

Signed,

S/Peter B. Bowman
Senate Chair

S/Jacqueline R. Norton
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **EDUCATION AND CULTURAL AFFAIRS** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 123rd Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#311)

YEAS: Senators: None

NAYS: Senators: BARTLETT, BENOIT, BOWMAN, BRANNIGAN, BROMLEY, BRYANT, COURTNEY, DAMON, DIAMOND, DOW, GOOLEY, HASTINGS, HOBBS, MARRACHE, MARTIN, MCCORMICK, MILLS, MITCHELL, NASS, NUTTING, PERRY, PLOWMAN, RAYE, ROSEN, ROTUNDO, SAVAGE, SCHNEIDER, SHERMAN, SMITH, SNOWE-MELLO, STRIMLING, SULLIVAN, TURNER, WESTON, THE PRESIDENT - BETH G. EDMONDS

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Marian H. Morgan** of Cape Elizabeth for appointment to the Maine Maritime Academy Board of Trustees was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

The Following Communication: S.C. 695

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

March 20, 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 Education and Cultural Affairs has had under consideration the nomination of Robert S. Walker of Marco Island, Florida, for reappointment to the Maine Maritime Academy Board of Trustees.

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	Senator	1	Bowman of York
	Representatives	6	Norton of Bangor, Farrington of Gorham, Finch of Fairfield, Makas of Lewiston, McFadden of Dennysville, Strang Burgess of Cumberland
NAYS		0	
ABSENT		6	Rep. Edgecomb of Caribou, Rep. Harlow of Portland, Sen. Mills of Somerset, Sen. Mitchell of Kennebec, Rep. Muse of Fryeburg, Rep. Sutherland of Chapman

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 Robert S. Walker of Marco Island, Florida, for reappointment to the Maine Maritime Academy Board of Trustees, be confirmed.

Signed,

S/Peter B. Bowman
Senate Chair

S/Jacqueline R. Norton
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **EDUCATION AND CULTURAL AFFAIRS** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 123rd Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#312)

YEAS: Senators: None

NAYS: Senators: BARTLETT, BENOIT, BOWMAN, BRANNIGAN, BROMLEY, BRYANT, COURTNEY, DAMON, DIAMOND, DOW, GOOLEY, HASTINGS, HOBBS, MARRACHE, MARTIN, MCCORMICK, MILLS, MITCHELL, NASS, NUTTING, PERRY, PLOWMAN, RAYE, ROSEN, ROTUNDO, SAVAGE, SCHNEIDER, SHERMAN, SMITH, SNOWE-MELLO, STRIMLING, SULLIVAN, TURNER, WESTON, THE PRESIDENT - BETH G. EDMONDS

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Robert S. Walker** of Marco Island, Florida, for reappointment to the Maine Maritime Academy Board of Trustees was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

The Following Communication: S.C. 696

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

March 20, 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 Education and Cultural Affairs has had under consideration the nomination of George S. Isaacson of Brunswick, for appointment to the Maine Public Broadcasting System Board of Trustees.

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	Senator	1	Bowman of York
	Representatives	8	Norton of Bangor, Farrington of Gorham, Finch of Fairfield, Harlow of Portland, Makas of Lewiston, McFadden of Dennysville, Muse of Fryeburg, Strang Burgess of Cumberland
NAYS		0	
ABSENT		4	Rep. Edgecomb of Caribou, Sen. Mills of Somerset, Sen. Mitchell of Kennebec, Rep. Sutherland of Chapman

Nine 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 George S. Isaacson of Brunswick, for appointment to the Maine Public Broadcasting System Board of Trustees be confirmed.

Signed,

S/Peter B. Bowman
Senate Chair

S/Jacqueline R. Norton
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **EDUCATION AND CULTURAL AFFAIRS** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 123rd Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#313)

YEAS: Senators: None

NAYS: Senators: BARTLETT, BENOIT, BOWMAN, BRANNIGAN, BROMLEY, BRYANT, COURTNEY, DAMON, DIAMOND, DOW, GOOLEY, HASTINGS, HOBBS, MARRACHE, MARTIN, MCCORMICK, MILLS, MITCHELL, NASS, NUTTING, PERRY, PLOWMAN, RAYE, ROSEN, ROTUNDO, SAVAGE, SCHNEIDER, SHERMAN, SMITH, SNOWE-MELLO, STRIMLING, SULLIVAN, TURNER, WESTON, THE PRESIDENT - BETH G. EDMONDS

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **George S. Isaacson** of Brunswick for appointment to the Maine Public Broadcasting System Board of Trustees was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

The Following Communication: S.C. 697

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

March 19, 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 Marine Resources has had under consideration the nomination of Richard P. Ruhlin of Brewer, for reappointment to the Atlantic Salmon 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 3 Damon of Hancock, Dow of Lincoln, Snowe-Mello of Androscoggin

Representatives 10 Percy of Phippsburg, Adams of Portland, Cressey of Cornish, Eaton of Sullivan, Emery of Cutler, Fletcher of Winslow, MacDonald of Boothbay, Mazurek of Rockland, McDonough of Scarborough, Pendleton of Scarborough

NAYS 0

ABSENT 0

Thirteen 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 Richard P. Ruhlin of Brewer, for reappointment to the Atlantic Salmon Commission be confirmed.

Signed,

S/Dennis S. Damon
Senate Chair

S/Leila J. Percy
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **MARINE RESOURCES** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 123rd Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#314)

YEAS: Senators: None

NAYS: Senators: BARTLETT, BENOIT, BOWMAN, BRANNIGAN, BROMLEY, BRYANT, COURTNEY, DAMON, DIAMOND, DOW, GOOLEY, HASTINGS, HOBBS, MARRACHE, MARTIN, MCCORMICK, MILLS, MITCHELL, NASS, NUTTING, PERRY, PLOWMAN, RAYE, ROSEN, ROTUNDO, SAVAGE, SCHNEIDER, SHERMAN, SMITH, SNOWE-MELLO, STRIMLING, SULLIVAN, TURNER, WESTON, THE PRESIDENT - BETH G. EDMONDS

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Richard P. Ruhlin** of Brewer for reappointment to the Atlantic Salmon Commission was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

The Following Communication: S.C. 698

**123RD LEGISLATURE
OFFICE OF THE PRESIDENT
3 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0003**

March 21, 2008

Honorable Joy J. O'Brien
Secretary of the Senate
3 State House Station
Augusta, ME 04333

Dear Secretary O'Brien:

Pursuant to my authority under Senate Rule 201.3, I am reinstating Senator Peggy Rotundo of Androscoggin as Senate Chair of the Joint Standing Committee on Appropriations and Financial Affairs, effective immediately.

Sincerely,

S/Beth Edmonds
President of the Senate

READ and ORDERED PLACED ON FILE.

Off Record Remarks

The Following Communication: S.C. 699

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

March 18, 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. 1512 Joint Order, establishing the Committee to Review Issues Concerning the Protection of Emergency Medical Services Personnel

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. 700

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

March 20, 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 Insurance and Financial Services has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 1687 An Act To Increase Health Insurance Coverage for Front-line Direct Care Workers Providing Long-term Care

L.D. 2224 An Act To Require Legislators and Their Dependents To Be Enrolled in Dirigo Health

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

Sincerely,

S/Sen. Nancy B. Sullivan
Senate Chair

S/Rep. John R. Brautigam
House Chair

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

The Following Communication: S.C. 701

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

March 18, 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 Judiciary has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 2094 An Act To Protect Personally Identifying Information
- L.D. 2115 An Act To Limit Liability for Businesses and Employees Who Work with Liquefied Petroleum Gas

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

Sincerely,

S/Sen. Barry J. Hobbins
Senate Chair

S/Rep. Deborah Simpson
House Chair

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

The Following Communication: S.C. 702

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

March 20, 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 Judiciary has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 2037 An Act To Provide Support for At-risk Youth

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

Sincerely,

S/Sen. Barry J. Hobbins
Senate Chair

S/Rep. Deborah Simpson
House Chair

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

SENATE PAPERS

Resolve, To Temporarily Suspend the Rate-setting Procedures for the Forest Products Industry (EMERGENCY)
S.P. 896 L.D. 2273

Sponsored by Senator MARTIN of Aroostook. (GOVERNOR'S BILL)
Cosponsored by Representative JACKSON of Allagash.

Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** suggested and ordered printed.

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

ORDERS

Joint Order

Expressions of Legislative Sentiment recognizing:

The following members of the Cheverus High School Boys Basketball Team, who won the 2008 Class A State Championship: Doug Alston, Portland; Keelan Donovan, Scarborough; Dan Foster, South Portland; Chris Hendrix, Scarborough; Ian Schwarz, Scarborough; Will White, Portland; Peter Foley, Wells; Sam Napolitano, Portland; Ian Barwise, Kennebunkport; Lenny Cummings, Portland; Elliot Pickering, South Portland; Mick Distasio, Yarmouth; Indiana Faithfull, Sydney, Australia and Freeport; and Joe Dadiago, Westbrook. The coaches are Bob Brown and Dan Costigan. We send our congratulations to the team on this achievement;

SLS 558

Sponsored by Senator HOBBS of York.

Cosponsored by Senators: BARTLETT of Cumberland, BRANNIGAN of Cumberland, BROMLEY of Cumberland, President EDMONDS of Cumberland, MARTIN of Aroostook, MITCHELL of Kennebec, NASS of York, ROSEN of Hancock, STRIMLING of Cumberland, SULLIVAN of York, TURNER of Cumberland, WESTON of Waldo, Representatives: ADAMS of Portland, BABIDGE of Kennebec, BLISS of South Portland, BRAUTIGAM of Falmouth, CASAVANT of Biddeford, CHASE of Wells, CONNOR of Kennebec, CROSTHWAITE of Ellsworth, Speaker CUMMINGS of Portland, DRISCOLL of Westbrook, EBERLE of South Portland, FAIRCLOTH of Bangor, HARLOW of Portland, HASKELL of Portland, HILL of York, HINCK of Portland, KAENRATH of South Portland, MARLEY of Portland, McDONOUGH of Scarborough, PENDLETON of Scarborough, PEOPLES of Westbrook, PINGREE of North Haven, RAND of Portland, TARDY of Newport, WEBSTER of Freeport, WOODBURY of Yarmouth.

READ.

THE PRESIDENT: The Chair recognizes the Senator from York, Senator Hobbs.

Senator **HOBBS:** Thank you, Madame President, men and women of the Senate. It gives me great honor to stand before you to pay a special tribute to the 15 scholar athletes that have just been mentioned and also to Coach Bob Brown and Coach Dan Costigan, who led Cheverus High School to their first State Championship title since 1997, with a win over Bangor High School. This team is an exemplary team. They are unselfish. They play as a team, not as individuals. They truly are exemplary of the mission of Cheverus High School, which is to prepare young men and women to be people for others by fostering intellectual, spiritual, physical, and personal excellence. It gives me great pleasure to have Legislative sentiments, which I'll present to them personally after the session. Please join me in congratulating the Cheverus High School Basketball Team on their well-deserved victory over Bangor High School.

THE PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Perry.

Senator **PERRY:** Thank you, Madame President. I'll confess, the night of the game I was very disappointed when my Bangor High Rams lost, but I've got to tell you they couldn't have lost to a finer team. That was one heck of a Bangor team you guys beat. To come back in the second half the way you did, you really earned it. Congratulations.

PASSED.

Sent down for concurrence.

THE PRESIDENT: The Chair is pleased to recognize in the rear of the Chamber the Cheverus High School Boys Basketball Team who won the 2008 Class A State Championship. Would they please rise and accept the greetings of the Maine Senate.

REPORTS OF COMMITTEES

House

Divided Report

The Majority of the Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Improve Funding for the State Snowmobile Trail System"

H.P. 482 L.D. 633

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-773).**

Signed:

Senators:

BRYANT of Oxford
GOOLEY of Franklin

Representatives:

JACKSON of Allagash
SAVIELLO of Wilton
RICHARDSON of Carmel
WHEELER of Kittery
BRIGGS of Mexico
SARTY of Denmark
LUNDEEN of Mars Hill

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

Signed:

Representatives:

McLEOD of Lee
EBERLE of South Portland

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-773).**

Reports **READ.**

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

On motion by Senator **WESTON** of Waldo, **TABLED** until Later in Today's Session, pending the motion by Senator **BRYANT** of Oxford to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence.

Senate

Pursuant to Joint Rule 309

From the Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act To Implement the Recommendations of the Committee To Review the Taxation of Slot Machine Revenues, Created by Executive Order 33 Fiscal Year 2006-07"
S.P. 729 L.D. 1924

Which was received by the Secretary of the Senate on March 24, 2008, pursuant to Joint Rule 309.

READ.

Senator **MARRACHÉ** of Kennebec moved to **INDEFINITELY POSTPONE** the Bill and accompanying papers.

THE PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Plowman.

Senator **FLOWMAN**: Thank you, Madame President. A brief statement, on the record. This item was worked on very hard by the Governor's Task Force, which I was very pleased to serve on. Many hours were put in and many people worked towards bringing this to a resolution. Unfortunately, with all of the uncertainties swirling around, what could actually happen with this bill and the recommendations, which were very good and firm recommendations, the Committee was left with no choice but to kill the bill, to kill the uncertainty. That is probably about the saddest thing that we've ever had to say about a piece of legislation that has received so much work and actually would benefit a business in the state of Maine. I'm sorry to have to vote to Indefinitely Postpone this, but we will try to work something out in the next session. I urge you to follow the motion made by my good Chair. Thank you.

On motion by Senator **MARRACHÉ** of Kennebec, Bill and accompanying papers **INDEFINITELY POSTPONED**.

Sent down for concurrence.

Ought to Pass As Amended

Senator **BROMLEY** for the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Strengthen the Maine Small Business and Entrepreneurship Commission"

S.P. 789 L.D. 1995

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-477)**.

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

READ ONCE.

Committee Amendment "A" (S-477) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator **BOWMAN** for the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Resolve, Establishing the Commission To Review the Accountability of State Cultural Agencies (EMERGENCY)

S.P. 787 L.D. 1993

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-478)**.

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

READ ONCE.

Committee Amendment "A" (S-478) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator **MARRACHÉ** for the Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act Regarding Lobbyist Disclosure"

S.P. 481 L.D. 1393

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-479)**.

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

READ ONCE.

Committee Amendment "A" (S-479) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator **DAMON** for the Committee on **MARINE RESOURCES** on Bill "An Act To Make Marine Resources Management More Responsive"

S.P. 752 L.D. 1958

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-474)**.

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

READ ONCE.

Committee Amendment "A" (S-474) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator MARTIN for the Committee on **NATURAL RESOURCES** on Bill "An Act To Update the Dioxin Monitoring Program"
S.P. 479 L.D. 1392

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-483).**

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

READ ONCE.

Committee Amendment "A" (S-483) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator MARTIN for the Committee on **NATURAL RESOURCES** on Bill "An Act To Amend Certain Laws Related to Environmental Protection"

S.P. 809 L.D. 2119

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-482).**

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

READ ONCE.

Committee Amendment "A" (S-482) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator PERRY for the Committee on **TAXATION** on Bill "An Act To Provide a State Income Tax Credit to Dentists for Military Pensions" (EMERGENCY)

S.P. 778 L.D. 1984

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-476).**

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

READ ONCE.

Committee Amendment "A" (S-476) **READ** and **ADOPTED**.
ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator DAMON for the Committee on **TRANSPORTATION** on Bill "An Act To Create an Airport Authority"
S.P. 191 L.D. 599

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-484).**

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

READ ONCE.

Committee Amendment "A" (S-484) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Implement the Recommendations of the Joint Standing Committee on Insurance and Financial Services Regarding Reporting on Lyme Disease and Other Tick-borne Illnesses"

S.P. 825 L.D. 2157

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-480).**

Signed:

Senators:

SULLIVAN of York
BOWMAN of York
SNOWE-MELLO of Androscoggin

Representatives:

BRAUTIGAM of Falmouth
CANAVAN of Waterville
CROCKETT of Augusta
VAUGHAN of Durham
TREAT of Hallowell
RICHARDSON of Warren
SAVAGE of Falmouth
McKANE of Newcastle
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 "B" (S-481).**

Signed:

Representative:

CONOVER of Oakland

Reports **READ**.

On motion by Senator **SULLIVAN** of York, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-480)** Report **ACCEPTED**.

READ ONCE.

Committee Amendment "A" (S-480) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **LABOR** on Bill "An Act To Protect Employee Choice of Collective Bargaining Agents in the Educational Unit Consolidation Process"

S.P. 738 L.D. 1931

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-475).**

Signed:

Senators:

STRIMLING of Cumberland
SULLIVAN of York

Representatives:

TUTTLE of Sanford
CLARK of Millinocket
HASKELL of Portland
JACKSON of Allagash
BURNS of Berwick
JOHNSON of Greenville
DRISCOLL of Westbrook

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

Signed:

Senator:

DOW of Lincoln

Representatives:

THOMAS of Ripley
HAMPER of Oxford

Reports **READ.**

Senator **STRIMLING** of Cumberland moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

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

Senator **STRIMLING:** Thank you, Madame President. Just quickly. This is a simple bill. It started out by trying to figure out how, as we do the consolidation process, smaller collective bargaining units would not get swallowed up by larger ones. Basically, larger unions swallowing up smaller unions without there being some kind of process to make sure that the smaller union had some voice in that process. The original bill was very difficult for us. We didn't really want to cut into the education

process. All we ended up doing is giving the smaller units a little more time, a couple more years, in order to figure out the process of how they may be brought together. Ultimately, we want to make sure there is one collective bargaining unit so it's not convoluted for school boards. We did want to give them a little more time to be able to make sure they could do this in as democratic a way as possible. All this bill does is extend the deadline.

THE PRESIDENT: The Chair recognizes the Senator from Lincoln, Senator Dow.

Senator **DOW:** Thank you, Madame President. I don't have a great objection to this bill. I'm on the Minority Ought Not to Pass. I just want to tell you, this opens up the number of bargaining units that the new super school boards deal with. Many have five or six now, up to 15 or 16. I just want you to know that so when you get the phone calls from the school board heads about too many bargaining units you'll know where it came from. Hopefully that will dissipate after two or three years. Thank you.

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

Senator **STRIMLING:** Thank you, Madame President. Just to clarify, it doesn't open up the number that exists now. It just will not consolidate them in the next couple of years. There are no additional ones because of this. It just doesn't have them become consolidated until 2011 or 2012.

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

READ ONCE.

Committee Amendment "A" (S-475) **READ** and **ADOPTED.**

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Off Record Remarks

SECOND READERS

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

House

Resolve, Regarding Legislative Review of Portions of Chapter 64: Maine School Facilities Program and School Revolving Renovation Fund, a Major Substantive Rule of the Department of Education (EMERGENCY)

H.P. 1502 L.D. 2122

Resolve, Regarding Legislative Review of Portions of Chapter 10: Rules for Exemptions to the Ban on Flavored Cigarettes and Cigars, a Major Substantive Rule of the Department of the Attorney General (EMERGENCY)

H.P. 1544 L.D. 2170

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

House As Amended

Bill "An Act To Create a Special License Plate To Support Breast Cancer Support Services"

H.P. 593 L.D. 775
(C "A" H-766)

Bill "An Act To Amend the Laws Relating to the Department of Corrections"

H.P. 1391 L.D. 1953
(C "A" H-769)

Bill "An Act To Repeal the Cap on Rental Rates for State Submerged Lands"

H.P. 1407 L.D. 2023
(C "A" H-770)

Bill "An Act To Provide Degree-granting Authority to the Landing School of Boatbuilding and Design" (EMERGENCY)

H.P. 1409 L.D. 2025
(C "A" H-759)

Bill "An Act To Provide Parents of Children with Disabilities Access to Ombudsman Services"

H.P. 1411 L.D. 2027
(C "A" H-760)

Bill "An Act To Protect Maine Consumers of Electricity"

H.P. 1434 L.D. 2050
(C "A" H-767)

Bill "An Act To Protect Life Insurance Consumers"

H.P. 1477 L.D. 2091
(C "A" H-774)

Bill "An Act To Prevent the Theft of Certain Metals"

H.P. 1504 L.D. 2124
(C "A" H-771)

Bill "An Act Regarding Curriculum Requirements and Standards for Awarding a High School Diploma"

H.P. 1548 L.D. 2174
(C "A" H-761)

Bill "An Act To Ensure Full Payment of Annuity Death Benefits"

H.P. 1569 L.D. 2200
(C "A" H-772)

Resolve, To Assist Maine's Forest Products Industry (EMERGENCY)

H.P. 1588 L.D. 2222
(C "A" H-775)

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

Resolve, Regarding Legislative Review of Portions of Chapter 1, Open Water and Ice Fishing Regulations, a Major Substantive Rule of the Department of Inland Fisheries and Wildlife (EMERGENCY)

H.P. 1602 L.D. 2241
(C "A" H-762)

READ A SECOND TIME.

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

Senate As Amended

Bill "An Act To Preserve the Cobscook Bay Scallop Fishery"

S.P. 774 L.D. 1980
(C "A" S-472)

Bill "An Act To Provide for the 2008 and 2009 Allocations of the State Ceiling on Private Activity Bonds" (EMERGENCY)

S.P. 843 L.D. 2185
(C "A" S-473)

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 Create the Maine Agriculture Protection Act

S.P. 591 L.D. 1684
(C "A" S-455)

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

Emergency Measure

An Act to Amend the Laws Relating to Marks, Corporations, Limited Partnerships, Limited Liability Companies and Registered Agents

S.P. 788 L.D. 1994
(C "A" S-457)

This being an Emergency Measure and having received the affirmative vote of 33 Members of the Senate, with no Senators having voted in the negative, and 33 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 Allow Changes of Beneficiaries under the Maine Public Employees Retirement System

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

This being an Emergency Measure and having received the affirmative vote of 33 Members of the Senate, with 1 Senator having voted in the negative, and 33 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 Provide Accessible Higher Education Financial Assistance for Maine Families

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

This being an Emergency Measure and having received the affirmative vote of 33 Members of the Senate, with 1 Senator having voted in the negative, and 33 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 Update Department of Defense, Veterans and Emergency Management Laws

H.P. 1453 L.D. 2069
(C "A" H-752)

This being an Emergency Measure and having received the affirmative vote of 34 Members of the Senate, with no Senators having voted in the negative, and 34 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 Validate Certain Proceedings Authorizing the Issuance of Bonds and Notes by the City of Brewer High School District
S.P. 864 L.D. 2234

This being an Emergency Measure and having received the affirmative vote of 34 Members of the Senate, with no Senators having voted in the negative, and 34 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, 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

H.P. 1538 L.D. 2164

This being an Emergency Measure and having received the affirmative vote of 34 Members of the Senate, with no Senators having voted in the negative, and 34 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.

Bond Issue

An Act to Authorize a General Fund Bond Issue for Drinking Water Management

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

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

Acts

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

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

An Act To Improve the Compliance and Accountability of the Child Development Services System

S.P. 767 L.D. 1973

An Act To Clarify the Sales Tax on Prepared Meals

S.P. 799 L.D. 2005
(C "A" S-461)

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)

An Act To Allow Certain Assistance to Guides and Hunters

H.P. 1475 L.D. 2089
(C "A" H-740)

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 Laws Governing the Taxation of Partnerships

S.P. 488 L.D. 1400
(C "B" S-460)

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

Resolves

Resolve, To Require Rulemaking Concerning Landfill Gas and Odor Management

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

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

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

Resolve, Regarding Public Safety and Protection Related to Gas and Electric Utilities

S.P. 815 L.D. 2135
(C "A" S-454)

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

Resolve, To Protect Public Health and Promote a Healthy Soft-shell Clam Industry

H.P. 1423 L.D. 2039
(C "A" H-723)

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

ORDERS OF THE DAY

On motion by Senator **DAMON** of Hancock, the Senate removed from the **SPECIAL HIGHWAY TABLE** the following:

Act

An Act To Reduce Drunk Driving

S.P. 266 L.D. 856
(C "A" S-446)

Pending - **ENACTMENT**

(In House, March 19, 2008, **PASSED TO BE ENACTED**.)

(In Senate, March 13, 2008, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-446)**.)

PASSED TO BE ENACTED and having been signed by the President, was 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

House Paper

Bill "An Act To Reduce the Percentage of the Cost of Local Schools Paid by the State from 55% to 49%" (EMERGENCY)
H.P. 1638 L.D. 2272

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.

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

REPORTS OF COMMITTEES

House

Pursuant to Joint Order

The Committee on **TAXATION** on Bill "An Act To Amend the Municipal Tree Growth Reimbursement Formula"
H.P. 1639 L.D. 2274

Reported that the same be **REFERRED** to the Committee on **TAXATION**, pursuant to Joint Order, H.P. 1595.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **TAXATION**.

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

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

Senator **BOWMAN** of York was granted unanimous consent to address the Senate off the Record.

On motion by Senator **MITCHELL** of Kennebec, **ADJOURNED** to Wednesday, March 26, 2008, at 10:00 in the morning.

Senate at Ease.

Senate called to order by the President.

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

Off Record Remarks

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

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

Senator **DIAMOND** of Cumberland was granted unanimous consent to address the Senate on the Record.

Senator **DIAMOND**: Thank you, Madame President. Quietly today you saw the Senator from Hancock, Senator Damon, remove L.D. 856 from the Highway Table, which was the 'Act to Reduce Drunk Driving'. That was a bill you might have heard the Senator from Cumberland, Senator Bromley, mention last week as her bill and she gave the Committee on Criminal Justice and Public Safety accolades for getting this passed. We did work on that for two years. I do want to point out that it was through the Senator from Cumberland, Senator Bromley's dedication and her resistance to people telling her this wouldn't pass or there was no way she could make this happen. That did not faze her in the least. We have now put into statutes a very substantive interlock device system, first ever for the state of Maine. This system is well thought out. It was well planned. A lot of people, all the stakeholders, had an input in this. As I said, it took a couple of years to get this done. I want to congratulate all of you and thank you for your support. Especially thank you to the Senator from Cumberland, Senator Bromley, for bringing it to us last year.