

MAINE STATE LEGISLATURE

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Senate Legislative Record
One Hundred and Twenty-Fourth Legislature

State of Maine

Daily Edition

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Pages 1 - 1159

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

In Senate Chamber
Tuesday
February 10, 2009

Senate called to order by President Elizabeth H. Mitchell of
Kennebec County.

Prayer by Reverend Joan DeSanctis, United Methodist Church of
Old Town and the Federated Church of Stillwater.

REVEREND DeSANCTIS: Good morning, Madame President,
Madame Secretary, Senators, staff, and the young people who
are here to serve today and their families. Thank you for this
privilege. It is a pleasure to be with all of you. I bring you
greetings, my husband and I do, from Old Town and the village of
Stillwater. Let us be in the spirit of prayer.

Living God, we thank You and praise You for giving us a new
day of life. We pause to remember the work of those who
preceded us and we bless You for the opportunity to serve You
anew this day. May the work that is done in this chamber be
meaningful and beneficial to those for whom it is intended. Guide
the deliberations of Your servants in this place. May their time be
productive as they assume their Senatorial duties with dedication
to the state and its people. We bless You for the gifts and graces
with which You have endowed these men and women as they
represent their local constituents, mindful of the particularities of
their regions and yet open to the common good for the people of
Maine and New England. Set their standards high as they seek
the best of resources and services for all Mainers in all their
diversity. Help them to work together in spite of their differences
as good servants of the adults, youth, and children of this state.
May the health and wellbeing of each Senator and their staff be
up to the tasks set before them this day. May their skills and
dedication grow as they learn and discern the wisest choices to
be made for today and tomorrow. Bless our Governor, local
magistrates, our civic responders, and all those who seek the
common good in our communities. When the day is done may
each member of the Senate rest in Your arms of love, knowing
they have given their best in response to the love You have
shown to them throughout their lives. All praise and glory be
Yours this day, God of all creation, time, and space. Amen.

Pledge of Allegiance led by Senator Justin L. Alfond of
Cumberland County.

Reading of the Journal of Thursday, February 5, 2009.

Doctor of the day, Dr. Jonathan Fanburg, MD of Ellsworth.

Off Record Remarks

PAPERS FROM THE HOUSE

House Papers

Bill "An Act Making Unified Appropriations and Allocations for the
Expenditures of State Government, General Fund and Other
Funds, and Changing Certain Provisions of the Law Necessary to
the Proper Operations of State Government for the Fiscal Years
Ending June 30, 2010 and June 30, 2011" (EMERGENCY)
H.P. 274 L.D. 353

Bill "An Act To Reimburse Debra Bilodeau for Her Expenses
Incurred in Connection with Her Petition for Appointment as a
Foster Parent"

H.P. 275 L.D. 368

Bill "An Act To Authorize a General Fund Bond Issue To Rebuild
a Bulkhead and Wharf at the Gulf of Maine Research Institute"
H.P. 276 L.D. 369

Come from the House, **REFERRED** to the Committee on
APPROPRIATIONS AND FINANCIAL AFFAIRS and ordered
printed.

On motion by Senator **DIAMOND** of Cumberland, **REFERRED** to
the Committee on **APPROPRIATIONS AND FINANCIAL
AFFAIRS** and ordered printed, in concurrence.

Bill "An Act To Allow Mixed Martial Arts Competitions in Maine"
H.P. 277 L.D. 370

Bill "An Act To Amend the Laws Governing the Cap on the Tax
Assessment for Correctional Services in Lincoln County and
Sagadahoc County"

H.P. 291 L.D. 384

Bill "An Act To Ensure a Uniform Comprehensive State Policy
Regarding Residency Restrictions for Sex Offenders"
H.P. 292 L.D. 385

Come from the House, **REFERRED** to the Committee on
CRIMINAL JUSTICE AND PUBLIC SAFETY and ordered
printed.

On motion by Senator **GERZOFSKY** of Cumberland, **REFERRED**
to the Committee on **CRIMINAL JUSTICE AND PUBLIC
SAFETY** and ordered printed, in concurrence.

Bill "An Act To Clarify the Meaning of Prudent Speed"
H.P. 289 L.D. 382

Committee on **TRANSPORTATION** suggested and ordered printed.

Comes from the House, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY**.

On motion by Senator **DAMON** of Hancock, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed, in concurrence.

Bill "An Act To Authorize the Administration of Epinephrine Autoinjectors and Asthma Inhalers in Emergencies"
H.P. 279 L.D. 372

Bill "An Act To Clarify the Amount of a Contract for Small Claim Purposes"
H.P. 282 L.D. 375

Bill "An Act To Remove Domestic Court Cases from the Probate Court"
H.P. 283 L.D. 376

Come from the House, **REFERRED** to the Committee on **JUDICIARY** and ordered printed.

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

Bill "An Act To Facilitate Lactation at the Workplace by New Mothers"
H.P. 280 L.D. 373

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

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

Bill "An Act To Allow One Registration Fee for Multiple-town Poker Runs"
H.P. 278 L.D. 371

Bill "An Act To Amend the Laws Concerning Campaign Report Exemptions"
H.P. 281 L.D. 374

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

On motion by Senator **SULLIVAN** of York, **REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS** and ordered printed, in concurrence.

Bill "An Act To Prohibit Dragging for Bait Fish in Certain Territorial Waters"
H.P. 285 L.D. 378

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

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

Bill "An Act To Protect Groundwater and Surface Water from Contamination"
H.P. 294 L.D. 387

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

On motion by Senator **GOODALL** of Sagadahoc, **REFERRED** to the Committee on **NATURAL RESOURCES** and ordered printed, in concurrence.

Bill "An Act To Amend the Notary Public Laws"
H.P. 286 L.D. 379

Comes from the House, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

On motion by Senator **SIMPSON** of Androscoggin, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed, in concurrence.

Bill "An Act To Require Residents of the Unorganized Territories To Pay Excise Taxes To Agents and Not Directly to the Secretary of State"
H.P. 287 L.D. 380

Bill "An Act To Base the Motor Vehicle Excise Tax on the Documented Actual Sale Price Rather than on the Maker's List Price"
H.P. 288 L.D. 381

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

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

Bill "An Act To Facilitate the State's Existing Commitment to the Production of Liquid Biofuels"
H.P. 296 L.D. 389

Comes from the House, **REFERRED** to the Committee on **UTILITIES AND ENERGY** and ordered printed.

On motion by Senator **HOBBS** of York, **REFERRED** to the Committee on **UTILITIES AND ENERGY** and ordered printed, in concurrence.

Joint Resolution

The following Joint Resolution:

H.P. 273

JOINT RESOLUTION MEMORIALIZING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO ALLOCATE FULL FUNDING FOR THE NATIONAL VETERINARY MEDICAL SERVICES ACT

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

WHEREAS, the State of Maine and the United States are currently experiencing a shortage of food animal veterinarians in rural agricultural areas, in certain population groups and in certain disciplines, such as public health, regulatory veterinary medicine and diagnostic laboratory medicine; and

WHEREAS, the financial constraints of servicing debt loads averaging \$120,000 for veterinarian graduates in 2008 resulting in loan repayment obligations approaching \$1,381 per month, assuming a standard interest rate and a standard 10-year repayment term, prevent many new veterinary school graduates from choosing to work in underserved areas and disciplines; and

WHEREAS, the shortage of food animal veterinarians has critical homeland security ramifications since these individuals act as "agricultural first responders" in the early detection of foreign animal diseases, and the early detection of these diseases is of utmost importance in limiting widespread dissemination of these potentially devastating diseases such as foot and mouth disease and avian influenza, known as "bird flu"; and

WHEREAS, a food animal veterinary needs assessment commissioned by the Maine Veterinary Medical Association in 2007 has identified many underserved geographic areas for food animal veterinary services in Maine; and

WHEREAS, the food animal veterinary needs assessment identified student loan repayment as the primary obstacle to recent graduates deciding to enter food animal veterinary practice; and

WHEREAS, an adequate supply of food animal veterinarians is a key component in the continued assurance of a safe, wholesome food supply, in the prevention of foreign animal disease incursions and in monitoring and reporting diseases of human health concern; and

WHEREAS, the National Veterinary Medical Services Act, which passed in the United States Senate by unanimous consent

in November 2003 and was signed by former President George W. Bush on December 6, 2003, authorized "such sums as necessary" to provide student loan repayment to veterinary school graduates who agree to work in underserved areas, has not been fully implemented by the United States Department of Agriculture; and

WHEREAS, funding of this important Act has the potential to alleviate the food animal veterinary shortage and stimulate small business growth in the State of Maine and in the Nation; now, therefore be it

RESOLVED: That We, your Memorialists, respectfully urge and request that all steps be taken to allocate full funding for the National Veterinary Medical Services Act as part of the 2009 economic stimulus plan; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable Barack H. Obama, President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives and to each Member of the Maine Congressional Delegation.

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

READ and **ADOPTED**, in concurrence.

The Following Communication: S.P. 185

**STATE OF MAINE
124TH LEGISLATURE**

February 9, 2009

Sen. Elizabeth M. Schneider
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
124th Legislature
Augusta, ME 04333

Dear Senator Schneider and Representative Smith:

Please be advised that Governor John E. Baldacci has nominated Cathy McKelway of Oakland for reappointment to the Maine Rural Development Authority, Board of Trustees.

Pursuant to Title 5 MRSA §13120-D, this nomination will require review by the Joint Standing Committee on Business, Research and Economic Development and confirmation by the Senate.

Sincerely,

S/Elizabeth H. Mitchell
President of the Senate

S/Hannah M. Pingree
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. 186

**STATE OF MAINE
124TH LEGISLATURE**

February 9, 2009

Sen. Elizabeth M. Schneider
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
124th Legislature
Augusta, ME 04333

Dear Senator Schneider and Representative Smith:

Please be advised that Governor John E. Baldacci has nominated
Adam Cote of Portland and W. Donald Hudson of Arrowsic for
appointment to the Midcoast Regional Redevelopment Authority.

Pursuant to Title 5 M.R.S.A. §13083-I, these nominations will
require review by the Joint Standing Committee on Business,
Research and Economic Development and confirmation by the
Senate.

Sincerely,

S/Elizabeth H. Mitchell
President of the Senate

S/Hannah M. Pingree
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. 187

**STATE OF MAINE
124TH LEGISLATURE**

February 9, 2009

Sen. Elizabeth M. Schneider
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
124th Legislature
Augusta, ME 04333

Dear Senator Schneider and Representative Smith:

Please be advised that Governor John E. Baldacci has nominated
Susan Snowden of Scarborough for reappointment and Michael
Mahoney of Cape Elizabeth for appointment to the Finance
Authority of Maine.

Pursuant to Title 10 M.R.S.A. §972, these nominations will require
review by the Joint Standing Committee on Business, Research
and Economic Development and confirmation by the Senate.

Sincerely,

S/Elizabeth H. Mitchell
President of the Senate

S/Hannah M. Pingree
Speaker of the House

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

Sent down for concurrence.

The Following Communication: S.C. 39

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

February 5, 2009

The Honorable Elizabeth H. Mitchell
President of the Senate of Maine
124th 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 124th Maine Legislature, the Joint Standing Committee
on Education and Cultural Affairs has had under consideration the
nomination of Jarred W.J. Sternbergh of Jonesboro, 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	Senators	3	Alfond of Cumberland, Schneider of Penobscot, Weston of Waldo
	Representatives	10	Sutherland of Chapman, Casavant of Biddeford, Finch of Fairfield, Johnson of Greenville, Lovejoy of Portland, McFadden of Dennysville, Nelson of Falmouth, Rankin of Hiram, Richardson of Carmel, Wagner of Lewiston

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 Jarred W.J. Sternbergh of Jonesboro, for appointment to the Maine Maritime Academy, Board of Trustees be confirmed.

Signed,

S/Justin L. Alfond
Senate Chair

S/Patricia B. Sutherland
House Chair

READ and ORDERED PLACED ON FILE.

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

The Following Communication: S.C. 40

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

February 6, 2009

The Honorable Elizabeth H. Mitchell
President of the Senate of Maine
124th 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 124th Maine Legislature, the Joint Standing Committee on Transportation has had under consideration the nomination of Brenda C. Garrand of Portland, for reappointment to the Northern New England Passenger Rail Authority.

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	2	Damon of Hancock, Gooley of Franklin
	Representatives	6	Mazurek of Rockland, Browne of Vassalboro, Cebra of Naples, Harlow of Portland, Hogan of Old Orchard Beach, Peoples of Westbrook

NAYS 0

ABSENT 5 Rep. Carey of Lewiston, Sen. Perry of Penobscot, Rep. Rosen of Bucksport, Rep. Theriault of Madawaska, Rep. Thomas of Ripley

Eight 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 Brenda C. Garrand of Portland, for reappointment to the Northern New England Passenger Rail Authority be confirmed.

Signed,

S/Dennis S. Damon
Senate Chair

S/Edward J. Mazurek
House Chair

READ and ORDERED PLACED ON FILE.

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

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 124th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#5)

YEAS: Senators: None

NAYS: Senators: ALFOND, BARTLETT, BLISS, BOWMAN, BRANNIGAN, COURTNEY, CRAVEN, DAMON, DAVIS, DIAMOND, GERZOFKY, GOODALL, GOOLEY, HASTINGS, HOBBS, JACKSON, MARRACHE, MCCORMICK, NASS, NUTTING, PERRY, PLOWMAN, RAYE, RECTOR, ROSEN, SCHNEIDER, SHERMAN, SIMPSON, SMITH, SULLIVAN, TRAHAN, WESTON, THE PRESIDENT - ELIZABETH H. MITCHELL

ABSENT: Senators: BRYANT, MILLS

No Senator having voted in the affirmative and 33 Senators having voted in the negative, with 2 Senators being absent, 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 **Brenda C. Garrand** of Portland for reappointment to the Northern New England Passenger Rail Authority was **CONFIRMED**.

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

ORDERS OF THE DAY

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

NOMINATION - of Jarred W.J. Sternbergh of Jonesboro for appointment to the Maine Maritime Academy, Board of Trustees

Tabled - February 10, 2009, by Senator **ALFOND** of Cumberland

Pending - **CONSIDERATION**

(In Senate, February 10, 2009, Communication (S.C. 39) from the Committee on **EDUCATION AND CULTURAL AFFAIRS, 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 124th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#6)

YEAS: Senators: None

NAYS: Senators: ALFOND, BARTLETT, BLISS, BOWMAN, BRANNIGAN, COURTNEY, CRAVEN, DAMON, DAVIS, DIAMOND, GERZOFKY, GOODALL, GOOLEY, HASTINGS, HOBBS, JACKSON, MARRACHE, MCCORMICK, NASS, NUTTING, PERRY, PLOWMAN, RAYE, RECTOR, ROSEN, SCHNEIDER, SHERMAN, SIMPSON, SMITH, SULLIVAN, TRAHAN, WESTON, THE PRESIDENT - ELIZABETH H. MITCHELL

ABSENT: Senators: BRYANT, MILLS

No Senator having voted in the affirmative and 33 Senators having voted in the negative, with 2 Senators being absent, 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 **Jarred W.J. Sternbergh** of Jonesboro 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. 41

**STATE OF MAINE
124TH LEGISLATURE
SPEAKERS OFFICE**

February 4, 2009

Honorable Joy J. O'Brien
Secretary of the Senate
3 State House Station
Augusta, ME 04333-0002

Dear Secretary O'Brien:

Pursuant to my authority under House Rule 201.1 (I), I am rescinding the appointment of Henry L. Joy of Crystal to the Joint Standing Committee on State and Local Government and replacing him with Representative Lance Harvell of Farmington. Also, I am appointing Representative H. David Cotta as the ranking member of the Joint Standing Committee on State and Local Government.

Should you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

S/Hannah M. Pingree
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 42

**STATE OF MAINE
124TH LEGISLATURE
SPEAKERS OFFICE**

February 4, 2009

Honorable Joy J. O'Brien
Secretary of the Senate
3 State House Station
Augusta, ME 04333-0002

Dear Secretary O'Brien:

Pursuant to my authority under House Rule 201.1 (I), I am appointing Representative Henry L. Joy of Crystal to the Joint Standing Committee on Health and Human Services.

Should you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

S/Hannah M. Pingree
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 43

**124TH LEGISLATURE
OFFICE OF THE PRESIDENT**

January 29, 2009

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

Dear Secretary O'Brien,

Pursuant to my authority under Title 5 MRSA, §3358, I am pleased to appoint the following Senators to the Maine Criminal Justice Commission:

Senator Stan Gerzofsky of Cumberland, replacing Senator Diamond of Cumberland
Senator Gerald Davis of Cumberland, replacing Senator Sherman of Aroostook

Please contact my office if you have any questions regarding these appointments.

Sincerely,

S/Elizabeth H. Mitchell
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 44

**124TH LEGISLATURE
OFFICE OF THE PRESIDENT**

January 30, 2009

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

Dear Secretary O'Brien:

Pursuant to my authority under Title 20-A MRSA, §12304, I am pleased to appoint Senator Nancy Sullivan of York to the Advisory Committee on Dental Education. She will be representing a member of the Maine Senate and will be replacing Senator Kevin Raye of Washington.

Please contact my office if you have any questions regarding this appointment.

Sincerely,

S/Elizabeth H. Mitchell
President of the Senate

READ and ORDERED PLACED ON FILE.

SENATE PAPERS

Bill "An Act To Provide Representation for Dog Clubs on the Animal Welfare Advisory Council"

S.P. 157 L.D. 454

Presented by Senator NASS of York.
Cosponsored by Representative CAIN of Orono and Senators: DAVIS of Cumberland, JACKSON of Aroostook, RECTOR of Knox, Representatives: HILL of York, KENT of Woolwich, MILLER of Somerville, PENDLETON of Scarborough, THERIAULT of Madawaska.

Bill "An Act To Provide Free Admission to State Parks to Veterans and Military Personnel"

S.P. 159 L.D. 456

Presented by Senator BLISS of Cumberland.
Cosponsored by Representative CORNELL du HOUX of Brunswick and Senators: GERZOFKY of Cumberland, GOODALL of Sagadahoc, McCORMICK of Kennebec, Representatives: BEAULIEU of Auburn, CROCKETT of Bethel, KRUGER of Thomaston, PRIEST of Brunswick, WHEELER of Kittery.

Resolve, Directing the Department of Agriculture, Food and Rural Resources To Develop Recommendations for Licensing Equine Boarding Facilities

S.P. 161 L.D. 458

Presented by Senator NUTTING of Androscoggin.

Bill "An Act To Clarify Land Planning in the Unorganized and Deorganized Townships"

S.P. 177 L.D. 474

Presented by Senator SHERMAN of Aroostook.
Cosponsored by Representative SAVIELLO of Wilton and Representatives: AYOTTE of Caswell, BROWNE of Vassalboro, CLARK of Millinocket, GIFFORD of Lincoln, JOHNSON of Greenville, JOY of Crystal, MILLER of Somerville, SCHATZ of Blue Hill.

On motion by Senator NUTTING of Androscoggin, REFERRED to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed.

Sent down for concurrence.

Bill "An Act To Authorize a General Fund Bond Issue for Energy Conservation"

S.P. 175 L.D. 472

Presented by Senator BARTLETT of Cumberland.
Cosponsored by Representative HINCK of Portland and Senators: HOBBS of York, SCHNEIDER of Penobscot, SULLIVAN of York, Representative: SMITH of Monmouth.

On motion by Senator DIAMOND of Cumberland, REFERRED to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed.

Sent down for concurrence.

Bill "An Act To Reevaluate the Scope of Coverage for the Childless Adult Waiver Program"

S.P. 149 L.D. 405

Presented by Senator MILLS of Somerset.

Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** suggested and ordered printed.

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

Sent down for concurrence.

Bill "An Act To Sustain Nursing Education in Lincoln County"

S.P. 173 L.D. 470

Presented by Senator TRAHAN of Lincoln.
Cosponsored by Representative MILLER of Somerville and Representatives: DRISCOLL of Westbrook, HARLOW of Portland, HILL of York, MacDONALD of Boothbay, McKANE of Newcastle, PENDLETON of Scarborough, PIEH of Bremen, RICHARDSON of Warren.

Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** suggested and ordered printed.

On motion by Senator DIAMOND of Cumberland, REFERRED to the Committee on **EDUCATION AND CULTURAL AFFAIRS**.

Sent down for concurrence.

Bill "An Act To Fund State Drug Prosecutors"

S.P. 180 L.D. 477

Presented by Senator GERZOFKY of Cumberland.
Cosponsored by Representative HASKELL of Portland and Representatives: LAJOIE of Lewiston, MAGNAN of Stockton Springs, SYKES of Harrison.
Submitted by the Department of the Attorney General pursuant to Joint Rule 204.

Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** suggested and ordered printed.

On motion by Senator DIAMOND of Cumberland, REFERRED to the Committee on **JUDICIARY**.

Sent down for concurrence.

Bill "An Act To Increase the Redemption Fee on Sorting and Handling"

S.P. 155 L.D. 411

Presented by Senator SMITH of Piscataquis.
Cosponsored by Senators: GOODALL of Sagadahoc, ROSEN of Hancock, SULLIVAN of York.

Bill "An Act To Strengthen Rural Community Investment"

S.P. 172 L.D. 469

Presented by Senator RAYE of Washington.
Cosponsored by Representative SMITH of Monmouth and Senators: RECTOR of Knox, SCHNEIDER of Penobscot, Representatives: BROWNE of Vassalboro, Speaker PINGREE of North Haven, PIOTTI of Unity, SAVIELLO of Wilton, SCHATZ of Blue Hill, TILTON of Harrington.

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

Sent down for concurrence.

Bill "An Act To Amend the Laws Concerning Terrorizing"
S.P. 171 L.D. 468

Presented by Senator HOBBS of York.
Cosponsored by Representative VALENTINO of Saco.

Bill "An Act To Add 2 Mental Health Advocates to the State Board
of Corrections"

S.P. 181 L.D. 478

Presented by President MITCHELL of Kennebec.
Cosponsored by Representative WHEELER of Kittery and
Senators: BRANNIGAN of Cumberland, DAVIS of Cumberland,
GERZOFKY of Cumberland, NUTTING of Androscoggin,
Representative: LAJOIE of Lewiston.

On motion by Senator GERZOFKY of Cumberland, **REFERRED**
to the Committee on **CRIMINAL JUSTICE AND PUBLIC**
SAFETY and ordered printed.

Sent down for concurrence.

Off Record Remarks

Bill "An Act To Amend Maine's School Construction Laws To
Reduce the Percentage for Art to 0.5%"

S.P. 168 L.D. 465

Presented by Senator PLOWMAN of Penobscot.
Cosponsored by Senators: SMITH of Piscataquis, WESTON of
Waldo, Representative: PENDLETON of Scarborough.

Bill "An Act To Exempt School Administrative District 12, School
Union 37 and School Union 60 from the Laws Requiring School
Administration Consolidation" (EMERGENCY)

S.P. 170 L.D. 467

Presented by Senator MILLS of Somerset.
Cosponsored by Representative JOHNSON of Greenville and
Senators: GOOLEY of Franklin, SMITH of Piscataquis,
Representatives: CROCKETT of Bethel, PINKHAM of Lexington
Township.

Bill "An Act Regarding the Reorganization of Regional School
Units and Allowing a Municipality To Opt Out of an Existing
School Structure"

S.P. 178 L.D. 475

Presented by Senator ROSEN of Hancock.
Cosponsored by Senator RAYE of Washington and Senator:
WESTON of Waldo, Representatives: LANGLEY of Ellsworth,
MARTIN of Eagle Lake.

On motion by Senator ALFOND of Cumberland, **REFERRED** to
the Committee on **EDUCATION AND CULTURAL AFFAIRS** and
ordered printed.

Sent down for concurrence.

Bill "An Act To Clarify the Term of a Retail Tobacco License"
S.P. 152 L.D. 408

Presented by Senator PLOWMAN of Penobscot.
Cosponsored by Senator RECTOR of Knox and Senator:
SULLIVAN of York, Representatives: BEAULIEU of Auburn,
BICKFORD of Auburn, FOSSEL of Alna, GILES of Belfast,
PRESCOTT of Topsham.

Bill "An Act To Amend the Retail Tobacco and Liquor Licensing
Laws"

S.P. 165 L.D. 462

Presented by Senator MILLS of Somerset.
Cosponsored by Representative MILLER of Somerville.
Submitted by the Department of Health and Human Services
pursuant to Joint Rule 204.

Bill "An Act To Recognize Maine Youth Camps"
S.P. 182 L.D. 479

Presented by Senator BRANNIGAN of Cumberland.
Cosponsored by Representative PIOTTI of Unity and Senator:
HASTINGS of Oxford, Representative: SARTY of Denmark.

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

Sent down for concurrence.

Bill "An Act Regarding Nuisance Beaver"
S.P. 160 L.D. 457

Presented by Senator NUTTING of Androscoggin.

On motion by Senator JACKSON of Aroostook, **REFERRED** to
the Committee on **INLAND FISHERIES AND WILDLIFE** and
ordered printed.

Sent down for concurrence.

Bill "An Act Regarding Parents' Rights"
S.P. 158 L.D. 455

Presented by Senator SULLIVAN of York. (BY REQUEST)

Bill "An Act To Adopt Amendments to the Uniform Interstate Family Support Act"

S.P. 164 L.D. 461

Presented by Senator SIMPSON of Androscoggin.
Cosponsored by Representative NASS of Acton.
Submitted by the Department of Health and Human Services pursuant to Joint Rule 204.

Bill "An Act To Amend the Limited Liability Company Laws Concerning Management Standards"

S.P. 169 L.D. 466

Presented by Senator HOBBS of York.
Cosponsored by Senator: BLISS of Cumberland,
Representatives: BRYANT of Windham, CLEARY of Houlton,
HILL of York.

On motion by Senator **BLISS** of Cumberland, **REFERRED** to the Committee on **JUDICIARY** and ordered printed.

Sent down for concurrence.

Bill "An Act To Improve Maine's Ethics Laws"

S.P. 154 L.D. 410

Presented by Senator PLOWMAN of Penobscot.
Cosponsored by Representative VALENTINO of Saco and
Senators: HASTINGS of Oxford, MARRACHÉ of Kennebec,
Representatives: BICKFORD of Auburn, CEBRA of Naples,
CRAY of Palmyra, FOSSEL of Alna, GIFFORD of Lincoln,
ROBINSON of Raymond.

On motion by Senator **SULLIVAN** of York, **REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS** and ordered printed.

Sent down for concurrence.

Bill "An Act To Increase Leaves of Absence for State Employees and Officials Who Are Members of the National Guard or Reserves of the United States Armed Forces"

S.P. 153 L.D. 409

Presented by Senator COURTNEY of York.
Cosponsored by Senators: ALFOND of Cumberland, PLOWMAN of Penobscot, Representative: FITTS of Pittsfield.

Committee on **LEGAL AND VETERANS AFFAIRS** suggested and ordered printed.

On motion by Senator **SULLIVAN** of York, **REFERRED** to the Committee on **LABOR**.

Sent down for concurrence.

Resolve, To Evaluate Climate Change Adaptation Options for the State

S.P. 163 L.D. 460

Presented by Senator SIMPSON of Androscoggin.
Cosponsored by Representative EBERLE of South Portland and
Senator: RECTOR of Knox, Representatives: ADAMS of
Portland, FITTS of Pittsfield, FLETCHER of Winslow, HINCK of
Portland, PERCY of Phippsburg, PIEH of Bremen, SMITH of
Monmouth.
Submitted by the Department of Environmental Protection pursuant to Joint Rule 204.

Bill "An Act To Amend Certain Laws Administered by the Department of Environmental Protection"

S.P. 179 L.D. 476

Presented by Senator GOODALL of Sagadahoc.
Cosponsored by Representative DUCHESNE of Hudson.
Submitted by the Department of Environmental Protection pursuant to Joint Rule 204.

On motion by Senator **GOODALL** of Sagadahoc, **REFERRED** to the Committee on **NATURAL RESOURCES** and ordered printed.

Sent down for concurrence.

Bill "An Act To Allow Nonresident Property Owners To Vote on Municipal Budget Matters"

S.P. 166 L.D. 463

Presented by Senator SHERMAN of Aroostook.
Cosponsored by Representative JOY of Crystal.

Bill "An Act To Suspend the Cost-of-living Adjustment for Legislators' Salaries for the Second Regular Session of the 124th Legislature"

S.P. 167 L.D. 464

Presented by Senator RAYE of Washington.
Cosponsored by Representative MILLETT of Waterford and
Senators: COURTNEY of York, ROSEN of Hancock,
Representatives: CLEARY of Houlton, CONNOR of Kennebunk,
SAVIELLO of Wilton.

Bill "An Act To Suspend the Cost-of-living Adjustment for Legislators' Salaries for the First Regular Session of the 124th Legislature" (EMERGENCY)

S.P. 176 L.D. 473

Presented by Senator RAYE of Washington.
Cosponsored by Representative MILLETT of Waterford and
Senators: COURTNEY of York, ROSEN of Hancock,
Representatives: CLEARY of Houlton, CONNOR of Kennebunk,
SAVIELLO of Wilton.

On motion by Senator **SIMPSON** of Androscoggin, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

Sent down for concurrence.

Bill "An Act To Allow a Retailer To Offer To Pay Sales Tax on Items and Services Sold by That Retailer"

S.P. 150 L.D. 406

Presented by Senator COURTNEY of York.
Cosponsored by Representative TUTTLE of Sanford and
Senator: NASS of York, Representative: CHASE of Wells.

Bill "An Act To Provide Tax Relief for Maine Residents Deployed for Military Service"

S.P. 162 L.D. 459

Presented by Senator PERRY of Penobscot.
Cosponsored by Representative WAGNER of Lyman.

Bill "An Act To Encourage Alternative Energy and Promote Maine Businesses" (EMERGENCY)

S.P. 174 L.D. 471

Presented by Senator SULLIVAN of York.
Cosponsored by Representative CONNOR of Kennebunk and
Senators: BRYANT of Oxford, NUTTING of Androscoggin,
PERRY of Penobscot.

On motion by Senator PERRY of Penobscot, **REFERRED** to the
Committee on **TAXATION** and ordered printed.

Sent down for concurrence.

Bill "An Act To Create an Animal Welfare Trailer License Plate"

S.P. 156 L.D. 412

Presented by Senator PLOWMAN of Penobscot.
Cosponsored by Senators: DAVIS of Cumberland, GOOLEY of
Franklin, Representatives: BEAULIEU of Auburn, CEBRA of
Naples, COTTA of China, FOSSEL of Alna.

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

Sent down for concurrence.

Resolve, To Change the Uses for Funds for Conservation Programs (EMERGENCY)

S.P. 151 L.D. 407

Presented by Senator PLOWMAN of Penobscot.
Cosponsored by Senators: SHERMAN of Aroostook, SMITH of
Piscataquis, Representatives: BEAULIEU of Auburn, FOSSEL of
Alna.

On motion by Senator HOBBS of York, **REFERRED** to the
Committee on **UTILITIES AND ENERGY** and ordered printed.

Sent down for concurrence.

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

REPORTS OF COMMITTEES

House

Change of Committee

The Committee on **UTILITIES AND ENERGY** on Bill "An Act Regarding Construction and Excavation near Burial Sites"
H.P. 97 L.D. 113

Reported that the same be **REFERRED** to the Committee on
STATE AND LOCAL GOVERNMENT.

Comes from the House with the Report **READ** and **ACCEPTED**
and the Bill **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**.

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

REFERRED to the Committee on **STATE AND LOCAL GOVERNMENT**, in concurrence.

Senate

Pursuant to Statute

Senator BLISS for the Committee on **JUDICIARY** on Bill "An Act To Increase Judicial Salaries" (EMERGENCY)
S.P. 183 L.D. 487

Reported that the same be **REFERRED** to the Committee on
JUDICIARY, pursuant to the Maine Revised Statutes, Title 4,
section 1701, subsection 13.

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

REFERRED to the Committee on **JUDICIARY**.

Sent down for concurrence.

Senator BLISS for the Committee on **JUDICIARY** on Bill "An Act To Address an Inequity in the Judicial Retirement System"
S.P. 184 L.D. 488

Reported that the same be **REFERRED** to the Committee on
JUDICIARY, pursuant to the Maine Revised Statutes, Title 4,
section 1701, subsection 13.

Report **READ**.

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

ORDERS OF THE DAY

The Chair laid before the Senate the following Tabled and Later (2/3/09) Assigned matter:

Bill "An Act To Facilitate the Removal of Dams That Pose a Hazard to Public Safety and the Installation and Repair of Fishways"

S.P. 112 L.D. 348

Tabled - February 3, 2009, by Senator **GOODALL** of Sagadahoc

Pending - **REFERENCE**

(Committee on **NATURAL RESOURCES** suggested and ordered printed.)

On motion by Senator **GOODALL** of Sagadahoc, **REFERRED** to the Committee on **NATURAL RESOURCES**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (2/5/09) Assigned matter:

Bill "An Act To Allow State Agencies To Acquire and Sell Carbon Credits under the Regional Greenhouse Gas Initiative"

S.P. 127 L.D. 363

Tabled - February 5, 2009, by Senator **HOBBINS** of York

Pending - **REFERENCE**

(Committee on **UTILITIES AND ENERGY** suggested and ordered printed.)

On motion by Senator **HOBBINS** of York, **REFERRED** to the Committee on **NATURAL RESOURCES**.

Sent down for concurrence.

THE PRESIDENT: The Chair is pleased to recognize in the rear of the chamber Laureen Snowman, wife of firefighter Michael Snowman. Michael Snowman was recently honored with a Legislative Memoriam. He was a 25 year member of the Hartland Volunteer Fire Department and died while fighting a house fire in Detroit, Maine. Also in the rear of the chamber are Michael Snowman's sons; Josh Snowman, Ben Snowman, and Tom Snowman, as well as family friend, Debbie Bushey. They are the guests of the Senator from Piscataquis, Senator Smith. The Chair recognizes the Senator from Piscataquis, Senator Smith.

Senator **SMITH:** Thank you, Madame President. Members of the Senate, I rise today just to add a few words to what has already been said about Michael Snowman. We acted upon a sentiment some time ago in remembrance of his service to his community and later learned that there was going to be this special day for firefighters and that the Snowman family was going to play a central part of this day so the matter was tabled in the House. I just wanted to say a few words here on this day.

Michael Snowman was in many ways a model citizen. He was not only a long time fireman who gave 25 years of service to his community that way, he was also a Superintendent of his Sunday school in his church, the First Baptist Church of Hartland. I sometimes attend there and I think at one point or another may have met Michael, although he was not an acquaintance of mine. He was a highly regarded member of that community from a very highly respected family. I can tell you from all that I have know of him that his community, his associates at the fire department, his fellow worshipers at the church, and most certainly his family are going to greatly miss this man. Thank you.

Senate at Ease.

Senate called to order by the President.

Off Record Remarks

Senator **RAYE** of Washington was granted unanimous consent to address the Senate off the Record.

Senator **RECTOR** of Knox was granted unanimous consent to address the Senate off the Record.

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

On motion by Senator **BARTLETT** of Cumberland, **RECESSED** until the sound of the bell.

After Recess

Senate called to order by the President.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Clarify Land Use Regulation in Unorganized and Deorganized Townships"

H.P. 301 L.D. 413

Bill "An Act To Promote Small Business in Rural Maine by Expanding Game Hunting Opportunities"

H.P. 326 L.D. 438

Come from the House, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed.

On motion by Senator **NUTTING** of Androscoggin, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed, in concurrence.

Bill "An Act Relating to Interference with Navigation on Inland Waters"

H.P. 303 L.D. 415

Comes from the House, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed.

On motion by Senator **NUTTING** of Androscoggin, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE**, in **NON-CONCURRENCE**.

Sent down for concurrence.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Authorize a General Fund Bond Issue for Research and Development To Stimulate Maine's Innovation Economy"

H.P. 327 L.D. 439

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

On motion by Senator **DIAMOND** of Cumberland, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed, in concurrence.

Bill "An Act To Provide Funding to the ElderCare Network"

H.P. 304 L.D. 416

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

On motion by Senator **DIAMOND** of Cumberland, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**, in **NON-CONCURRENCE**.

Sent down for concurrence.

Bill "An Act To Require State Employees To Pay 15% of Their Health Insurance Costs"

H.P. 305 L.D. 417

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

On motion by Senator **DIAMOND** of Cumberland, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**, in **NON-CONCURRENCE**.

Sent down for concurrence.

Bill "An Act To Facilitate the Development of Ocean Wind Power"

H.P. 306 L.D. 418

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

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

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

PAPERS FROM THE HOUSE

House Papers

Resolve, To Increase Access to Dental Care in Rural Areas through Encouraging Distance Learning for Dental Hygienist Training

H.P. 307 L.D. 419

Bill "An Act To Amend Certain Laws Related to the Department of Agriculture, Food and Rural Resources, Division of Quality Assurance and Regulation"

H.P. 308 L.D. 420

Bill "An Act To Amend the Laws Concerning Licensure Qualifications of Independent Practice Dental Hygienists"

H.P. 309 L.D. 421

Bill "An Act Regarding Exceptions to the Maine Uniform Building and Energy Code"

H.P. 328 L.D. 440

Come from the House, **REFERRED** to the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed.

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act Creating a Probationary Period for County Corrections Officials"

H.P. 297 L.D. 401

Bill "An Act To Reinstate Rules Requiring Inspection of Chimneys upon the Sale or Transfer of Property"

H.P. 321 L.D. 433

Bill "An Act To Establish the Crime of Motor Vehicle Violation Resulting in Death"

H.P. 329 L.D. 441

Bill "An Act To Require Prisoners To Perform Community Service and To Require Jails, Prisons, Nonprofit Entities, Universities and Counties To Compost Food Waste"

H.P. 330 L.D. 442

Bill "An Act To Allow the Department of Corrections To Certify Community Intervention Programs"

H.P. 343 L.D. 481

Bill "An Act To Improve the Service of Protection from Harassment and Protection from Abuse Orders and the Collection of Restitution by the Department of Corrections"

H.P. 345 L.D. 483

Come from the House, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed.

On motion by Senator **GERZOFSKY** of Cumberland, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed, in concurrence.

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Include the Study of Franco-American History in the System of Learning Results"

H.P. 310 L.D. 422

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

On motion by Senator **ALFOND** of Cumberland, **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:

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Provide a Safe Sleeping Environment for Children with Disabilities To Enable Them To Remain in Their Homes"

H.P. 311 L.D. 423

Resolve, Directing the Department of Education and the Department of Health and Human Services To Adopt Rules Requiring a Tetanus, Diphtheria and Pertussis Booster Vaccination in School-age Children

H.P. 312 L.D. 424

Come from the House, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

On motion by Senator **BRANNIGAN** of Cumberland, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed, in concurrence.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Maintain and Improve ATV Trail Access"

H.P. 298 L.D. 402

Bill "An Act To Limit the Use of Seaplanes on West Harbor Pond"

H.P. 344 L.D. 482

Come from the House, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed.

On motion by Senator **JACKSON** of Aroostook, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed, in concurrence.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Require Private Insurance Coverage for Certain Services for Children with Disabilities"

H.P. 313 L.D. 425

Bill "An Act To Protect Consumers from Credit Card and Debit Card Holds"

H.P. 334 L.D. 446

Come from the House, **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES** and ordered printed.

On motion by Senator **BOWMAN** of York, **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES** and ordered printed, in concurrence.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Allow Stepparents To Take Certain Actions with Respect to Their Stepchildren"

H.P. 314 L.D. 426

Bill "An Act To Require School Bus Drivers and School Bus Attendants To Report Suspected Child Abuse"

H.P. 315 L.D. 427

Bill "An Act To Amend the Intestate Succession and Wills Laws Concerning Wrongful Death"

H.P. 316 L.D. 428

Bill "An Act To Increase the Jurisdictional Limit for Small Claims"

H.P. 331 L.D. 443

Bill "An Act To Improve Tribal-State Relations"

H.P. 333 L.D. 445

Bill "An Act To Rescind the Statute of Limitations on the Ability To File a Civil Suit in Cases Dealing with Unlawful Sexual Contact"

H.P. 346 L.D. 484

Come from the House, **REFERRED** to the Committee on **JUDICIARY** and ordered printed.

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

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Increase the Minimum Wage"

H.P. 299 L.D. 403

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Increase Retail Sales of Wine"

H.P. 317 L.D. 429

Bill "An Act To Allow the Licensing of Minibars in Hotel Rooms"

H.P. 318 L.D. 430

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

On motion by Senator **SULLIVAN** of York, **REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS** and ordered printed, in concurrence.

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Allow the Direct Sale of Shellfish to Retailers"

H.P. 335 L.D. 447

Come from the House, **REFERRED** to the Committee on **MARINE RESOURCES** and ordered printed.

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

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Make the Site Location of Development Laws More Development Friendly"

H.P. 319 L.D. 431

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

On motion by Senator **GOODALL** of Sagadahoc, **REFERRED** to the Committee on **NATURAL RESOURCES** and ordered printed, in concurrence.

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

PAPERS FROM THE HOUSE

House Papers

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Provide for the Reduction in the Size of the Legislature
H.P. 322 L.D. 434

Bill "An Act To Modify the Informed Growth Act"
H.P. 336 L.D. 448

Resolve, Authorizing the Commissioner of Administrative and Financial Services To Sell or Lease the Interests of the State in Certain Real Property Located at 17 School Street in Benedicta, Aroostook County
H.P. 337 L.D. 449

Come from the House, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

On motion by Senator **SIMPSON** of Androscoggin, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed, in concurrence.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Promote Property Tax Relief for Maine's Senior Citizens"

H.P. 300 L.D. 404

Bill "An Act To Clarify the Sales Tax Exemption for Commercial Agricultural Crop Production"

H.P. 338 L.D. 450

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

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

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

PAPERS FROM THE HOUSE

House Papers

Resolve, Directing the Department of Transportation To Install a Traffic Light at an Intersection in Sabattus
H.P. 323 L.D. 435

Bill "An Act To Include Trucks in the Definition of 'Low-speed Vehicle'"
H.P. 324 L.D. 436

Bill "An Act To Require a Person under 18 Years of Age To Wear a Helmet While on a Motorcycle"
H.P. 325 L.D. 437

Bill "An Act To Clarify the Law Regarding Reinstatement of a Driver's License"
H.P. 339 L.D. 451

Bill "An Act To Include the Town of Falmouth as a Member of the Greater Portland Transit District" (EMERGENCY)
H.P. 340 L.D. 452

Bill "An Act To Require Motorcyclists To Wear Helmets"
H.P. 341 L.D. 453

Bill "An Act To Allow Public-private Investment in Transportation Infrastructure Projects"
H.P. 347 L.D. 485

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

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

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

PAPERS FROM THE HOUSE

**Pursuant to Statute
Department of Health and Human Services**

The **Department of Health and Human Services**, pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of MaineCare Benefits Manual, Chapter III, Section 97, Private Non-Medical Institution Services, a Major Substantive Rule of the Department of Health and Human Services, Office of MaineCare Services, Division of Policy and Performance (**EMERGENCY**)

H.P. 342 L.D. 480

Be **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** 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 **HEALTH AND HUMAN SERVICES** and ordered printed pursuant to Joint Rule 218.

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

On motion by Senator **BRANNIGAN** of Cumberland, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed pursuant to Joint Rule 218, in concurrence.

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

PAPERS FROM THE HOUSE

**Pursuant to Statute
Maine Turnpike Authority**

The **Maine Turnpike Authority**, pursuant to the Maine Revised Statutes, Title 23, section 1961, subsection 6 asked leave to report that the accompanying Bill "An Act To Make Allocations from Maine Turnpike Authority Funds for the Maine Turnpike Authority for the Calendar Year Ending December 31, 2010"

H.P. 348 L.D. 486

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

Comes from the House from the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed pursuant to Joint Rule 218.

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

On motion by Senator **DAMON** of Hancock, **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed pursuant to Joint Rule 218, in concurrence.

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

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

Off Record Remarks

On motion by Senator **MARRACHÉ** of Kennebec, **ADJOURNED**, to Thursday, February 12, 2009, at 10:00 in the morning.