

MAINE STATE LEGISLATURE

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Senate Legislative Record
One Hundred and Twenty-Fourth Legislature

State of Maine

Daily Edition

First Regular Session
December 3, 2008 to June 12, 2009

Pages 1 - 1159

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

In Senate Chamber
Tuesday
February 17, 2009

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

Prayer by Reverend Peter Panagore, First Radio Parish Church
of America.

REVEREND PANAGORE: Good morning. Please humor me
and hold hands across the aisle. Seriously. If you can't reach,
you can't reach. I'm going to leave my hands free because I need
them. Thank you. This is a literal act with figurative implications.

Dear God, every time hard times come we make it through
and walk on out. It takes willpower and direction and action
together. We're asking You, God, to make the crooked path
straight again, that we might walk free of the burdens of this bad
economy. With You tomorrow will be better than today. We
believe that our Maine, our people, with Your insight, can aim for
a brighter future and that we can build our way out of this mess
through vision, through innovation, through industry, through
sweat, through neighborliness, and through better government for
the sake of business, for the sake of the truck driver, the
fisherman, the teacher, the day laborer, the unemployed, the
elderly, and the children. God, I'm calling on You up there, out
there, or in here, to roll up Your sleeves, to put Your back into it,
and to put Your mind into it to help these folks standing in front of
You today, hand in hand, to remember that all of us are smarter
than one of us and that together we will succeed. Amen.

Pledge of Allegiance led by Senator Gerald M. Davis of
Cumberland County.

Reading of the Journal of Thursday, February 12, 2009.

Doctor of the day, Dr. James VanKirk, MD of Veazie.

Off Record Remarks

PAPERS FROM THE HOUSE

Non-Concurrent Matter

Bill "An Act To Regulate Foreclosure Negotiators"
S.P. 198 L.D. 503

In Senate, February 12, 2009, **REFERRED** to the Committee on
INSURANCE AND FINANCIAL SERVICES and ordered printed.

Comes from the House, **REFERRED** to the Committees on
JUDICIARY AND INSURANCE AND FINANCIAL SERVICES
and ordered printed, in **NON-CONCURRENCE**.

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

Sent down for concurrence.

House Papers

Bill "An Act To Transfer the Operation of the Fort Knox State
Historic Site to the Friends of Fort Knox"
H.P. 354 L.D. 509

Bill "An Act To Require That a Majority of the Members of the
Maine Land Use Regulation Commission Reside in the
Commission's Jurisdiction"
H.P. 361 L.D. 516

Bill "An Act To Authorize the Employment of Animal Control
Officers by Animal Shelters"
H.P. 362 L.D. 517

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 To Authorize a General Fund Bond Issue To Enhance
Funding for Stem Cell Research in Maine"
H.P. 363 L.D. 518

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 Expand the Diagnostic Function of Denturists"
H.P. 364 L.D. 519

Comes 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.

Bill "An Act To Require Unredeemed Beverage Container Deposits To Be Provided to the State"

H.P. 45 L.D. 52

Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** suggested and ordered printed.

Comes from the House, Bill and accompanying papers **INDEFINITELY POSTPONED**.

On motion by Senator **SCHNEIDER** of Penobscot, Bill and accompanying papers **INDEFINITELY POSTPONED**, in concurrence.

Bill "An Act Authorizing Colleges and Universities To Regulate Public Safety on Their Campuses"

H.P. 365 L.D. 520

Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** suggested and ordered printed.

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

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

Bill "An Act To Ensure Continued Support for Local Adult Education Programs"

H.P. 366 L.D. 521

Resolve, To Establish the Study Commission Regarding Teachers' Salaries (EMERGENCY)

H.P. 367 L.D. 522

Resolve, Directing the Department of Health and Human Services and Department of Education To Enter into a Memorandum of Understanding Regarding Early Childhood Intervention

H.P. 368 L.D. 523

Bill "An Act To Improve the Essential Programs and Services Funding Formula"

H.P. 389 L.D. 551

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.

Bill "An Act To Provide Assistance to Family Members, Friends and Neighbors Who Provide Home Health Care for Senior Citizens"

H.P. 369 L.D. 524

Resolve, Authorizing Coverage of Enteral Formula under the MaineCare Program

H.P. 390 L.D. 552

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.

Bill "An Act To Require Reimbursement for Search and Rescue Operations"

H.P. 355 L.D. 510

Bill "An Act To Reduce Misuse of Woodlands by the Public"

H.P. 370 L.D. 525

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

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

Bill "An Act To Improve the Safety of Snowmobile Trails"

H.P. 302 L.D. 414

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

Comes from the House, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE**.

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

Bill "An Act To Support District Attorney Check Diversion Programs"

H.P. 356 L.D. 511

Comes 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.

LEGISLATIVE RECORD - SENATE, TUESDAY, FEBRUARY 17, 2009

Bill "An Act To Require a Referee of a Land Dispute To Render a Decision within One Year"

H.P. 372 L.D. 527

Bill "An Act To Prohibit a Person Whose Parental Rights Have Been Terminated from Gaining Custody of a Grandchild"

H.P. 373 L.D. 528

Bill "An Act To Create a Traffic Court"

H.P. 374 L.D. 529

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 Clarify the Beano and Bingo Laws as They Apply to Federally Recognized Indian Tribes"

H.P. 371 L.D. 526

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

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

Bill "An Act To Amend the Procedure for Foreclosure Regarding Timing and Sale"

H.P. 284 L.D. 377

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

Comes from the House, **REFERRED** to the Committees on **JUDICIARY AND INSURANCE AND FINANCIAL SERVICES**.

On motion by Senator **BLISS** of Cumberland, **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES** and ordered printed, in **NON-CONCURRENCE**.

Sent down for concurrence.

Bill "An Act To Amend the Employment Practices Laws"

H.P. 351 L.D. 496

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 Conserve Energy in Residential Leasehold Tenancies"

H.P. 352 L.D. 497

Bill "An Act Regarding Alcoholic Beverage Tastings"

H.P. 353 L.D. 498

Bill "An Act To Facilitate Voting by Maine Residents in the Military Who Are Deployed Overseas"

H.P. 357 L.D. 512

Bill "An Act To Clarify Criminal Responsibility in the Sale of Alcohol and Tobacco to Minors"

H.P. 359 L.D. 514

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Reduce the Number of Signatures Required and Prohibit Payment for Signatures in the Citizen's Initiative Process

H.P. 375 L.D. 530

Resolve, To Allow Jenny Powell To Sue the State

H.P. 376 L.D. 531

Bill "An Act To Clarify Allowable Practices Concerning Maine Farm Wineries"

H.P. 377 L.D. 532

Bill "An Act To Establish a State-controlled Casino"

H.P. 378 L.D. 533

Bill "An Act To Require Disclosure to a Potential Signer That a Circulator of Petitions for a Direct Initiative or People's Veto of Legislation Is Being Paid"

H.P. 379 L.D. 534

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 Allow a Municipality To Recover Emergency Response Costs from a Natural Gas Utility in Certain Cases"

H.P. 360 L.D. 515

Bill "An Act To Allow the Temporary Placement of Structures To Protect Property from Natural Disasters"

H.P. 380 L.D. 535

Bill "An Act To Enhance Maine's Electronic Waste Recycling Law" (EMERGENCY)

H.P. 381 L.D. 536

Come 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.

Resolve, To Return Two-thirds of the Purchase Cost of Sears Island to the People of Maine

H.P. 382 L.D. 537

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

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

Bill "An Act To Amend the Laws Governing the Allowable Uses of Tax Increment Financing Funds"

H.P. 384 L.D. 539

Bill "An Act To Promote Forest Certification and Long-term Forest Management"

H.P. 385 L.D. 540

Bill "An Act To Amend the Laws Governing Abatement of Property Taxes Due to Infirmary or Poverty"

H.P. 391 L.D. 553

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 Ensure That the Maine Turnpike Authority Conducts Public Hearings for Construction and Reconstruction Projects and That All Public Records of the Maine Turnpike Authority Are Open for Inspection"

H.P. 320 L.D. 432

Bill "An Act To Update the Casco Bay Island Transit District Enabling Law"

H.P. 358 L.D. 513

Resolve, Regarding the Retention of Dealer Plates in Light of Recent Economic Conditions

H.P. 386 L.D. 541

Bill "An Act Pertaining to the TransCap Trust Fund in the Maine Municipal Bond Bank"

H.P. 387 L.D. 542

Resolve, To Allow the Department of Transportation To Transfer Certain Land to the Greater Grand Isle Historical Society

H.P. 392 L.D. 554

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.

Bill "An Act To Ensure That All Toll and Intermodal Transportation Facilities and Roadway Lighting within the Maine Turnpike Corridor Are Consistent with Maine's Quality of Place Goals"

H.P. 290 L.D. 383

Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** suggested and ordered printed.

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

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

Bill "An Act To Establish a Process for the Determination of a Reasonable Price in the Use of Eminent Domain by the Maine Turnpike Authority"

H.P. 293 L.D. 386

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

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

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

Bill "An Act To Ensure That Fair and Actual Funds from Maine Turnpike Authority Toll Receipts Be Given to the Department of Transportation Annually"

H.P. 295 L.D. 388

Committee on **STATE AND LOCAL GOVERNMENT** suggested and ordered printed.

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

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

Bill "An Act Concerning the Allocation of Power Generated by GNE, LLC"

H.P. 388 L.D. 543

Bill "An Act To Promote Public Safety Answering Point Efficiency"

H.P. 393 L.D. 555

Come 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.

Pursuant to Statute
Department of Agriculture, Food and Rural Resources, Board of Pesticides Control

The **Department of Agriculture, Food and Rural Resources, Board of Pesticides Control**, pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 22: Standards for Outdoor Application of Pesticides by Powered Equipment in Order To Minimize Off-target Deposition, a Major Substantive Rule of the Department of Agriculture, Food and Rural Resources, Board of Pesticides Control (EMERGENCY)

H.P. 349 L.D. 494

Be **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** 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 **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed pursuant to Joint Rule 218.

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

On motion by Senator **NUTTING** of Androscoggin, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed pursuant to Joint Rule 218, in concurrence.

Pursuant to Statute
Department of Agriculture, Food and Rural Resources, Board of Pesticides Control

The **Department of Agriculture, Food and Rural Resources, Board of Pesticides Control**, pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 10: Definitions and Terms, a Major Substantive Rule of the Department of Agriculture, Food and Rural Resources, Board of Pesticides Control (EMERGENCY)

H.P. 350 L.D. 495

Be **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** 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 **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed pursuant to Joint Rule 218.

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

On motion by Senator **NUTTING** of Androscoggin, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed pursuant to Joint Rule 218, in concurrence.

COMMUNICATIONS

The Following Communication: S.C. 54

124th LEGISLATURE
OFFICE OF THE PRESIDENT

February 2, 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 3, MRSA, Chapter 7, §168-A, I am pleased to appoint the following people to the Legislative Youth Advisory Council:

Zoë Baker of Kennebunk, reappointment

Maximilian Beal of Waterville, replacing Will Cohan of Readfield

Olivia Weiser of Lebanon, replacing Alex Hartman of Vassalboro.

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. 55

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

February 12, 2009

Honorable Elizabeth H. Mitchell, President of the Senate
Honorable Hannah M. Pingree, Speaker of the House
124th Legislature
State House
Augusta, Maine 04333

Dear President Mitchell and Speaker Pingree:

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

L.D. 231 Resolve, Directing the Chancellor of the University of Maine System and the President of the Maine Community College System To Develop Recommendations To Address the Professional Needs of State Employees

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

Sincerely,

S/Sen. Justin L. Alford
Senate Chair

S/Rep. Patricia B. Sutherland
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 56

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

February 10, 2009

Honorable Elizabeth H. Mitchell, President of the Senate
Honorable Hannah M. Pingree, Speaker of the House
124th Legislature
State House
Augusta, Maine 04333

Dear President Mitchell and Speaker Pingree:

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

L.D. 18 An Act To Ensure Access to MaineCare Services

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

Sincerely,

S/Sen. Joseph C. Brannigan
Senate Chair

S/Rep. Anne C. Perry
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 57

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

February 11, 2009

Honorable Elizabeth H. Mitchell, President of the Senate
Honorable Hannah M. Pingree, Speaker of the House
124th Legislature
State House
Augusta, Maine 04333

Dear President Mitchell and Speaker Pingree:

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

L.D. 228 An Act To Prevent Teenage Substance Abuse and Suicide

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

Sincerely,

S/Sen. Joseph C. Brannigan
Senate Chair

S/Rep. Anne C. Perry
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 58

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

February 10, 2009

Honorable Elizabeth H. Mitchell, President of the Senate
Honorable Hannah M. Pingree, Speaker of the House
124th Legislature
State House
Augusta, Maine 04333

Dear President Mitchell and Speaker Pingree:

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

- L.D. 57 An Act To Exempt Small Privately Owned
Windmills from the Property Tax
- L.D. 87 An Act To Allow the Same Homestead and
Veterans' Exemptions to a Person Who Has a
Life Lease as Are Allowed to Those Who Have
a Life Estate (EMERGENCY)

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

Sincerely,

S/Sen. Joseph C. Perry
Senate Chair

S/Rep. Thomas R. Watson
House Chair

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

SENATE PAPERS

Bill "An Act To Protect Private Enterprise from Tax-subsidized Competition by Imposing Requirements on Certain Postsecondary Institutions"

S.P. 213 L.D. 598

Presented by Senator GOOLEY of Franklin.
Cosponsored by Representative LEWIN of Eliot and Senators: DAMON of Hancock, MILLS of Somerset, SMITH of Piscataquis, Representatives: BRYANT of Windham, HARVELL of Farmington, KNIGHT of Livermore Falls, MAZUREK of Rockland, NUTTING of Oakland.

Bill "An Act To Recruit Businesses from Other States"
S.P. 228 L.D. 613

Presented by Senator DIAMOND of Cumberland.
Cosponsored by Representative SMITH of Monmouth and Senators: RECTOR of Knox, SCHNEIDER of Penobscot, SULLIVAN of York, Representatives: CLEARY of Houlton, HUNT of Buxton, MacDONALD of Boothbay, WRIGHT of Berwick.

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 Assist Small Businesses with Creating Jobs"
S.P. 227 L.D. 612

Presented by Senator DIAMOND of Cumberland.
Cosponsored by Representative HUNT of Buxton and Senators: RECTOR of Knox, SCHNEIDER of Penobscot, SULLIVAN of York, Representatives: CLEARY of Houlton, MacDONALD of Boothbay, SMITH of Monmouth, WRIGHT of Berwick.

Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** suggested and ordered printed.

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

Bill "An Act To Require That the Proceeds from Property Seized through Drug Crime Forfeitures Go to the General Fund"
S.P. 216 L.D. 601

Presented by Senator MILLS of Somerset.

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

Sent down for concurrence.

Bill "An Act To Add 10 Days to the School Year and To Require Daily Physical Exercise for All School Children"
S.P. 225 L.D. 610

Presented by Senator MILLS of Somerset.

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 Allow Noninvasive Testing of Infants for the Presence of Drugs without a Parent's Consent"
S.P. 214 L.D. 599

Presented by Senator MILLS of Somerset.

Resolve, To Encourage Physicians To Administer the Injectable Painkiller Toradol in Lieu of Other Opioids
S.P. 215 L.D. 600

Presented by Senator MILLS of Somerset.

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Bill "An Act To Amend the Laws Governing Involuntary Hospitalization Procedures When Both Commitment and Involuntary Treatment Are Sought"

S.P. 224 L.D. 609

Presented by Senator MILLS of Somerset.

Bill "An Act To Provide Reimbursement in the MaineCare Program for Board-certified Behavior Analysts"

S.P. 226 L.D. 611

Presented by Senator PERRY of Penobscot.

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 To Create Recreational Access to the Unorganized Territories"

S.P. 218 L.D. 603

Presented by Senator JACKSON of Aroostook. Cosponsored by Representative THERIAULT of Madawaska and Senator: BRYANT of Oxford, Representatives: CLARK of Millinocket, DAVIS of Sangerville, MARTIN of Eagle Lake, WHEELER of Kittery.

Committee on **INLAND FISHERIES AND WILDLIFE** suggested and ordered printed.

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

Bill "An Act To Enable the Maine Employers' Mutual Insurance Company To Better Serve the Needs of All Employers"

S.P. 221 L.D. 606

Presented by Senator ALFOND of Cumberland. Cosponsored by Representative RICHARDSON of Warren and Senators: BOWMAN of York, McCORMICK of Kennebec.

Bill "An Act To Strengthen the Board of the Maine Insurance Guaranty Association"

S.P. 231 L.D. 616

Presented by Senator McCORMICK of Kennebec. Cosponsored by Representative RICHARDSON of Warren and Representative: FLOOD of Winthrop.

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

Sent down for concurrence.

Bill "An Act To Improve Child Support Collection Procedures by Changing the Process of Modifying a Support Order"

S.P. 229 L.D. 614

Presented by Senator GOODALL of Sagadahoc. Cosponsored by Representative BERRY of Bowdoinham and Senators: BRANNIGAN of Cumberland, SIMPSON of Androscoggin, Representatives: CROCKETT of Augusta, HILL of York, MILLER of Somerville, ROTUNDO of Lewiston, SMITH of Monmouth.

Bill "An Act To Strengthen Landowner Rights in Certain Eminent Domain Situations" (EMERGENCY)

S.P. 230 L.D. 615

Presented by Senator MARRACHÉ of Kennebec. Cosponsored by Representative HILL of York and Senators: BLISS of Cumberland, CRAVEN of Androscoggin, SIMPSON of Androscoggin, Representatives: ADAMS of Portland, BRYANT of Windham, FLETCHER of Winslow, ROTUNDO of Lewiston, WAGNER of Lewiston.

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

Sent down for concurrence.

Bill "An Act To Amend the Maine Workers' Compensation Act of 1992 To Remove Independent Medical Examiners"

S.P. 232 L.D. 617

Presented by Senator GERZOFISKY of Cumberland. Cosponsored by Speaker PINGREE of North Haven and Senators: BARTLETT of Cumberland, JACKSON of Aroostook, MARRACHÉ of Kennebec, Representative: BERRY of Bowdoinham.

Bill "An Act To Ensure the Workers' Compensation Board's Regulatory Oversight of the Maine Insurance Guaranty Association"

S.P. 236 L.D. 620

Presented by Senator BARTLETT of Cumberland. Cosponsored by Representative TUTTLE of Sanford and Senators: BRYANT of Oxford, JACKSON of Aroostook, President MITCHELL of Kennebec, Representatives: BUTTERFIELD of Bangor, DRISCOLL of Westbrook, Speaker PINGREE of North Haven.

Bill "An Act Allowing Workers' Compensation Benefits for Firefighters Who Contract Cancer"

S.P. 235 L.D. 621

Presented by Senator BARTLETT of Cumberland. Cosponsored by Speaker PINGREE of North Haven and Senators: COURTNEY of York, JACKSON of Aroostook, McCORMICK of Kennebec, Representatives: CAMPBELL of Newfield, FLETCHER of Winslow, LAJOIE of Lewiston, PRATT of Eddington, RUSSELL of Portland.

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

Sent down for concurrence.

Bill "An Act To Amend the Maine Clean Election Act as It Relates to Independent Expenditures"

S.P. 222 L.D. 607

Presented by Senator **PLOWMAN** of Penobscot.
Cosponsored by Representatives: **CUSHING** of Hampden, **FITTS** of Pittsfield, **FOSEL** of Alna, **NASS** of Acton, **PINKHAM** of Lexington Township, **VALENTINO** of Saco, **WEAVER** of York.

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

Sent down for concurrence.

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Provide for the Popular Election of the Attorney General
S.P. 219 L.D. 604

Presented by Senator **PLOWMAN** of Penobscot.
Cosponsored by Representatives: **CUSHING** of Hampden, **FOSEL** of Alna, **SAVIELLO** of Wilton, **WEAVER** of York.

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Provide for the Popular Election of the Secretary of State

S.P. 220 L.D. 605

Presented by Senator **PLOWMAN** of Penobscot.
Cosponsored by Representatives: **FITTS** of Pittsfield, **SAVIELLO** of Wilton.

Bill "An Act To Rename Certain Unorganized Townships in Washington County"

S.P. 234 L.D. 619

Presented by Senator **RAYE** of Washington.
Cosponsored by Representative **McFADDEN** of Dennysville and Representative: **McLEOD** of Lee.

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 Reduce Income Tax on Capital Gains"
S.P. 233 L.D. 618

Presented by Senator **SMITH** of Piscataquis.
Cosponsored by Representative **TARDY** of Newport and Senators: **NASS** of York, **RAYE** of Washington, Representatives: **CURTIS** of Madison, **DAVIS** of Sangerville, **FLETCHER** of Winslow, **JOHNSON** of Greenville, **KNIGHT** of Livermore Falls, **SAVIELLO** of Wilton.

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

Sent down for concurrence.

Bill "An Act To Permit Wrecker Services To Charge for Storage while a Vehicle Is under an Order of Impoundment"
S.P. 217 L.D. 602

Presented by Senator **MILLS** of Somerset.

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

Sent down for concurrence.

Bill "An Act To Protect Electricity Consumers in Northern Maine"
S.P. 223 L.D. 608

Presented by Senator **SHERMAN** of Aroostook.
Cosponsored by Senator: **ROSEN** of Hancock, Representatives: **AYOTTE** of Caswell, **CLARK** of Easton, **EDGEComb** of Caribou, **JOY** of Crystal, **THOMAS** of Ripley.

On motion by Senator **HOBBINS** 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.

Off Record Remarks

ORDERS

Joint Orders

Expressions of Legislative Sentiment recognizing:

Aisling Shepherd, of Norway, on her winning the silver medal in the 2-3 dog junior class at the International Federation of Sleddog Sports World Championships in Saint-Just-de-Breteniere, Quebec. We extend our congratulations to Aisling;

SLS 53

Sponsored by Senator HASTINGS of Oxford.
Cosponsored by Representative: MILLETT of Waterford.

READ.

THE PRESIDENT: The Chair recognizes the Senator from Senator RAYE of Washington.

Senator RAYE: Thank you, Madame President. I rise to speak very briefly with respect to the sentiment that is before us. The International Federation of Sleddog Sports World Championships were held in January. More than 17 countries and 300 teams were represented. There are several people here today who qualified by winning one of four regional championship races or being in the top three of the world cup point standings in the 2007 - 2008 season. All are members of Mushing USA, the national governing body for sleddog sports in the United States. Maine and the Downeast Sleddog Club had the largest contingence of U.S. mushers, joined by athletes from ten other U.S. states. Downeast Sleddog Club is dedicated to the preservation and education of sleddog sports and offers an environment where all levels of ability can reach their goals. With the exception of the sleddog clubs in Alaska, Maine has sent the most athletes to the World Championships. The IFSS World Championships take place every odd year and they alternate between North America and Europe. It had been last held in Sweden in 2007.

I'd like to call attention specifically to Aisling Shepherd of Norway, who is accompanied by her grandfather, Bryan Shepherd. Aisling moved to Maine three years ago to pursue her love of dog mushing. In her short career she had won numerous international medals and was selected as the 2008 American Girl of the Year for the New York market. With it came a \$5,000 prize to the charity of Aisling's choosing and an all expense paid trip for two to New York City. She dedicated her efforts and all her races this year to her lead dog Virgil who has been sidelined all season due to sickness. I'm very pleased to offer congratulations to Aisling.

PASSED.

Sent down for concurrence.

THE PRESIDENT: The Chair would request that Aisling Shepherd and her grandfather please stand and accept the greetings of the Maine Senate.

Sadie Theriault, of Jackman, on her winning the one-dog junior skjoring and the adult 4-dog sprint classes at the International Federation of Sleddog Sports World Championships in Saint-Just-de-Bretenieres, Quebec. We extend our congratulations to Sadie;

SLS 55

Sponsored by Senator MILLS of Somerset.
Cosponsored by Representative: PINKHAM of Lexington Township.

READ.

THE PRESIDENT: The Chair recognizes the Senator from Senator MILLS of Somerset.

Senator MILLS: Thank you, Madame President. In regards to item 4-4 which is in commemoration of the achievements of Sadie Theriault who is a sophomore at Forest Hills School in Jackman. A charming school, by the way. It is one of Maine's few schools that goes from K-12 all the way in one building. She has 16 classmates. Her parents are here; Norman, who is a Maine guide and a carpenter, and Karen, who works for a forester up in Jackman. Sadie owns six dogs. They are a crossbreed between Alaskan Huskies and German Shorthair Pointers. They are very muscular dogs. She won prizes in the one-dog skjoring contest and in the four-dog sled contest. Frankly, we are very proud to have her and both of her parents in the chamber with us today. Thank you for honoring them.

PASSED.

Sent down for concurrence.

THE PRESIDENT: The Chair would ask that Sadie Theriault and her parents please stand and accept the greetings of the Maine Senate.

Alex Thomas, of Blanchard Township, on his placing 4th in the 4-dog junior sprint class at the International Federation of Sleddog World Championships in Saint-Just-de-Bretenieres, Quebec. We extend our congratulations to Alex;

SLS 57

Sponsored by Senator SMITH of Piscataquis.
Cosponsored by Representative: JOHNSON of Greenville.

Ben Thomas, of Blanchard Township, on his participation in the unlimited class at the International Federation of Sleddog Sports World Championships in Saint-Just-de-Bretenieres, Quebec. We extend our congratulations to Ben;

SLS 58

Sponsored by Senator SMITH of Piscataquis.
Cosponsored by Representative: JOHNSON of Greenville.

READ.

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

Senator **SMITH:** Thank you, Madame President. With respect to 4-6 and 4-7, I would just like to call attention to the fact that Alex and Ben Thomas from Blanchard Township in Senate District 27 are here today. They are a father and son team, I think one of two that competed in the races. They are quite a team, I understand. I don't know them as well as I'm going to get to know them very shortly. Ben, the father, always competed in racing for some 30 years. This is the first time he has competed at this level. Alex, his son, competed for the very first time in this race. I expect that in the years ahead, given his youth and his enthusiasm for the sport, that we will be seeing much of him in the World Championships in the years ahead. I would like to congratulate them for their success and participation. I thank you very much for this opportunity to speak.

PASSED.

Sent down for concurrence.

THE PRESIDENT: The Chair would ask that Alex and Ben Thomas stand to accept the greetings of the Maine Senate.

Bruce Swan, of Springfield, on his top twenty placing in the 8-dog sprint class at the International Federation of Sleddog Sports World Championships in Saint-Just-de-Bretenieres, Quebec. We extend our congratulations to Bruce;

SLS 59

Sponsored by Senator SCHNEIDER of Penobscot. Cosponsored by Representative: McLEOD of Lee.

READ.

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

Senator **SCHNEIDER:** Thank you, Madame President. Madame President and colleagues, Bruce Swan of Springfield is here. He has participated in the International Federation of Sleddog Sports World Championships and placed in the top 20. He overcame a knee injury to be able to compete in this competition. He's had nearly 20 years in this sport and this was his first World Championship appearance. I'd like to extend my congratulations to Bruce and his family. Job well done. Thank you very much, Madame President.

PASSED.

Sent down for concurrence.

THE PRESIDENT: The Chair would ask that Bruce Swan and his family members please stand and accept the greetings of the Maine Senate.

Off Record Remarks

REPORTS OF COMMITTEES

Senate

Ought to Pass

Senator NUTTING for the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act To Allow Nonmember Directors To Serve on the Board of Cooperative Agricultural Associations"

S.P. 18 L.D. 46

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator SIMPSON for the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Allow a Municipality Greater Flexibility To Disburse State Fees"

S.P. 49 L.D. 130

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

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

SECOND READERS

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

Senate

Bill "An Act To Provide Rule-making Authority to the Maine Library Commission"

S.P. 11 L.D. 2

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

Sent down for concurrence.

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

ORDERS OF THE DAY

Unfinished Business

The following matter in the consideration of which the Senate was engaged at the time of Adjournment had preference in the Orders of the Day and continued with such preference until disposed of as provided by Senate Rule 516.

The Chair laid before the Senate the following Tabled and Later (2/10/09) Assigned matter:

Bill "An Act To Facilitate the Development of Ocean Wind Power"
H.P. 306 L.D. 418

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

Pending - **REFERENCE**

(In House, February 10, 2009, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed.)

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

Sent down for concurrence.

Senate at Ease.

Senate called to order by the President.

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

Bill "An Act To Create Recreational Access to the Unorganized Territories"

S.P. 218 L.D. 603

Tabled - February 17, 2009, by Senator **BRYANT** of Oxford

Pending - **REFERENCE**

(Committee on **INLAND FISHERIES AND WILDLIFE** suggested and ordered printed.)

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

Sent down for concurrence.

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

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

Senator **RAYE** of Washington 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.

Senator **CRAVEN** of Androscoggin was granted unanimous consent to address the Senate off the Record.

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

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

Senator **GOOLEY** of Franklin was granted unanimous consent to address the Senate off the Record.

Senator **MARRACHÉ** of Kennebec 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

Resolve, Directing the Department of Agriculture, Food and Rural Resources To Study Potential Uses of a Potato Plant That Is Toxic to the Colorado Potato Beetle

H.P. 395 L.D. 557

Bill "An Act To Amend Notification Procedures of the Maine Land Use Regulation Commission"

H.P. 396 L.D. 558

Bill "An Act To Update the Board of Pesticides Control"

H.P. 397 L.D. 559

Bill "An Act To Ban the Hunting of Animals in Enclosed Areas"

H.P. 398 L.D. 560

Resolve, To Direct State Agencies To Develop Policies To Guide Employees When Accessing Private Woodland

H.P. 399 L.D. 561

Bill "An Act To Support Maine State Parks"

H.P. 400 L.D. 562

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.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Define 'Edentulous Arch' in the Laws Governing Denturists"

H.P. 403 L.D. 565

Bill "An Act To Amend the Petroleum Market Share Act"

H.P. 404 L.D. 566

Bill "An Act To Promote the Accessibility and Use of Reusable Bags"

H.P. 436 L.D. 622

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 To Provide Increased Protection for Victims of Domestic Violence"

H.P. 405 L.D. 567

Bill "An Act To Amend the Sex Offender Registration Laws" (EMERGENCY)

H.P. 406 L.D. 568

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

On motion by Senator **GERZOFISKY** 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 Papers

Bill "An Act Concerning the Maine School of Science and Mathematics"

H.P. 407 L.D. 569

Bill "An Act To Improve the Laws Governing the Consolidation of School Administrative Units"

H.P. 408 L.D. 570

Bill "An Act To Protect College Students from Predatory Marketing and Lending Practices"

H.P. 409 L.D. 571

Come 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 Expand the Membership of the Maine Elder Death Analysis Review Team"

H.P. 410 L.D. 572

Bill "An Act Requiring Assisted Living Facilities To Provide Automated External Defibrillator Availability"

H.P. 411 L.D. 573

Resolve, To Increase the Blood Supply

H.P. 412 L.D. 574

Bill "An Act To Preserve the Commitment Made to Children in the State's Care"

H.P. 413 L.D. 575

Resolve, To Require the Department of Health and Human Services and the Maine State Housing Authority To Create Efficiencies in Existing Services for Persons Who Are Homeless

H.P. 414 L.D. 576

Bill "An Act To Provide the Office of Chief Medical Examiner Access to Controlled Substances Prescription Monitoring Program Data for the Purpose of Conducting Cause of Death Investigations"

H.P. 437 L.D. 623

Resolve, To Implement Certain Recommendations of the Report of the Governor's Task Force on Expanding Access to Oral Health Care for Maine People

H.P. 438 L.D. 624

Resolve, To Ensure All Children Covered by MaineCare Receive Early and Periodic Screening, Diagnosis and Treatment Services

H.P. 439 L.D. 625

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 Create a Speed Limit on Long Lake and Brandy Pond in Cumberland County"

H.P. 415 L.D. 577

Bill "An Act To Increase Participation in Funding the Activities of the Department of Inland Fisheries and Wildlife"

H.P. 440 L.D. 626

Bill "An Act To Allow a Senior Hunter To Take an Antlerless Deer in Any Zone Designated by the Department of Inland Fisheries and Wildlife"

H.P. 441 L.D. 627

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

On motion by Senator **BRYANT** of Oxford, **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 Concerning the Automatic Dissolution of Certain Marriages" (EMERGENCY)

H.P. 418 L.D. 580

Bill "An Act To Amend the Statute of Limitations for Actions against the Estate of a Decedent"

H.P. 420 L.D. 582

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 Papers

Bill "An Act Regarding Repayment of Subrogation or Lien Claims in Workers' Compensation Actions"

H.P. 416 L.D. 578

Bill "An Act To Provide Wraparound Medical Coverage in the Workers' Compensation System"

H.P. 417 L.D. 579

Come 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 Relating to Political Action Committees"
H.P. 421 L.D. 583

Bill "An Act To Amend the Maine Clean Election Act To Equalize the Qualifying Period for All Candidates and To Increase the Number of Required Contributions for Candidates to the Legislature"

H.P. 422 L.D. 584

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 Protect Fishing Families by Authorizing Certain Transfers of Lobster and Crab Fishing Licenses"
H.P. 423 L.D. 585

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.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Retain Business in the State By Amending the Law Governing State Contract Bids"
H.P. 424 L.D. 586

Bill "An Act To Allow a Board of Selectmen To Fill a Vacancy on That Board"
H.P. 425 L.D. 587

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 Amend the Excise Tax on Motor Vehicles To Reflect Depreciation"
H.P. 426 L.D. 588

Bill "An Act To Encourage the Production of Liquid Biofuels"
H.P. 427 L.D. 589

Bill "An Act To Establish a Wellness Tax Credit"
H.P. 428 L.D. 590

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

Bill "An Act To Increase Mandatory Minimum Insurance Requirements for Vehicles for Hire"
H.P. 430 L.D. 592

Resolve, To Require the Department of Transportation To Improve the Safety of the Intersection of Route 4 and the Dill Road in the Town of Phillips
H.P. 431 L.D. 593

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.

Bill "An Act Regarding the Granting of a Work-restricted Driver's License for Travel to and from Work for Certain Persons with Suspended Licenses"
H.P. 429 L.D. 591

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

On motion by Senator **DAMON** of Hancock, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY**, 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 Allow Electricity Customers Who Operate Generating Facilities To Be Paid in Cash for Excess Net Energy Produced"

H.P. 434 L.D. 596

Bill "An Act To Amend the Laws Governing Public Safety Answering Points"

H.P. 435 L.D. 597

Come 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.

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

REPORTS OF COMMITTEES

House

Ought to Pass Pursuant to Joint Order

The Joint Select Committee on **MAINE'S ENERGY FUTURE** on Resolve, Relating to Federal Stimulus Funds for Energy Programs (EMERGENCY)

H.P. 394 L.D. 556

Reported that the same **Ought to Pass**, pursuant to Joint Order, H.P. 63.

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

Report **READ**.

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

Off Record Remarks

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

Senator **GOOLEY** of Franklin was granted unanimous consent to address the Senate on the Record.

Senator **GOOLEY**: Thank you, Madame President. I'd just like to say that this is President's week and in addition we just celebrated the 200th birthday of Abraham Lincoln. In light of the ongoing challenges that our democracy faces and the problems faced by all past Presidents, it becomes an honor to bring forward a portion of President Abraham Lincoln's second inaugural address dated March 4, 1865.

'With malice towards none, with charity for all, with firmness in the right as God gives us to see the right, let us strive on to finish the work we are in, to bind up the nation's wounds, to care for him who shall have borne the battle and for his widow and his orphan, to do all which may achieve and cherish a just and a lasting peace among ourselves and with all nations.'

I'd just like to say in addition the wounds today are different, the wars are different, the economics are different, but seeking lasting peace wherever in the world is the responsibility of us all. Thank you.

On motion by Senator **BARTLETT** of Cumberland, **ADJOURNED**, to Thursday, February 19, 2009, at 10:00 in the morning.