

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

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
Thursday
February 19, 2009

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

Prayer by Reverend Timothy Wilcox, Fairfield and Fairfield Center
United Methodist Churches.

REVEREND WILCOX: Fellow citizens, I invite you to pray in the spirit according to your own tradition. Oh Holy God, we thank You for all that is part of this day, Your world that You have made, Your citizens, the hard work of so many who make this world work, and the blessings that You give us each and every day. We acknowledge that we have not always listened to Your still small voice calling us to be the best we can be, haven't always taken responsibility for the awesome responsibilities You have given us, and haven't always heard the cry for justice for those who have no voice but our own nor have been good stewards of the gifts You have given. In these challenging times when our neighbors, our friends, or our colleagues in many cases are struggling with financial and personal struggles, we would pray that You would guide us, those of us who would serve, who have the power to influence, to encourage, and to change this world in so many ways as we seek to make difficult choices. In this week of remembering leaders who have been significant in our country, let us, who would serve this state, dedicate ourselves anew to all Your people, rising above the temptation to serve only ourselves, our party, our region, or other particular interests, and not forgetting You or those who we serve, for sometimes we indeed are the only voice someone has. Help us to remember that in the essentials we can be unified together and in the nonessentials we can find liberty and in all things charity. As some amongst us have already begun looking forward to Spring and as surely as those signs of Spring come, may we be renewed by Your strength, by Your guidance, and by Your presence. All these things we offer to You today in Your name. Amen.

Reading of the Journal of Tuesday, February 17, 2009.

Doctor of the day, Dr. Jo Linder, MD of Falmouth.

Off Record Remarks

Out of order and under suspension of the Rules, on motion by Senator **BARTLETT** of Cumberland, the following Joint Order:
S.P. 237

Ordered, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, February 24, 2009, at 10:00 the morning.

READ and PASSED.

Ordered sent down forthwith for concurrence.

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Require That Police Reports Be Filed in All Automobile Accidents"

H.P. 432 L.D. 594

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 Prevent High-speed Chases"

H.P. 433 L.D. 595

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 Pay a State Share into the HealthInfoNet System"
H.P. 401 L.D. 563

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

Comes from the House, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**.

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

Bill "An Act To Allow Law Enforcement Officers To Obtain a Personal Recognizance Bond in Certain Cases"

H.P. 419 L.D. 581

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

Comes from the House, **REFERRED** to the Committee on **JUDICIARY**.

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

Bill "An Act To Promote Independence and Facilitate Employment for Visually Impaired or Blind Individuals by Investing in an Effective Vision Rehabilitation System"

H.P. 402 L.D. 564

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

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

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

COMMUNICATIONS

The Following Communication: S.C. 59

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

February 13, 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. 98 Resolve, To Direct the Department of Education and the Department of Health and Human Services To Require the Teaching of Mental Health Awareness in Middle Schools Based on a National Curriculum

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

Sincerely,

S/Sen. Justin L. Alfond
Senate Chair

S/Rep. Patricia B. Sutherland
House Chair

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

The Following Communication: S.C. 60

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

February 13, 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 State and Local Government has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 143 An Act To Amend the Process for Secession from a County by a Municipality

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

Sincerely,

S/Sen. Deborah L. Simpson
Senate Chair

S/Rep. Stephen R. Beaudette
House Chair

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

The Following Communication: S.C. 61

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

February 13, 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 Transportation has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 133 An Act To Allow a Duplicate Vanity License Plate in a Different Classification of Plate
- L.D. 145 An Act To Require the Secretary of State To Notify Vehicle Owners of Impending Registration Expiration

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

Sincerely,

S/Sen. Dennis S. Damon
Senate Chair

S/Rep. Edward J. Mazurek
House Chair

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

The Following Communication: S.C. 62

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

February 13, 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 Utilities and Energy has voted unanimously to report the following bill out "Ought Not to Pass":

- L.D. 146 An Act To Require Telephone Directories To Include Cellular Telephone Numbers for Businesses

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

Sincerely,

S/Sen. Barry J. Hobbins
Senate Chair

S/Rep. Jon Hinck
House Chair

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

The Following Communication: S.C. 63

**THE UNIVERSITY OF MAINE
MARGARET CHASE SMITH POLICY CENTER
ORONO, MAINE 04469-5784**

February 13, 2009

Joy J. O'Brien
Secretary of the Senate
3 State House Station
3rd Floor, Room 327 State House
Augusta, ME 04333

RE: Maine State Government Summer Internship Program

Dear Secretary O'Brien:

In accordance with 1967 Public Law, Chapter 493, Section 294, item 8, I am enclosing copies of the 2008 Maine State Government Summer Internship Report for distribution to the Members of the State Senate.

The Maine State Government Summer Internship Program is a full-time, 12-week, paid work experience in a state agency. The program combines work experience with an educational program designed to provide talented Maine college students the opportunity to participate in and contribute to Maine State Government. We are now accepting all applications through our website at <http://mcspolicycenter.umaine.edu/?q=MSGSIP>.

Thank you for your assistance in making this report available to the Members of the Senate.

Yours truly,

S/Charles E. Morris
Research Associate
Director, Maine State Government Summer Internship Program

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

REPORTS OF COMMITTEES

Senate

Ought to Pass

Senator HOBBS for the Committee on **UTILITIES AND ENERGY** on Bill "An Act To Amend the Charter of the Athens Standard Water District"

S.P. 50 L.D. 131

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.

Off Record Remarks

SECOND READERS

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

Senate

Bill "An Act To Allow Nonmember Directors To Serve on the Board of Cooperative Agricultural Associations"

S.P. 18 L.D. 46

Bill "An Act To Allow a Municipality Greater Flexibility To Disburse State Fees"

S.P. 49 L.D. 130

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

The Chair laid before the Senate the following Tabled and Later (2/12/09) Assigned matter:

JOINT ORDER - To Require the Joint Standing Committee on Health and Human Services To Report Out a Resolve Establishing a Study Commission on In Utero Drug Addiction
S.P. 193

Tabled - February 12, 2009, by Senator **BARTLETT** of Cumberland

Pending - motion by Senator **McCORMICK** of Kennebec to **PASS**

(In Senate, February 12, 2009, on motion by Senator **McCORMICK** of Kennebec, **READ**.)

On motion by Senator **McCORMICK** of Kennebec, the Joint Order **INDEFINITELY POSTPONED**.

The Chair laid before the Senate the following Tabled and Later (2/17/09) Assigned matter:

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

H.P. 365 L.D. 520

Tabled - February 17, 2009, by Senator **GERZOFISKY** of Cumberland

Pending - **REFERENCE**

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

(In House, February 12, 2009, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS**.)

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

The Chair laid before the Senate the following Tabled and Later (2/17/09) Assigned matter:

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

Tabled - February 17, 2009, by Senator **BLISS** of Cumberland

Pending - **REFERENCE**

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

(In House, February 12, 2009, **REFERRED** to the Committee on **TRANSPORTATION**.)

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

The Chair laid before the Senate the following Tabled and Later (2/17/09) Assigned matter:

Bill "An Act To Assist Small Businesses with Creating Jobs"
S.P. 227 L.D. 612

Tabled - February 17, 2009, by Senator **SCHNEIDER** of Penobscot

Pending - **REFERENCE**

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

On motion by Senator **DIAMOND** of Cumberland, Bill and accompanying papers **INDEFINITELY POSTPONED**.

Sent down for concurrence.

Off Record Remarks

The Chair laid before the Senate the following Tabled and Later (2/17/09) Assigned matter:

HOUSE REPORT - from the Joint Select Committee on **MAINE'S ENERGY FUTURE**, pursuant to Joint Order, H.P. 63, on Resolve, Relating To Federal Stimulus Funds For Energy Programs (Emergency)

H.P. 394 L.D. 556

Report - **Ought To Pass**, pursuant to Joint Order, H.P. 63

Tabled - February 17, 2009, by Senator **BARTLETT** of Cumberland

Pending - **ACCEPTANCE OF REPORT**, in concurrence

(In House, February 17, 2009, **PASSED TO BE ENGROSSED**.)

(In Senate, February 17, 2009, Report **READ**.)

Report **ACCEPTED**, in concurrence.

Under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, in concurrence.

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

Senate at Ease.

Senate called to order by the President.

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

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.

Off Record Remarks

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:

ENACTORS

The Committee on **Engrossed Bills** reported as truly and strictly engrossed the following:

Emergency Resolve

Resolve, Relating to Federal Stimulus Funds for Energy Programs

H.P. 394 L.D. 556

THE PRESIDENT: The Chair recognizes the Senator from Washington, Senator Raye.

Senator **RAYE:** Thank you, Madame President. I wanted to address the Senate briefly prior to our action on this Resolve. I want to thank members of leadership on both sides of the aisle. Particularly, in addition to that, I want to thank the Senator from

Piscataquis, Senator Smith, and the Senate from Knox, Senator Rector, for some very good discussions we had around this issue in the days since the Joint Select Committee on Maine's Energy Future acted on it. This Resolve establishes the responsibility of the legislature to do our part to ensure the wise and responsible use of funds that come in State coffers for energy related issues as the result of the passage of the Federal Stimulus law. We are committed to ensuring that it is used as quickly as practically possible. This should in no way delay prompt action but it should insure thoughtful action. It is clear that the intent of our passage of this Resolve is to help ensure that the Federal Economic Stimulus in no way exacerbates the structural gap in our own state budget going forward. We recognize this is one-time, short term funding and we must guard against using it in any other way. I thought it was important that, as we act on this, the record reflect this as we move forward. Thank you.

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

Senator **BARTLETT:** Thank you, Madame President. This Resolve comes out of the work of the newly created Joint Select Committee on Maine's Energy Future and represents a bipartisan commitment to make sure as money comes flowing in from the federal government for energy related purposes that we have an opportunity to step back and make sure that those monies are spent in a way that are one-time but are also consistent with our overall strategy as we look forward. Our goal this session, I think on both sides of the aisle, is to come together with a long-term energy plan with short-term components and long-term components to make sure we are helping to reduce our dependence on fossil fuels and to make sure we are lowering energy costs to Maine consumers. This is designed to be a part of that overall plan and strategy. I look forward to the opportunity to work with everybody in this Body as well as our friends at the other end of the hall to make sure that we are working together in a cooperative spirit to make sure that these monies are put to the maximum use to lower energy costs for Maine's people. Thank you.

This being an Emergency Measure and having received the affirmative vote of 29 Members of the Senate, with no Senators having voted in the negative, and 29 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Allocate Prospective Federal Funding To Support Maine's Dairy Industry" (EMERGENCY)
H.P. 442 L.D. 628

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 **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 Paper

Bill "An Act To Require That the 3 Branches of Government Be Listed Separately in Budget Documents and Budget Bills"
H.P. 443 L.D. 629

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.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Update and Streamline State Licensing Laws and Clarify the Process for Appealing Final Decisions of Certain Licensing Entities"
H.P. 444 L.D. 630

Bill "An Act To Clarify the Maine Uniform Building and Energy Code"
H.P. 466 L.D. 652

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 Amend the Laws Relating to the Department of Corrections"

H.P. 445 L.D. 631

Bill "An Act To Increase Payments to Victims of Crimes"

H.P. 446 L.D. 632

Bill "An Act To Amend the Laws Pertaining to Refusing To Submit to Arrest or Detention"

H.P. 447 L.D. 633

Bill "An Act To Create a Mandatory Sentence for Repeat Offenders of Sex Offenses against Victims under 12 Years of Age"

H.P. 448 L.D. 634

Bill "An Act To Strengthen the Penalties for Leaving the Scene of an Accident"

H.P. 467 L.D. 653

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 Papers

Bill "An Act To Provide Additional Time to Certain School Administrative Units To Comply with School Administrative Unit Reorganization Laws" (EMERGENCY)

H.P. 449 L.D. 635

Bill "An Act To Control Education Administrative Costs"

H.P. 450 L.D. 636

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 Ensure Services for Adults with Developmental Disabilities"

H.P. 451 L.D. 637

Resolve, To Review Statutes, Rules and Policies Regarding Mental Retardation, Pervasive Developmental Disorders and Other Cognitive and Developmental Disorders

H.P. 468 L.D. 654

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 Exempt Snowmobiles Operated at Demonstration Events from the Requirement of a Maine Registration"

H.P. 452 L.D. 638

Resolve, Directing the Department of Inland Fisheries and Wildlife To Conduct a Study To Enhance Maine's Recreational Fishing Economy

H.P. 469 L.D. 655

Bill "An Act To Allow Members of the Armed Forces Who Are Not Residents but Own Property in this State To Obtain Resident Hunting and Fishing Licenses or Permits"

H.P. 470 L.D. 656

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 Paper

Bill "An Act Regarding the Computation of Workers' Compensation Rates Based on Past Claims"

H.P. 453 L.D. 639

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 **LABOR**, 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 Ensure Public Access to Records Relating to Public Contracts for Personal Services"

H.P. 454 L.D. 640

Bill "An Act To Protect Parental Relationships during and after Divorce"

H.P. 456 L.D. 642

Bill "An Act To Authorize a Court To Appoint a Parenting Coordinator To Assist in Domestic Relations Actions"

H.P. 457 L.D. 643

Bill "An Act To Allow the Award of Court Costs or Attorney's Fees in Protection from Harassment Actions"

H.P. 471 L.D. 657

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 Require United States Occupational Safety and Health Administration Training for Government Construction Contracts"

H.P. 472 L.D. 658

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 Allow the Sale and Use of Fuel Containing MTBE in a Vehicle in a Competitive Event"

H.P. 458 L.D. 644

Bill "An Act To Provide for Municipal Oversight and Authority over Groundwater Extraction"

H.P. 459 L.D. 645

Bill "An Act To Improve the Water Quality of Maine's Rivers"

H.P. 460 L.D. 646

Bill "An Act To Clarify A Municipality's Authority To Pass Ordinances That Govern the Extraction of Groundwater"

H.P. 477 L.D. 663

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.

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 Tax Relief for Retired Veterans Operating Businesses in Maine"

H.P. 461 L.D. 647

Bill "An Act To Remove the Sales Tax on Watercraft"

H.P. 473 L.D. 659

Bill "An Act To Phase Out the Distribution of the Disproportionate Tax Burden Fund under the State-municipal Revenue Sharing Program over a 5-year Period"

H.P. 476 L.D. 662

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 Allow the Operation of Low-speed Vehicles on Higher-speed Roads"

H.P. 462 L.D. 648

Bill "An Act To Reimburse Communities That Have Constructed Sand and Salt Sheds Rated Priority 3 and 4"

H.P. 463 L.D. 649

Bill "An Act To Authorize a General Fund Bond Issue To Maintain Train Quiet Zone Status in Millinocket"

H.P. 474 L.D. 660

Resolve, To Provide Equitable Tolls on the Maine Turnpike
H.P. 475 L.D. 661

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

House Papers

Bill "An Act To Create a Sustainable Funding Mechanism for Water and Wastewater Infrastructure in the State"

H.P. 464 L.D. 650

Bill "An Act To Amend the Wind Energy Rebate Program Eligibility Requirements"

H.P. 465 L.D. 651

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

On motion by Senator **BOWMAN** 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

Change of Committee

The Committee on **UTILITIES AND ENERGY** on Bill "An Act To Facilitate Wind Power Siting"

H.P. 164 L.D. 199

Reported that the same be **REFERRED** to the Committee on **NATURAL RESOURCES**.

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

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

REFERRED to the Committee on **NATURAL RESOURCES**, in concurrence.

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

REPORTS OF COMMITTEES

House

Ought to Pass

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Resolve, Regarding Legislative Review of Portions of Chapter 181: Child Development Services System: Regional Provider Advisory Boards, a Major Substantive Rule of the Department of Education (EMERGENCY)

H.P. 67 L.D. 77

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

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

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

REPORTS OF COMMITTEES

House

Ought to Pass

The Committee on **HEALTH AND HUMAN SERVICES** on Resolve, Regarding Legislative Review of Portions of Chapter 10: Exemptions to the Ban on Flavored Cigarettes and Cigars, a Major Substantive Rule of the Office of the Attorney General (EMERGENCY)

H.P. 71 L.D. 81

LEGISLATIVE RECORD - SENATE, THURSDAY, FEBRUARY 19, 2009

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

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

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

Off Record Remarks

On motion by Senator **BARTLETT** of Cumberland, **ADJOURNED**, pursuant to the Joint Order, to Tuesday, February 24, 2009, at 10:00 in the morning.