

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
March 3, 2009

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

Prayer by Pastor William Holmes, Jr., Larrabee Church of Machiasport.

PASTOR HOLMES: Will you bow together please. Our Father, we gather here today to ask Your blessing upon this legislative Body in perhaps the most troubling of times to be faced in our state. We ask for wisdom as this Body addresses the fiscal and moral direction we will take in the future. Father, it appears that for many years we the affairs of this great ship of state have been guided by this Body's own intellect. Now we find our state in situations, Lord, that I believe will sink us without Your divine guidance. My prayer for this Body as a whole is to turn from man's ways, which have brought us to this point, to Yours and to truly throw itself upon Your wisdom and Your guidance to seek and trust You to direct it in all its decisions and by so doing they will know that You will captain it into safe and secure waters. If this Body does that, Heavenly Father, You will bless it in its decisions, which ultimately will bless every citizen of this great state of Maine. Thank You, Lord. In the lovely name of Jesus, Amen.

Pledge of Allegiance led by Senator Kevin L. Raye of Washington County.

Reading of the Journal of Thursday, February 26, 2009.

Off Record Remarks

PAPERS FROM THE HOUSE

Non-Concurrent Matter

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

H.P. 382 L.D. 537

In House, February 12, 2009, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

In Senate, February 24, 2009, Resolve **INDEFINITELY POSTPONED**, in **NON-CONCURRENCE**.

Comes from the House, that Body **ADHERED**.

On motion by Senator **DAMON** of Hancock, the Senate **ADHERED**.

COMMUNICATIONS

The Following Communication: S.C. 82

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

February 23, 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 Criminal Justice and Public Safety has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 14 An Act To Prohibit Air Bag Fraud
- L.D. 69 An Act To Provide a Reward for Information Regarding the Murder of a Law Enforcement Officer
- L.D. 185 An Act To Ensure Public Safety during High-speed Chases by Law Enforcement Officers

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

Sincerely,

S/Sen. Stanley J. Gerzofsky
Senate Chair

S/Rep. Anne M. Haskell
House Chair

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

The Following Communication: S.C. 83

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

February 25, 2009

L.D. 208
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 Insurance and Financial Services has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 62 An Act To Ensure an Adequate Time Frame within Which To Rebuild a Home
- L.D. 216 An Act To Amend the Law Governing Property Insurance on a Primary Residence
- L.D. 274 An Act To Require That Insurance Contracts Include a Plain Language Summary

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

Sincerely,

S/Sen. Peter B. Bowman
Senate Chair

S/Rep. Sharon A. Treat
House Chair

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

The Following Communication: S.C. 84

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

February 26, 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 Natural Resources has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 63 An Act To Reduce Registration Fees for Certain Generators of Biomedical Waste

An Act To Require a Municipality That Abuts a Body of Water To Contribute to the Cost of Upkeep of Municipally Owned Dams on That Body of Water

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

Sincerely,

S/Sen. Seth A. Goodall
Senate Chair

S/Rep. Robert S. Duchesne
House Chair

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

The Following Communication: S.C. 85

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

February 26, 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. 8 An Act To Deter Road Rage
- L.D. 41 An Act To Prohibit the Use of a Handheld Cellular Telephone While Operating a Motor Vehicle
- L.D. 112 An Act To Prohibit the Use of Handheld Cellular Telephones while Driving
- L.D. 261 An Act To Increase Safety in Construction Zones

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.**

SENATE PAPERS

Bill "An Act To Ensure the Integrity of Organic Agricultural Crops"
S.P. 312 L.D. 804

Presented by Senator JACKSON of Aroostook.
Cosponsored by Representative CRAY of Palmyra and Senator: BRYANT of Oxford, Representatives: GIFFORD of Lincoln, PERCY of Phippsburg, SAVIELLO of Wilton, SMITH of Monmouth, THIBODEAU of Winterport.

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 School Construction and Renovation Projects That Demonstrate Cost Savings"

S.P. 318 L.D. 810

Presented by President MITCHELL of Kennebec.
Cosponsored by Representative CROCKETT of Augusta and Representatives: BLODGETT of Augusta, CAIN of Orono, CASAVANT of Biddeford, RANKIN of Hiram, SUTHERLAND of Chapman, WAGNER of Lewiston.

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 Prohibit Furnishing a Place for Minors To Use Illegal Drugs"

S.P. 305 L.D. 791

Presented by Senator RAYE of Washington.
Cosponsored by Representative BURNS of Whiting and Senators: DAVIS of Cumberland, GERZOFKY of Cumberland, Representative: SYKES of Harrison.

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

Sent down for concurrence.

Bill "An Act To Authorize Fuel Cost Stabilization Funds To Be Established in School Administrative Units"

S.P. 314 L.D. 806

Presented by Senator ALFOND of Cumberland.
Cosponsored by Representative SCHATZ of Blue Hill and Senators: DAMON of Hancock, GOODALL of Sagadahoc, HOBBS of York, SHERMAN of Aroostook, Representatives: MILLETT of Waterford, PIEH of Bremen, STRANG BURGESS of Cumberland, TARDY of Newport.

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 Require Reporting on Medical Services or Treatment Provided to Minors without Parental Consent"

S.P. 310 L.D. 802

Presented by Senator NASS of York.
Cosponsored by Representative CEBRA of Naples and Senators: SHERMAN of Aroostook, SMITH of Piscataquis, WESTON of Waldo, Representatives: AUSTIN of Gray, DAVIS of Sangerville, JOY of Crystal.

Bill "An Act To Preserve the Viability of Services to Maine's Citizens with Mental Retardation" (EMERGENCY)
S.P. 317 L.D. 809

Presented by Senator CRAVEN of Androscoggin.
Cosponsored by Representative CONNOR of Kennebunk and Senator: MILLS of Somerset, Representatives: LAJOIE of Lewiston, LEGG of Kennebunk, LEWIN of Eliot, MILLER of Somerville, PERRY of Calais, ROTUNDO of Lewiston, STRANG BURGESS of Cumberland.

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

Sent down for concurrence.

Resolve, To Establish a Landlocked Salmon Enhancement Pilot Project

S.P. 308 L.D. 800

Presented by Senator DAMON of Hancock.
Cosponsored by Representatives: DAVIS of Sangerville, DUCHESNE of Hudson, EBERLE of South Portland, PERCY of Phippsburg, PERRY of Calais, WATSON of Bath.

Bill "An Act To Improve and Promote Maine's Landlocked Salmon Resources"

S.P. 315 L.D. 807

Presented by Senator DAMON of Hancock.
Cosponsored by Representatives: DAVIS of Sangerville, DUCHESNE of Hudson, EBERLE of South Portland, PERCY of Phippsburg, PERRY of Calais, SAVIELLO of Wilton, WATSON of Bath, WELSH of Rockport.

Bill "An Act To Amend Certain Provisions of Fish and Wildlife Laws"

S.P. 319 L.D. 811

Presented by Senator BRYANT of Oxford.
Cosponsored by Representative CLARK of Millinocket and Senator: JACKSON of Aroostook, Representatives: BRIGGS of Mexico, CRAFTS of Lisbon, DAVIS of Sangerville, SAVIELLO of Wilton, WHEELER of Kittery.
Submitted by the Department of Inland Fisheries and Wildlife pursuant to Joint Rule 204.

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

Sent down for concurrence.

Bill "An Act To Authorize an Active Retired Justice or Judge To Conduct Arbitration and Chair Medical Malpractice Screening Panels"

S.P. 311 L.D. 803

Presented by Senator HASTINGS of Oxford.
Cosponsored by Representative TARDY of Newport and Senators: HOBBS of York, MILLS of Somerset, SMITH of Piscataquis, Representatives: CROCKETT of Bethel, DILL of Cape Elizabeth, HAMPER of Oxford.

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

Sent down for concurrence.

Bill "An Act To Clarify the Rights of Public Employee Unions and Public Employers To Agree through Collective Bargaining To Permit Payroll Deductions for Union Dues or Other Funds"

S.P. 309 L.D. 801

Presented by Senator JACKSON of Aroostook.
Cosponsored by Representative TUTTLE of Sanford and Representatives: CLARK of Millinocket, DRISCOLL of Westbrook.

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

Sent down for concurrence.

Bill "An Act To Change Current Limits on Commercial Harness Racing Tracks"

S.P. 313 L.D. 805

Presented by Senator JACKSON of Aroostook.
Cosponsored by Senators: MARRACHÉ of Kennebec, SULLIVAN of York, Representative: CRAY of Palmyra.

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 Encourage Small Business Energy Efficiency"

S.P. 306 L.D. 792

Presented by Senator RAYE of Washington.
Cosponsored by Representative FITTS of Pittsfield and Senators: HOBBS of York, RECTOR of Knox, SHERMAN of Aroostook, SMITH of Piscataquis, Representatives: FLETCHER of Winslow, TILTON of Harrington.

Joint Select Committee on **MAINE'S ENERGY FUTURE** suggested and ordered printed.

On motion by Senator BARTLETT of Cumberland, REFERRED to the Committee on **UTILITIES AND ENERGY**.

Sent down for concurrence.

Bill "An Act To Encourage Clean Fuel Vehicle Economic and Infrastructure Development by Extending the Tax Credit" (EMERGENCY)

S.P. 307 L.D. 799

Presented by Senator BLISS of Cumberland.
Cosponsored by Representative HINCK of Portland and Senator: PERRY of Penobscot, Representatives: CROCKETT of Augusta, PILON of Saco, PIOTTI of Unity.

Bill "An Act To Capitalize the Municipal Investment Trust Fund with Municipal Revenue-sharing Resources"

S.P. 316 L.D. 808

Presented by Senator CRAVEN of Androscoggin.
Cosponsored by Representative BEAUDETTE of Biddeford and Senators: DIAMOND of Cumberland, JACKSON of Aroostook, SIMPSON of Androscoggin, Representatives: CLARK of Millinocket, HILL of York, LAJOIE of Lewiston, STUCKEY of Portland, WAGNER of Lewiston.

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

Sent down for concurrence.

The Committee on **TRANSPORTATION** on Resolve, To Rename the Father Curran Bridge in Augusta

H.P. 53 L.D. 60

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.

REPORTS OF COMMITTEES

House

Ought to Pass

The Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Remove Game Sanctuary Status for Certain Lands in the Town of Orrington"

H.P. 108 L.D. 124

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

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **MARINE RESOURCES** on Bill "An Act To Amend the Alewife Fishing Laws"

H.P. 130 L.D. 151

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

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **TRANSPORTATION** on Bill "An Act To Allow School Buses To Travel at the Posted Speed Limit on the Interstate and the Maine Turnpike"

H.P. 94 L.D. 110

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

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

SECOND READERS

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

House

Bill "An Act To Allow a Weight Tolerance for Vehicle Auxiliary Power Units"

H.P. 32 L.D. 37

Resolve, To Name Part of Route 16 the Alton E. Worcester Highway

H.P. 95 L.D. 111

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

Senate

Bill "An Act To Amend the Requirements for the Livable Wage Report"

S.P. 23 L.D. 64

Bill "An Act To Amend the Laws Governing Public Water System Operation Fees"

S.P. 41 L.D. 119

Bill "An Act Regarding the Electronic Submission of Filings"

S.P. 45 L.D. 123

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.

ENACTORS

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

Emergency Resolve

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

H.P. 67 L.D. 77

This being an Emergency Measure and having received the affirmative vote of 33 Members of the Senate, with no Senators having voted in the negative, and 33 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Emergency Resolve

Resolve, Regarding Legislative Review of Portions of Chapter 10: Exemptions to the Ban on Flavored Cigarettes and Cigars, a Major Substantive Rule of the Office of the Attorney General

H.P. 71 L.D. 81

This being an Emergency Measure and having received the affirmative vote of 33 Members of the Senate, with no Senators having voted in the negative, and 33 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Act

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

S.P. 11 L.D. 2

PASSED TO BE ENACTED and having been signed by the President was presented by the Secretary to the Governor for his approval.

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 (2/26/09) Assigned matter:

Bill "An Act To Amend the Composition of the Maine Commission on Domestic and Sexual Abuse"

S.P. 289 L.D. 742

Tabled - February 26, 2009, by Senator **SIMPSON** of Androscoggin

Pending - **REFERENCE**

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

On motion by Senator **SIMPSON** of Androscoggin, **REFERRED** to the Committee on **JUDICIARY**.

Sent down for concurrence.

Senate at Ease.

Senate called to order by the President.

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

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

Senator **BRANNIGAN** of Cumberland 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 Paper

Bill "An Act To Require Plain Language in Consumer Contracts"
H.P. 549 L.D. 813

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.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Improve Juvenile Correctional Services"
H.P. 542 L.D. 793

Bill "An Act Regarding the Sale of Weapons at Gun Shows"
H.P. 550 L.D. 814

Bill "An Act To Require the Collection of DNA from a Person under Certain Circumstances"
H.P. 551 L.D. 815

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 Authorize the Commissioner of Education To Issue Separate Subsidy Checks to Each Municipality in an Alternative Organizational Structure"

H.P. 552 L.D. 816

Bill "An Act Concerning Teacher Salaries"

H.P. 553 L.D. 817

Bill "An Act To Improve Transparency in the School Funding Formula"

H.P. 554 L.D. 818

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

Resolve, To Adjust Copayment Rules To Ensure Access to Home-based Care Services

H.P. 543 L.D. 794

Resolve, To Enhance Public Information about the MaineCare Program

H.P. 544 L.D. 795

Bill "An Act To Encourage Transparency in Disclosing the Ingredients in Vaccinations for Children to Parents and Guardians"

H.P. 555 L.D. 819

Bill "An Act To Limit Smoking in Outdoor Dining Areas"

H.P. 556 L.D. 820

Bill "An Act To Support Collection and Proper Disposal of Unwanted Drugs"

H.P. 557 L.D. 821

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

On motion by Senator **MARRACHÉ** of Kennebec, **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 Expand Turkey Hunting Opportunities"
H.P. 558 L.D. 822

Bill "An Act To Increase Snowmobile Registration Fees"
H.P. 559 L.D. 823

Bill "An Act To Require a Moose Permit Lottery for Residents Who Have Never Had a Moose Permit"
H.P. 560 L.D. 824

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 Paper

Bill "An Act To Allow the Consecutive Purchase of 6-month Health Insurance Policies"
H.P. 561 L.D. 825

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.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Direct Fines Collected on Tribal Lands to the Passamaquoddy Tribe and the Penobscot Nation"
H.P. 545 L.D. 796

Bill "An Act To Fully Implement the Legislative Intent in Prohibiting Offensive Place Names"
H.P. 546 L.D. 797

Bill "An Act To Protect Recreational Trails on Private Land by Exempting Certain Information on Recreational Trails from the Definition of 'Public Records'"

H.P. 562 L.D. 826

Bill "An Act To Exempt Protection from Abuse Orders from the Notification and 30-day Waiting Period Requirements under the Uniform Enforcement of Foreign Judgments Act"

H.P. 563 L.D. 827

Bill "An Act To Enhance the Shielding of Journalists' Sources"
H.P. 564 L.D. 828

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

Resolve, Pertaining to Vacation Leave Earned by Seasonal Employees of the Baxter State Park Authority
H.P. 548 L.D. 812

Bill "An Act To Clarify the Right of Public School Employees To Engage in Collective Bargaining" (EMERGENCY)
H.P. 565 L.D. 829

Bill "An Act To Exclude Collectively Bargained Salary and Job Promotion Increases from the Earnable Compensation Limitation for Retirement Purposes"
H.P. 566 L.D. 830

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 To Enhance Fund-raising Opportunities by Certain Nonprofit and Fraternal Organizations"
H.P. 567 L.D. 831

Bill "An Act To Amend the Laws Governing Lobbyist Disclosure"
H.P. 568 L.D. 832

Bill "An Act To Distribute Funds Received from the Racino in
Bangor to the Department of Health and Human Services, Office
of Substance Abuse"

H.P. 569 L.D. 833

Bill "An Act To Provide for 2 Veteran Service Officer Positions"
H.P. 570 L.D. 834

Bill "An Act To Amend the Forcible Entry and Detainer Laws"
H.P. 571 L.D. 835

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 Amend the Laws Governing the Scallop Season"
H.P. 572 L.D. 836

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 Paper

Bill "An Act To Protect Maine's Groundwater"
H.P. 573 L.D. 837

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

On motion by Senator **GOODALL** of Sagadahoc, **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 Paper

RESOLUTION, Proposing an Amendment to the Constitution of
Maine To Elect 2 Senators from Each County and To Increase
the Senate Term from 2 to 4 Years

H.P. 574 L.D. 838

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.

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 an Alternative Calculation of the
Property Growth Factor for Municipalities with Exempt Personal
Property"

H.P. 575 L.D. 839

RESOLUTION, Proposing an Amendment to the Constitution of
Maine To Control Property Tax Increases

H.P. 576 L.D. 840

Bill "An Act Regarding the State Earned Income Tax Credit"
H.P. 577 L.D. 841

Bill "An Act To Exclude Business and Capital Losses from
Consideration as Income under the Circuitbreaker Program"
H.P. 578 L.D. 842

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, Requiring the Department of Transportation To Replace
All Property Markers along the 85-mile Stretch of the Calais
Branch Corridor from Washington Junction to Ayers Junction

H.P. 547 L.D. 798

Resolve, To Designate the Great South Bridge in the Town of Milbridge as the Harold West Bridge
H.P. 579 L.D. 843

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 Reduce Costs for Customers of Northern Maine Consumer-owned Utilities"
H.P. 580 L.D. 844

Bill "An Act To Expand Access to Efficiency Maine Rebate Programs"
H.P. 581 L.D. 845

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:

PAPERS FROM THE HOUSE

House Paper

Resolve, Directing the Department of Transportation To Study Ways To Reduce Energy Use and Promote Efficiency along Major Transportation Corridors
H.P. 582 L.D. 846

Comes from the House, **REFERRED** to the Joint Select Committee on **MAINE'S ENERGY FUTURE** and ordered printed.

On motion by Senator **BARTLETT** 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

**Pursuant to Statute
Maine Fire Protection Services Commission**

The **Maine Fire Protection Services Commission**, pursuant to the Maine Revised Statutes, Title 5, section 3371 asked leave to report that the accompanying Bill "An Act Authorizing Statewide Mutual Aid among First Responder Agencies"
H.P. 583 L.D. 847

Be **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed pursuant to Joint Rule 218.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed pursuant to Joint Rule 218.

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

On motion by Senator **GERZOFSKY** of Cumberland, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed pursuant to Joint Rule 218, in concurrence.

ORDERS OF THE DAY

The Chair laid before the Senate the following Tabled and Later (2/26/09) Assigned matter:

Bill "An Act To Allow a Newly Licensed Driver To Transport a Foreign Exchange Student Who Lives with That Driver's Family"
S.P. 55 L.D. 169

Tabled - February 26, 2009, by Senator **BARTLETT** of Cumberland

Pending - **PASSAGE TO BE ENGROSSED**

(In Senate, February 26, 2009, **READ A SECOND TIME.**)

On motion by Senator **PLOWMAN** of Penobscot, Senate Amendment "A" (S-3) **READ**.

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

Senator **PLOWMAN:** Thank you, Madame President. This bill was very important to the foreign exchange student community. It was well received by the Transportation Committee, however it would not have gone into effect until next Fall and because it can so well benefit the exchange students as soon as this is signed by the Governor I requested permission from the Chair of the Transportation Committee to make this available as soon as possible. I appreciate his cooperation and I ask that you follow through and have this go through on an emergency basis. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Hancock, Senator Damon.

Senator **DAMON**: Thank you, Madame President. Ladies and gentlemen of the Senate, I fully concur with the remarks of the good Senator from Penobscot, Senator Plowman, and urge passage on this particular bill. It did receive a unanimous report out of the committee and but for this technical error, which is now being corrected with this amendment, is a good bill and should be passed. Thank you, Madame President.

On motion by Senator **PLOWMAN** of Penobscot, Senate Amendment "A" (S-3) **ADOPTED**.

PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-3).

Ordered sent down forthwith for concurrence.

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

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

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

Off Record Remarks

On motion by Senator **BARTLETT** of Cumberland,
ADJOURNED, to Thursday, March 5, 2009, at 10:00 in the morning.