

# 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 17, 2009

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

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Prayer by Senator Margaret M. Craven of Androscoggin County.

**SENATOR CRAVEN:** A Bean Bhean Uasál, Seanadóir Stáit  
Maine, agus duine Maine; La Breáa Padraic ag chuile dhuine  
leibh. Beabbacht Deá agus noibh Padraic agui.

Madame President, honorable members of the Maine State  
Senate, happy Saint Patrick's Day and the blessings of Saint  
Patrick be with each and every one of you.

I'm going to recite an Irish blessing to remind each of us to  
be grateful for all we have and that all we need will be provided.

'May the light of your soul guide you. May the light of your  
soul guide the work that you do. May you see in what you do the  
beauty of your own soul. May the sacredness of your work bring  
healing. May your work never weary you. May you go into the  
night blessed. May your soul calm, console, and renew you.'  
Happy Saint Patrick's Day.

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Pledge of Allegiance led by Senator Douglas M. Smith of  
Piscataquis County.

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

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Doctor of the day, Dr. Lisa Nielsen, MD of Patten.

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Off Record Remarks

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Out of order and under suspension of the Rules, on motion by  
Senator **MARRACHÉ** of Kennebec, the following Senate Order:  
S.O. 12

Ordered, that a message be sent to the House of Representatives  
proposing a Convention of the two branches of the Legislature be  
held at 11:00 this morning in the Hall of the House for the purpose  
of extending to the Honorable Leigh Ingalls Saufley, Chief Justice  
of the Supreme Judicial Court, the Justices of the Supreme  
Judicial Court, and members of the Judiciary, an invitation to  
attend and request the Chief Justice make such communication  
as pleases her.

**READ and PASSED.**

The Chair appointed the Senator from Kennebec, Senator  
**MARRACHÉ** to deliver the message to the House of  
Representatives. The Senator was escorted to the House of  
Representatives.

Subsequently, the Senator from Kennebec, Senator **MARRACHÉ**  
reported that she had delivered the message with which she was  
charged.

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Out of order and under suspension of the Rules, on motion by  
Senator **BARTLETT** of Cumberland, the following Joint Order:  
S.P. 400

Ordered, the House concurring, that when the House and Senate  
adjourn, they do so until Wednesday, March 25, 2009. The  
House will convene at 9:00 and the Senate at 10:00 in the  
morning.

**READ and PASSED.**

Ordered sent down forthwith for concurrence.

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Off Record Remarks

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**PAPERS FROM THE HOUSE**

**Non-Concurrent Matter**

RESOLUTION, Proposing an Amendment to the Constitution of  
Maine To Require a Supermajority Approval of the Legislature for  
Tax Increases

S.P. 344 L.D. 922

In Senate, March 10, 2009, **REFERRED** to the Committee on  
**STATE AND LOCAL GOVERNMENT** and ordered printed.

Comes from the House, **REFERRED** to the Committee on  
**TAXATION** and ordered printed, in **NON-CONCURRENCE**.

On motion by Senator **SIMPSON** of Androscoggin, the Senate  
**RECEDED** and **CONCURRED**.

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**House Paper**

Resolve, Concerning Fitness Programs for State Employees  
H.P. 689 L.D. 1001

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

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

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

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**Joint Orders**

The following Joint Study Order:

H.P. 701

**ORDERED**, the Senate concurring, that the Working Group To Identify Unfunded Educational Mandates is established as follows.

**1. Working group established.** The Working Group To Identify Unfunded Educational Mandates, referred to in this order as "the working group," is established.

**2. Working group membership.** The working group consists of 13 members, appointed as follows:

A. Six members appointed by the President of the Senate:

(1) Three members of the Senate, one of whom must be a member of the Joint Standing Committee on Education and Cultural Affairs;

(2) One member who is a representative of a rural school board;

(3) One member who is a representative of an urban school board; and

(4) One member who is a special education director; and

B. Seven members appointed by the Speaker of the House:

(1) Four members of the House of Representatives, one of whom must be a member of the Joint Standing Committee on Education and Cultural Affairs;

(2) One member who is a superintendent of schools;

(3) One member who is a municipal government official; and

(4) One member who is a representative of the Department of Education.

**3. Working group chairs.** The first-named Senator is the Senate chair of the working group and the first-named member of the House is the House chair of the working group.

**4. Appointments; convening of the working group.** All appointments must be made no later than 30 days following passage of this order. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been made. When the appointment of all members has been completed, the chairs of the working group shall call and convene the first meeting of the working group.

**5. Duties.** The working group shall:

A. Identify unfunded education mandates;

B. Identify what costs would be if the education mandates were fully funded and assess the costs; and

C. For each unfunded mandate, recommend elimination or an appropriate funding source.

**6. Staff assistance.** The Legislative Council shall provide necessary staffing services to the working group.

**7. Report.** No later than December 2, 2009, the working group shall submit a report that includes its findings and recommendations, including suggested legislation, to the Joint Standing Committee on Education and Cultural Affairs. Pursuant to Joint Rule 353, the working group is not authorized to introduce legislation. Upon receipt of the report required by this section, the Joint Standing Committee on Education and Cultural Affairs may, pursuant to Joint Rule 353, introduce a bill during the session to which the report is submitted to implement its recommendations on matters relating to the study.

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

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

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**COMMUNICATIONS**

The Following Communication: S.C. 121

**STATE OF MAINE  
SUPREME JUDICIAL COURT**

March 9, 2009

The Honorable Elizabeth H. Mitchell  
President of the Senate  
3 State House Station  
Augusta, Maine 04333-0003

The Honorable Hannah M. Pingree  
Speaker of the House  
2 State House Station  
Augusta, Maine 04333-0002

Dear President Mitchell and Speaker Pingree:

I am pleased to accept your invitation to address a Joint Session of the 124<sup>th</sup> Maine Legislature on Tuesday, March 17, 2009, at 11:00 a.m. I appreciate the courtesy of the Legislative Branch of government in permitting me to address the cause of justice in Maine.

I look forward to seeing you on March 17, 2009.

Sincerely,

S/Leigh I. Saufley  
Chief Justice

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: S.C. 112

**STATE OF MAINE  
ONE HUNDRED AND TWENTY FOURTH LEGISLATURE  
COMMITTEE ON BUSINESS, RESEARCH AND ECONOMIC  
DEVELOPMENT**

March 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 Business, Research and Economic Development has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 13 An Act To Expand the Diagnostic Functions of Independent Practice Dental Hygienists
- L.D. 215 An Act Regarding the Practice of Professional Engineering without a License
- L.D. 281 An Act To Amend the Licensing Requirements for Speech-language Pathology Assistants (EMERGENCY)
- L.D. 346 An Act To Improve Elevator Safety
- L.D. 419 Resolve, To Increase Access to Dental Care in Rural Areas through Encouraging Distance Learning for Dental Hygienist Training

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

Sincerely,

S/Sen. Elizabeth M. Schneider  
Senate Chair

S/Rep. Nancy E. Smith  
House Chair

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

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The Following Communication: S.C. 113

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

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

- L.D. 202 Resolve, Directing the Department of Corrections To Accept Bank Checks for Inmates
- L.D. 433 An Act To Reinstate Rules Requiring Inspection of Chimneys upon the Sale or Transfer of Property
- L.D. 442 An Act To Require Prisoners To Perform Community Service and To Require Jails, Prisons, Nonprofit Entities, Universities and Counties To Compost Food Waste

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. 114

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

March 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 Education and Cultural Affairs has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 96 An Act To Authorize the Implementation of Modified School Year Calendars
- L.D. 128 An Act To Require the Teaching of Agricultural Studies in Maine's Schools

We have also notified the sponsors and cosponsors of each bill listed 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. 115

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

March 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 bills out "Ought Not to Pass":

- L.D. 97 Resolve, Directing the Maine Community College System, the University of Maine System and the Department of Education To Develop a Plan To Enable High School Students To Achieve a Seamless Transition to Higher Education
- L.D. 521 An Act To Ensure Continued Support for Local Adult Education Programs

We have also notified the sponsors and cosponsors of each bill listed 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. 116

**STATE OF MAINE  
ONE HUNDRED AND TWENTY FOURTH LEGISLATURE  
COMMITTEE ON LEGAL AND VETERANS AFFAIRS**

March 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 Legal and Veterans Affairs has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 429 An Act To Increase Retail Sales of Wine
- L.D. 514 An Act To Clarify Criminal Responsibility in the Sale of Alcohol and Tobacco to Minors

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

Sincerely,

S/Sen. Nancy B. Sullivan  
Senate Chair

S/Rep. Pamela Jabar Trinward  
House Chair

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

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The Following Communication: S.C. 117

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

March 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 Marine Resources has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 294 An Act To Require the Department of Marine Resources To Enforce Conditions in an Aquaculture Lease

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

Sincerely,

S/Sen. Dennis S. Damon  
Senate Chair

S/Rep. Leila J. Percy  
House Chair

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

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The Following Communication: S.C. 118

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

March 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 Natural Resources has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 535 An Act To Allow the Temporary Placement of Structures To Protect Property from Natural Disasters

We have also notified the sponsor and cosponsors 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.**

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The Following Communication: S.C. 119

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

March 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. 332 An Act To Amend the Penalty for Withdrawal of Land from the Maine Tree Growth Tax Law Program

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

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.**

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The Following Communication: S.C. 120

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

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

L.D. 418 An Act To Facilitate the Development of Ocean  
Wind Power

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.**

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**SENATE PAPERS**

Bill "An Act To Prohibit Cruel Confinement of Calves Raised for Veal and Sows during Gestation"

S.P. 385 L.D. 1021

Presented by Senator NUTTING of Androscoggin.  
Cosponsored by Senator: DAVIS of Cumberland,  
Representatives: CRAY of Palmyra, PIEH of Bremen.

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

Sent down for concurrence.

---

Resolve, To Improve Recycling in Maine

S.P. 381 L.D. 1017

Presented by Senator PERRY of Penobscot.

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

On motion by Senator **NUTTING** of Androscoggin, **REFERRED** to the Committee on **NATURAL RESOURCES.**

Sent down for concurrence.

---

Bill "An Act To Provide for the 2009 and 2010 Allocations of the State Ceiling on Private Activity Bonds" (EMERGENCY)

S.P. 378 L.D. 1014

Presented by Senator SCHNEIDER of Penobscot.  
(GOVERNOR'S BILL)

Cosponsored by Representative SMITH of Monmouth and  
Senators: RECTOR of Knox, SULLIVAN of York,  
Representatives: AUSTIN of Gray, COHEN of Portland, GILES of  
Belfast, MacDONALD of Boothbay, PRESCOTT of Topsham,  
WRIGHT of Berwick.

Bill "An Act To Require a Seller of a Gas Station To Provide an Updated Inspection Prior to Sale of the Property"

S.P. 387 L.D. 1023

Presented by Senator GOOLEY of Franklin.  
Cosponsored by Representative CEBRA of Naples and Senators:  
BARTLETT of Cumberland, MILLS of Somerset, PERRY of  
Penobscot, SMITH of Piscataquis, Representatives: FITTS of  
Pittsfield, HOGAN of Old Orchard Beach, MAGNAN of Stockton  
Springs, ROSEN of Bucksport.



LEGISLATIVE RECORD - SENATE, TUESDAY, MARCH 17, 2009

Bill "An Act To Protect Artists and Art Galleries"  
S.P. 396 L.D. 1062

Presented by Senator ALFOND of Cumberland.  
Cosponsored by Speaker PINGREE of North Haven and  
Senators: DAMON of Hancock, PERRY of Penobscot,  
Representatives: GOODE of Bangor, MacDONALD of Boothbay,  
MAZUREK of Rockland, MCKANE of Newcastle, WELSH of  
Rockport.

Bill "An Act Concerning Dispute Resolution in Home Construction  
Contracts"  
S.P. 403 L.D. 1085

Presented by Senator MILLS of Somerset.

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

Sent down for concurrence.

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Resolve, Establishing the Commission To Study the Replacement  
of Aging and Outdated Long-term Care Facilities (EMERGENCY)  
S.P. 379 L.D. 1015

Presented by Senator MARRACHÉ of Kennebec.  
Cosponsored by Representatives: LEWIN of Eliot, PERRY of  
Calais, STUCKEY of Portland.

Resolve, To Establish the Commission To Examine Restructuring  
the Management of the Institutional Long-term Care Delivery  
System (EMERGENCY)  
S.P. 388 L.D. 1024

Presented by Senator DAVIS of Cumberland.  
Cosponsored by Representative PENDLETON of Scarborough  
and Senator: GERZOFKY of Cumberland, Representatives:  
BURNS of Whiting, MILLETT of Waterford, WHEELER of Kittery.

Resolve, To Eliminate the Regional Wage Adjustment Applied to  
Nursing Homes  
S.P. 392 L.D. 1058

Presented by Senator JACKSON of Aroostook.  
Cosponsored by Representative MARTIN of Eagle Lake and  
Representatives: AYOTTE of Caswell, THERIAULT of  
Madawaska.

Resolve, Directing the Department of Health and Human Services  
To Implement an Oral Health Capitated Care System for Children  
Covered by MaineCare and the Children's Health Insurance  
Program  
S.P. 404 L.D. 1086

Presented by Senator MILLS of Somerset.

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

Sent down for concurrence.

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Resolve, To Enhance Health Care for Direct Care Workers  
S.P. 393 L.D. 1059

Presented by Senator SULLIVAN of York.

Bill "An Act To Provide Consumer Disclosures and Protect  
Consumer Options in Life Insurance"  
S.P. 397 L.D. 1063

Presented by Senator SULLIVAN of York.

Bill "An Act Regarding the Payment of Medicare Parts B and D  
Premiums for Employees Eligible for Medicare"  
S.P. 401 L.D. 1083

Presented by Senator MILLS of Somerset.

Resolve, To Improve Continuity of Coverage for Participants in  
Medicare Advantage Plans  
S.P. 402 L.D. 1084

Presented by Senator MILLS of Somerset.

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 End Discrimination in Civil Marriage and Affirm  
Religious Freedom"  
S.P. 384 L.D. 1020

Presented by Senator DAMON of Hancock.  
Cosponsored by Speaker PINGREE of North Haven and  
Senators: ALFOND of Cumberland, BARTLETT of Cumberland,  
BLISS of Cumberland, BOWMAN of York, BRANNIGAN of  
Cumberland, GERZOFKY of Cumberland, NUTTING of  
Androscoggin, SULLIVAN of York, Representatives: ADAMS of  
Portland, BEAUDOIN of Biddeford, BERRY of Bowdoinham,  
BLODGETT of Augusta, BUTTERFIELD of Bangor, CAIN of  
Orono, CAREY of Lewiston, COHEN of Portland, CONNOR of  
Kennebunk, CORNELL du HOUX of Brunswick, CROCKETT of  
Augusta, DILL of Cape Elizabeth, EATON of Sullivan, EBERLE of  
South Portland, EVES of North Berwick, FLEMINGS of Bar  
Harbor, GOODE of Bangor, HARLOW of Portland, HASKELL of  
Portland, HINCK of Portland, HUNT of Buxton, WALSH INNES of  
Yarmouth, KAENRATH of South Portland, LEGG of Kennebunk,  
LOVEJOY of Portland, MacDONALD of Boothbay, MARTIN of  
Orono, McCABE of Skowhegan, MITCHELL of the Penobscot  
Nation, MORRISON of South Portland, NELSON of Falmouth,  
O'BRIEN of Lincolnville, PENDLETON of Scarborough,  
PEOPLES of Westbrook, PERCY of Phippsburg, PERRY of  
Calais, PILON of Saco, PRATT of Eddington, PRIEST of  
Brunswick, RUSSELL of Portland, SANBORN of Gorham,

SCHATZ of Blue Hill, SMITH of Monmouth, SOCTOMAH of the Passamaquoddy Tribe, STEVENS of Bangor, STRANG BURGESS of Cumberland, STUCKEY of Portland, TREAT of Hallowell, TRINWARD of Waterville, VALENTINO of Saco, WAGNER of Lewiston, WATSON of Bath, WEBSTER of Freeport, WELSH of Rockport.

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

Sent down for concurrence.

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Bill "An Act To Allow Choice of Wine by Maine Consumers"  
S.P. 389 L.D. 1025

Presented by Senator **SIMPSON** of Androscoggin.  
Cosponsored by Representative **TRINWARD** of Waterville and Senators: **MARRACHÉ** of Kennebec, **PLOWMAN** of Penobscot, **RAYE** of Washington, **RECTOR** of Knox, **SULLIVAN** of York, Representatives: **CLEARY** of Houlton, **RUSSELL** of Portland, **SMITH** of Monmouth.

Bill "An Act To Change the Campaign Finance Laws Pertaining to Campaign Contributions To Allow for Increases Indexed to Inflation"

S.P. 399 L.D. 1065

Presented by Senator **GOODALL** of Sagadahoc.  
Cosponsored by Representative **TRINWARD** of Waterville and Senators: President **MITCHELL** of Kennebec, **PLOWMAN** of Penobscot, **SULLIVAN** of York, Representative: **FITTS** of Pittsfield.

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 Strengthen the Informed Growth Act"  
S.P. 383 L.D. 1019

Presented by Senator **NUTTING** of Androscoggin.  
Cosponsored by Senators: **JACKSON** of Aroostook, **SIMPSON** of Androscoggin, Representatives: **BOLAND** of Sanford, **PERRY** of Calais.

Bill "An Act To Amend the Laws Governing the Legislative Youth Advisory Council"

S.P. 386 L.D. 1022

Presented by Senator **PERRY** of Penobscot.

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 Increase Efficiency through Regionalization"  
S.P. 398 L.D. 1064

Presented by Senator **BARTLETT** of Cumberland.  
Cosponsored by Senators: **DAMON** of Hancock, **MILLS** of Somerset, Representatives: **COHEN** of Portland, **MORRISON** of South Portland, **PLUMMER** of Windham, **SANBORN** of Gorham, **STRANG BURGESS** of Cumberland.

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

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

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Bill "An Act To Protect the Environment through Promoting the Use of Clean Fuel Vehicles"

S.P. 377 L.D. 1013

Presented by Senator **COURTNEY** of York.  
Cosponsored by Senators: **NASS** of York, **SHERMAN** of Aroostook, Representative: **FITTS** of Pittsfield.

Bill "An Act To Make the Maine Music Educators Association Tax Exempt"

S.P. 382 L.D. 1018

Presented by Senator **NUTTING** of Androscoggin.  
Cosponsored by Representative **SIROIS** of Turner.

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Restrict Property Revaluations

S.P. 394 L.D. 1060

Presented by Senator **BLISS** of Cumberland.  
Cosponsored by Representative **EBERLE** of South Portland and Senator: **PERRY** of Penobscot, Representative: **PIOTTI** of Unity.

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Cap the Property Tax on the Primary Residence of a Person 65 Years of Age or Older

S.P. 405 L.D. 1087

Presented by Senator **DAVIS** of Cumberland.  
Cosponsored by Senators: **GERZOFISKY** of Cumberland, **SHERMAN** of Aroostook, Representatives: **GIFFORD** of Lincoln, **HARLOW** of Portland.

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

Sent down for concurrence.

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Bill "An Act To Improve Maine's Renewable Portfolio Standard"  
S.P. 395 L.D. 1061

Presented by Senator BLISS of Cumberland.  
Cosponsored by Representative HINCK of Portland and  
Senators: BARTLETT of Cumberland, HOBBS of York,  
NUTTING of Androscoggin, Representatives: FITTS of Pittsfield,  
FLETCHER of Winslow.

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

Sent down for concurrence.

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**Pursuant to Public Law  
Department of Environmental Protection**

Senator GOODALL for the Department of Environmental  
Protection, pursuant to Public Law 2005, chapter 509, section 3  
asked leave to report that the accompanying Bill "An Act  
Concerning Mercury-added Button Cell Batteries"  
S.P. 390 L.D. 1026

Be REFERRED to the Committee on NATURAL RESOURCES  
and ordered printed pursuant to Joint Rule 218.

Report READ and ACCEPTED.

On motion by Senator GOODALL of Sagadahoc, REFERRED to  
the Committee on NATURAL RESOURCES and ordered printed  
pursuant to Joint Rule 218.

Sent down for concurrence.

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**Pursuant to Statutes  
Commission on Governmental Ethics and Election Practices**

Senator SULLIVAN for the Commission on Governmental  
Ethics and Election Practices, pursuant to the Maine Revised  
Statutes, Title 1, section 1009 asked leave to report that the  
accompanying Bill "An Act To Amend the Laws Governing  
Campaign Finance Reports and the Maine Clean Election Act"  
S.P. 380 L.D. 1016

Be REFERRED to the Committee on LEGAL AND VETERANS  
AFFAIRS and ordered printed pursuant to Joint Rule 218.

Report READ and ACCEPTED.

REFERRED to the Committee on LEGAL AND VETERANS  
AFFAIRS and ordered printed pursuant to Joint Rule 218.

Sent down for concurrence.

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

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**ORDERS**

**Joint Orders**

Expression of Legislative Sentiment recognizing:

The members of the John Bapst High School Football Team, the  
Crusaders, on winning the 2008 Class C Championship. This is  
the Crusaders' first State title since 1976. We extend our  
congratulations to the team on this accomplishment;  
SLS 92

Sponsored by Senator PERRY of Penobscot.  
Cosponsored by Representatives: BUTTERFIELD of Bangor,  
CUSHING of Hampden, GOODE of Bangor, GREELEY of Levant,  
MARTIN of Orono, PRATT of Eddington, STEVENS of Bangor.

**READ.**

On motion by Senator PERRY of Penobscot, TABLED until Later  
in Today's Session, pending PASSAGE.

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At this point a message was received from the House of  
Representatives, borne by Representative BERRY of  
Bowdoinham informing the Senate that the House concurred with  
the proposition for a Convention of the two branches of the  
Legislature to be held in the Hall of the House at 11:00 in the  
morning for the purpose of extending to the extending to the  
Honorable Leigh Ingalls Saufley, Chief Justice of the Supreme  
Judicial Court, the Justices of the Supreme Judicial Court, and  
members of the Judiciary, an invitation to attend and request the  
Chief Justice make such communication as pleases her.

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**Joint Resolution**

On motion by Senator CRAVEN of Androscoggin (Cosponsored  
by Senators: ALFOND of Cumberland, BARTLETT of  
Cumberland, BLISS of Cumberland, BOWMAN of York,  
BRANNIGAN of Cumberland, BRYANT of Oxford, COURTNEY of  
York, DAMON of Hancock, DAVIS of Cumberland, DIAMOND of  
Cumberland, GERZOFOSKY of Cumberland, GOODALL of  
Sagadahoc, GOOLEY of Franklin, HASTINGS of Oxford,  
HOBBS of York, JACKSON of Aroostook, MARRACHÉ of  
Kennebec, McCORMICK of Kennebec, MILLS of Somerset,  
President MITCHELL of Kennebec, NASS of York, NUTTING of  
Androscoggin, PERRY of Penobscot, PLOWMAN of Penobscot,  
RAYE of Washington, RECTOR of Knox, ROSEN of Hancock,  
SCHNEIDER of Penobscot, SHERMAN of Aroostook, SIMPSON  
of Androscoggin, SMITH of Piscataquis, SULLIVAN of York,  
TRAHAN of Lincoln, WESTON of Waldo, Representatives:  
ADAMS of Portland, AUSTIN of Gray, AYOTTE of Caswell,  
BEAUDETTE of Biddeford, BEAUDOIN of Biddeford, BEAULIEU  
of Auburn, BECK of Waterville, BERRY of Bowdoinham,  
BICKFORD of Auburn, BLANCHARD of Old Town, BLODGETT  
of Augusta, BOLAND of Sanford, BOLDUC of Auburn, BRIGGS

of Mexico, BROWNE of Vassalboro, BRYANT of Windham, BURNS of Whiting, BUTTERFIELD of Bangor, CAIN of Orono, CAMPBELL of Newfield, CAREY of Lewiston, CASAVANT of Biddeford, CEBRA of Naples, CELLI of Brewer, CHASE of Wells, CLARK of Millinocket, CLARK of Easton, CLEARY of Houlton, COHEN of Portland, CONNOR of Kennebunk, CORNELL du HOUX of Brunswick, COTTA of China, CRAFTS of Lisbon, CRAY of Palmyra, CROCKETT of Bethel, CROCKETT of Augusta, CURTIS of Madison, CUSHING of Hampden, DAVIS of Sangerville, DILL of Cape Elizabeth, DOSTIE of Sabattus, DRISCOLL of Westbrook, DUCHESNE of Hudson, EATON of Sullivan, EBERLE of South Portland, EDGECOMB of Caribou, EVES of North Berwick, FINCH of Fairfield, FITTS of Pittsfield, FLAHERTY of Scarborough, FLEMINGS of Bar Harbor, FLETCHER of Winslow, FLOOD of Winthrop, FOSSEL of Alna, GIFFORD of Lincoln, GILBERT of Jay, GILES of Belfast, GOODE of Bangor, GREELEY of Levant, HAMPER of Oxford, HANLEY of Gardiner, HARLOW of Portland, HARVELL of Farmington, HASKELL of Portland, HAYES of Buckfield, HILL of York, HINCK of Portland, HOGAN of Old Orchard Beach, HUNT of Buxton, WALSH INNES of Yarmouth, JOHNSON of Greenville, JONES of Mount Vernon, JOY of Crystal, KAENRATH of South Portland, KENT of Woolwich, KNAPP of Gorham, KNIGHT of Livermore Falls, KRUGER of Thomaston, LAJOIE of Lewiston, LANGLEY of Ellsworth, LEGG of Kennebunk, LEWIN of Eliot, LOVEJOY of Portland, MacDONALD of Boothbay, MAGNAN of Stockton Springs, MARTIN of Orono, MARTIN of Eagle Lake, MAZUREK of Rockland, McCABE of Skowhegan, McFADDEN of Dennysville, McKANE of Newcastle, McLEOD of Lee, MILLER of Somerville, MILLETT of Waterford, MITCHELL of the Penobscot Nation, MORRISON of South Portland, NASS of Acton, NELSON of Falmouth, NUTTING of Oakland, O'BRIEN of Lincolnville, PENDLETON of Scarborough, PEOPLES of Westbrook, PERCY of Phippsburg, PERRY of Calais, PETERSON of Rumford, PIEH of Bremen, PILON of Saco, Speaker PINGREE of North Haven, PINKHAM of Lexington Township, PIOTTI of Unity, PLUMMER of Windham, PRATT of Eddington, PRESCOTT of Topsham, PRIEST of Brunswick, RANKIN of Hiram, RICHARDSON of Carmel, RICHARDSON of Warren, ROBINSON of Raymond, ROSEN of Bucksport, ROTUNDO of Lewiston, RUSSELL of Portland, SANBORN of Gorham, SARTY of Denmark, SAVIELLO of Wilton, SCHATZ of Blue Hill, SHAW of Standish, SIROIS of Turner, SMITH of Monmouth, SOCTOMAH of the Passamaquoddy Tribe, STEVENS of Bangor, STRANG BURGESS of Cumberland, STUCKEY of Portland, SUTHERLAND of Chapman, SYKES of Harrison, TARDY of Newport, THERIAULT of Madawaska, THIBODEAU of Winterport, THOMAS of Ripley, TILTON of Harrington, TREAT of Hallowell, TRINWARD of Waterville, TUTTLE of Sanford, VALENTINO of Saco, VAN WIE of New Gloucester, WAGNER of Lyman, WAGNER of Lewiston, WATSON of Bath, WEAVER of York, WEBSTER of Freeport, WELSH of Rockport, WHEELER of Kittery, WILLETTE of Presque Isle, WRIGHT of Berwick), the following Joint Resolution:

S.P. 391

**JOINT RESOLUTION IN HONOR OF ST. PATRICK'S DAY**

WHEREAS, St. Patrick is the patron saint of Ireland, known for bringing Christianity to Ireland and, it is said, for instilling a sense of literacy and learning that allowed Ireland to become the "isle of

saints and scholars" when the rest of Europe was in the Dark Ages; and

WHEREAS, the feast day of St. Patrick is the only national holiday that is given recognition outside its native land, which indicates the Irish influence throughout the world; and

WHEREAS, the modern secular holiday of St. Patrick's Day was first celebrated in America in Boston during colonial days and the first St. Patrick's Day Parade in New York City was in 1766 and now all Americans celebrate St. Patrick's Day with pride; and

WHEREAS, millions of Irish people emigrated from Ireland in the 1800s to escape brutal poverty and starvation due to the Irish potato famine, and most of those people came to America to start new lives and to embrace and contribute to a new land; and

WHEREAS, tens of thousands of Irish immigrants arrived in New England and many came to Maine, and the Irish have been an important part of Maine's culture, history and society ever since; and

WHEREAS, within a few years of their arrival in the United States and in Maine, these Irish immigrants became part of the American cultural landscape while preserving the best of their native culture, and they dedicated themselves to helping build this nation and State; and

WHEREAS, 4 signers of the Declaration of Independence were Irish-born and 9 signers were of Irish ancestry and 19 Presidents of the United States have proudly claimed Irish heritage, including George Washington, the father of our country; John Fitzgerald Kennedy; and Ronald Reagan; and

WHEREAS, the 44,000,000 Americans of Irish ancestry, like their forebears, continue to enrich all aspects of life in the United States, in science, education, art, agriculture, business, industry, literature, music, athletics, entertainment and military and government service; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-fourth Legislature now assembled in the First Regular Session, on behalf of the people we represent, take this opportunity to encourage the celebration of St. Patrick's Day, and, recognizing the valuable contribution to our State and to our nation of all Irish-American citizens, we urge the citizens of the State to commend and celebrate the integrity and richness of the Irish culture.

**READ and ADOPTED.**

Ordered sent down forthwith for concurrence.

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**REPORTS OF COMMITTEES**

**House**

**Change of Committee**

The Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Authorize the Social Work Education Loan Repayment Program"

H.P. 494 L.D. 711

Reported that the same be **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS**.

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

**REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS**, in concurrence.

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**Divided Report**

The Majority of the Committee on **TAXATION** on Bill "An Act To Allow Military Personnel Living in Maine To Benefit under the Maine Resident Homestead Property Tax Exemption" (EMERGENCY)

H.P. 44 L.D. 51

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-6)**.

Signed:

Senators:

PERRY of Penobscot  
BLISS of Cumberland  
NASS of York

Representatives:

WATSON of Bath  
BRYANT of Windham  
LANGLEY of Ellsworth  
FLEMINGS of Bar Harbor  
CROCKETT of Augusta  
PILON of Saco  
CHASE of Wells  
KNIGHT of Livermore Falls

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

Signed:

Representative:

VALENTINO of Saco

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-6)**.

Reports **READ**.

On motion by Senator **PERRY** of Penobscot, the Majority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**, in concurrence.

**READ ONCE**.

Committee Amendment "A" (H-6) **READ** and **ADOPTED**, in concurrence.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY**.

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**Senate**

**Change of Committee**

Senator **BRYANT** for the Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Restore Funding for a Fish Hatchery in Northern Maine"

S.P. 59 L.D. 173

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

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

**REFERRED** to the Committee on **MARINE RESOURCES**.

Sent down for concurrence.

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**Ought to Pass**

Senator **GERZOFISKY** for the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Raise the Fee a Bail Commissioner May Charge"

S.P. 77 L.D. 227

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.

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**SECOND READERS**

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

**House**

Resolve, To Name the Gorham Bypass  
H.P. 236 L.D. 296

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

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**Senate As Amended**

Bill "An Act To Remove the Age Restriction for Serving as a  
Corporator of a Mutual Financial Institution"  
S.P. 13 L.D. 4  
(C "A" S-5)

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

Sent down for concurrence.

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

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**ENACTORS**

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

**Emergency Measure**

An Act To Make Supplemental Allocations from the Highway  
Fund and Other Funds for the Expenditures of State Government  
and To Change Certain Provisions of the Law Necessary to the  
Proper Operations of State Government for the Fiscal Year  
Ending June 30, 2009

H.P. 54 L.D. 61  
(C "A" H-4)

This being an Emergency Measure and having received the  
affirmative vote of 32 Members of the Senate, with 1 Senator  
having voted in the negative, and 32 being more than two-thirds  
of the entire elected Membership of the Senate, was **PASSED TO  
BE ENACTED** and having been signed by the President, was  
presented by the Secretary to the Governor for his approval.

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**Emergency Measure**

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  
(S "A" S-3)

This being an Emergency Measure and having received the  
affirmative vote of 32 Members of the Senate, with 1 Senator  
having voted in the negative, and 32 being more than two-thirds  
of the entire elected Membership of the Senate, was **PASSED TO  
BE ENACTED** and having been signed by the President, was  
presented by the Secretary to the Governor for his approval.

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**Acts**

An Act To Amend the Requirements for the Livable Wage Report  
S.P. 23 L.D. 64

An Act To Amend the Laws Governing Public Water System  
Operation Fees  
S.P. 41 L.D. 119

An Act Regarding the Electronic Submission of Filings  
S.P. 45 L.D. 123

An Act To Revise the Boundary between the City of Waterville  
and the Town of Oakland  
H.P. 121 L.D. 142

An Act To Amend the Laws Relating to the Maine Jobs Council  
H.P. 128 L.D. 149

An Act To Enhance Oversight of Fraternal Benefit Societies  
H.P. 136 L.D. 157

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

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

**ORDERS**

**Joint Resolution**

On motion by Senator **SIMPSON** of Androscoggin (Cosponsored  
by Representative ROTUNDO of Lewiston), the following Joint  
Resolution:  
S.P. 406

**JOINT RESOLUTION RECOGNIZING SUNSHINE WEEK**

WHEREAS, the basic principles of freedom of speech and  
freedom of the press guaranteed in the United States Constitution  
are fundamental to our national heritage; and

WHEREAS, the American Society of Newspaper Editors has  
initiated Sunshine Week: Your Right to Know as a way of  
illustrating the importance of open government; and

WHEREAS, Sunshine Week 2009 participation by nonjournalism groups is growing, with national and local forums already planned by civic groups, libraries and open government and freedom of information groups, as well as by student media; and

WHEREAS, Sunshine Week was established to spark a discussion about the importance of open government and public access to government documents and meetings; and

WHEREAS, these issues are important in the State of Maine, where public access issues emerge all the time; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-fourth Legislature now assembled in the First Regular Session, on behalf of the people we represent, take this opportunity to recognize Sunshine Week: Your Right to Know during the week of March 15-21, 2009 and confirm the basic principles of an open and accessible government in a free society and urge all citizens to join in this observance.

**READ.**

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

Senator **PLOWMAN:** Thank you, Madame President. I want to thank the Senator for bringing this forward. Sunshine Week is kind of new but the Freedom of Information Coalition awarded the Sunshine Award yesterday to the Maine Heritage Policy Center for its work in putting together the MaineOpenGov.org site. The comments that they made were right on. It said that the creation of the website benefits all Mainers. Mainers who pinch pennies in their own homes deserve to know what the State is spending the public's money on. I'd like to congratulate the Maine Heritage Policy Center for receiving that award this year and I would urge you to look at the good work they are doing. Thank you.

On motion by Senator **SIMPSON** of Androscoggin, **ADOPTED.**

Sent down for concurrence.

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

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Senate at Ease.

Senate called to order by the President.

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Off Record Remarks

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**ORDERS OF THE DAY**

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

JOINT ORDER - relative to the members of the John Bapst High School Football Team, the Crusaders, on winning the 2008 Class C Championship.

SLS 92

Tabled - March 17, 2009, by Senator **PERRY** of Penobscot

Pending - **PASSAGE**

(In Senate, March 17, 2009, **READ.**)

**READ.**

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

Senator **PERRY:** Thank you, Madame President. Ladies and gentlemen of the Senate, I can't tell you how pleased I am to have the John Bapst football team and their coaches down here today. It's been since 1976 since Bapst had a State Championship and this is a day we've been waiting for for a very long time. You guys made us old alumnus really proud, not just this year but in this era of really fine excellence from the football team. Coach O'Connell and all his coaching staff has really turned this program around. I actually played football for John Bapst back in the early 1980's. I know, looking at me, what you are thinking. Quarterback. I was actually the Center. We've got the Quarterback right here with the rest of the State Championship team. Last year they came this close in the Eastern Maine Championship against Dover-Foxcroft in a game that I thought Bapst out played, but we'll leave it at that. This year they went all the way. They won the State Championship. I'll tell you that many of you probably have constituents, not just with schools in Bangor, but many of you probably have constituents on the team or certainly in the school because Bapst draws from dozens and dozens of communities. It's a great school. We're so proud of you and I'm glad to have you here this morning. Thank you.

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

Senator **SMITH:** Thank you, Madame President. As the Senator who represents both the Sterns Minutemen and the Foxcroft Academy Ponies, and who has seen a few State Championships in recent years, I too would like to extend my congratulations to this great football team. It was wonderful to see the programs improving through all of the football programs in the state of Maine and it will improve football, not only at Foxcroft Academy and at Sterns but it will continue to build a tradition at this great school. I congratulate these players and their coaches.

**PASSED.**

Ordered sent down forthwith for concurrence.

**THE PRESIDENT:** The Chair would request that the members of the Crusaders team of John Bapst School stand and accept the greetings of the Maine Senate.

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The Chair laid before the Senate the following Tabled and Later (3/12/09) Assigned matter:

Bill "An Act To Provide a Tax Credit for Heating and Cooling System Alternatives and Improvements That Benefit the Environment and Address Climate Change" (EMERGENCY)  
S.P. 363 L.D. 980

Tabled - March 12, 2009, by Senator **BLISS** of Cumberland

Pending - **REFERENCE**

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

On motion by Senator **PERRY** of Penobscot, **REFERRED** to the Joint Select Committee on **MAINE'S ENERGY FUTURE**.

Ordered sent down forthwith for concurrence.

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The Chair laid before the Senate the following Tabled and Later (3/12/09) Assigned matter:

Bill "An Act To Increase Highway Safety by Requiring Daytime Headlight Use"

H.P. 684 L.D. 992

Tabled - March 12, 2009, by Senator **DAMON** of Hancock

Pending - **REFERENCE**

(In House, March 12, 2009, **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.

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Senate at Ease.

Senate called to order by the President.

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Off Record Remarks

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At this point, the Senate retired to the Hall of the House, where a Joint Convention was formed.

After Convention

In Senate Chamber

Senate called to order by the President

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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 Regulatory Exemptions for Poultry"  
H.P. 709 L.D. 1034

Bill "An Act To Amend the Review and Approval Process of the Comprehensive Land Use Plan" (EMERGENCY)  
H.P. 722 L.D. 1047

Bill "An Act To Ensure Humane Dog and Cat Breeding in the State"  
H.P. 728 L.D. 1053

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.

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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 the Amount of the Deposit on Returnable Beverage Containers"  
H.P. 723 L.D. 1048

Bill "An Act To Promote Economic Development in the Greater Portland Region"  
H.P. 729 L.D. 1054

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.

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

**PAPERS FROM THE HOUSE**

**House Papers**



Bill "An Act To Discourage Theft from and Destruction of Vending Machines"

H.P. 710 L.D. 1035

Bill "An Act To Establish the Independent Review Board for Police Involved in Fatal Shootings"

H.P. 733 L.D. 1066

Resolve, To Establish a Blue Ribbon Commission To Study Methods of Protecting Emergency Medical Services Personnel during the Transportation of Persons with Mental Illness (EMERGENCY)

H.P. 734 L.D. 1067

Bill "An Act To Create a Statewide Training and Protocol for Responding to Mental Health Crises"

H.P. 743 L.D. 1076

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.

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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 Education To Include the Study of Family and Consumer Science in the System of Learning Results

H.P. 702 L.D. 1027

Bill "An Act To Amend the Education Laws Regarding the State Board of Education's Degree-granting Authority, the Appeal of a School Board's Decision To Discharge a Superintendent, the Telecommunications Education Access Fund and Certain Definitions and Programs"

H.P. 711 L.D. 1036

Bill "An Act To Require the Department of Education To Provide Certain Information to Individual Communities of Alternative Organizational Structures"

H.P. 712 L.D. 1037

Bill "An Act To Encourage Cooperation among School Administrative Units" (EMERGENCY)

H.P. 724 L.D. 1049

Bill "An Act To Extend the Summer Tourism Season and Thereby Increase Sales Tax Revenues by Requiring that the School Year in Maine Begin After Labor Day"

H.P. 735 L.D. 1068

Resolve, To Establish the Commission To Establish The Maine Academy of Living Treasures

H.P. 744 L.D. 1077

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.

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

#### PAPERS FROM THE HOUSE

##### House Papers

Bill "An Act Regarding the Prevention and Reporting of Methicillin-resistant Staphylococcus Aureus"

H.P. 713 L.D. 1038

Bill "An Act To Establish a Waiting Period for MaineCare Participants"

H.P. 725 L.D. 1050

Bill "An Act To Alter MaineCare Benefits as Allowed by the Federal Deficit Reduction Act of 2005"

H.P. 730 L.D. 1055

Bill "An Act To Require Hospitals To Make Publicly Available the Cost of Medical Procedures"

H.P. 732 L.D. 1057

Resolve, To Encourage Access to Higher Education for Certain Child Care Providers

H.P. 736 L.D. 1069

Resolve, Directing the University of Maine at Orono To Conduct a Pilot Project Regarding the Benefits of Medical Marijuana

H.P. 737 L.D. 1070

Bill "An Act To Add a Member to the Advisory Council on Health Systems Development"

H.P. 738 L.D. 1071

Bill "An Act To Provide Support for Children with Special Needs in Adoptive Families"

H.P. 739 L.D. 1072

Bill "An Act To Strengthen Sustainable Long-term Supportive Services for Maine Citizens"

H.P. 745 L.D. 1078

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.

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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 Moose Populations and Hunting Opportunities"

H.P. 706 L.D. 1031

Comes 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 Relating to Health Benefit Plan Coverage of Chemotherapy"

H.P. 715 L.D. 1040

Bill "An Act To Provide for Insurance Coverage of Telemedicine Services"

H.P. 740 L.D. 1073

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

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

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

**PAPERS FROM THE HOUSE**

**House Papers**

Bill "An Act Concerning Advanced Directives To Give Effect to a Person's End-of-life Health Care Decisions"

H.P. 714 L.D. 1039

Bill "An Act To Prohibit a Parent without Parental Rights from Inheriting from an Adult Child Who Dies without a Will"

H.P. 746 L.D. 1079

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.

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

**PAPERS FROM THE HOUSE**

**House Papers**

Bill "An Act To Alter the Mechanism by which a Political Party is a Qualified Party"

H.P. 716 L.D. 1041

Bill "An Act To Promote Responsible Sales of Alcoholic Beverages"

H.P. 741 L.D. 1074

Resolve, Establishing the Blue Ribbon Commission To Study Landlord and Tenant Issues (EMERGENCY)

H.P. 747 L.D. 1080

Bill "An Act To Clarify the Laws on Licensing for Charitable and Fraternal Organizations and Games of Chance"

H.P. 748 L.D. 1081

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.

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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 That Maine's Electronic Waste Collection and Recycling System Is Self-funded"

H.P. 707 L.D. 1032

Bill "An Act To Continue To Reduce Mercury Use and Emissions"

H.P. 717 L.D. 1042

Bill "An Act To Encourage Tire Recycling"

H.P. 726 L.D. 1051

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.

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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 Municipal Home Rule Statutes"  
H.P. 703 L.D. 1028

Bill "An Act To Authorize Municipalities To Protect the Habitability of Rental Housing during Heating Fuel Emergencies" (EMERGENCY)  
H.P. 704 L.D. 1029

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.

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

**PAPERS FROM THE HOUSE**

**House Papers**

Bill "An Act To Provide a Tax Credit for the Purchase of Small Wind Power Generators"  
H.P. 708 L.D. 1033

Bill "An Act Regarding the Purchase of Fuel for Off-road Use"  
H.P. 720 L.D. 1045

Bill "An Act To Exempt Cleaning Products for Milking Machines from the Sales Tax"  
H.P. 721 L.D. 1046

Bill "An Act To Create an Income Tax Credit for Certain Renewable Energy Systems"  
H.P. 749 L.D. 1082

Bill "An Act To Modernize the Tax Laws and Provide over \$75,000,000 to Residents of the State in Tax Relief"  
H.P. 750 L.D. 1088

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.

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

**PAPERS FROM THE HOUSE**

**House Paper**

Resolve, To Establish a Blue Ribbon Commission To Study On-ramp Speed Limits  
H.P. 718 L.D. 1043

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 **TRANSPORTATION** and ordered printed, in concurrence.

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

**PAPERS FROM THE HOUSE**

**House Papers**

Bill "An Act Establishing a Wind and Solar Energy Loan Guarantee Program"  
H.P. 705 L.D. 1030

Bill "An Act To Promote Cogeneration of Energy at Maine Sawmills"  
H.P. 719 L.D. 1044

Bill "An Act To Allow the Use of Net Metering for Energy Production by Consumers"  
H.P. 727 L.D. 1052

Bill "An Act To Simplify the Assessment of E-9-1-1 Surcharges on Prepaid Wireless Telecommunications Service"  
H.P. 731 L.D. 1056

Bill "An Act To Promote Community-based Energy"  
H.P. 742 L.D. 1075

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.

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

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

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

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

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

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

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On motion by Senator **BARTLETT** of Cumberland,  
**ADJOURNED**, pursuant to the Joint Order, to Wednesday, March 25, 2009, at 10:00 in the morning.