

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 31, 2009

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

Prayer by Reverend Ned Crockett, Centenary United Methodist
Church in Skowhegan.

REVEREND CROCKETT: Let us pray. Eternal and loving God,
who has entrusted us with the care of this great land and all it
contains, grant to us Your wisdom that we may always prove
worthy of this trust, that we remain faithful to Your will. Bless this
wonderful state and nation. As a people united, may we always
reflect the beauty of Your love with honest business, sound
learning, and respect for all people. Save us from violence,
discord, and confusion; from arrogance and greed; and from
those things that cause others to be left behind in the margins of
society. Defend our individual freedoms and bring us together for
the purpose of the common good. Today as we gather for
important work, I ask that a spirit of wisdom, peace, and justice be
with each and every one of you gathered here today. May the
laws and work created here today bring glory to our God and
peace, justice, and joy to our state, country, and world. Lord, in
times of plenty fill our hearts with thankfulness. In times of need
strengthen our trust in Your greater power. All this we ask in Your
holy name. Amen.

Pledge of Allegiance led by Senator Roger L. Sherman of
Aroostook County.

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

Doctor of the day, Dr. Kathryn Galbraith, MD of Alfred.

Off Record Remarks

COMMUNICATIONS

The Following Communication: S.P. 475

**STATE OF MAINE
124TH MAINE LEGISLATURE**

March 26, 2009

Sen. Bruce S. Bryant
Senate Chair, Joint Standing Committee on Inland Fisheries and
Wildlife
Rep. Herbert E. Clark
House Chair, Joint Standing Committee on Inland Fisheries and
Wildlife
124th Legislature
Augusta, ME 04333

Dear Senator Bryant and Representative Clark:

Please be advised that Governor John E. Baldacci has nominated
John Simko of Greenville for appointment and Stephen Philbrick
of Oquossoc for reappointment to the Inland Fisheries and
Wildlife Advisory Council.

Pursuant to Title 12 M.R.S.A. §10151 (1), these nominations will
require review by the Joint Standing Committee on Inland
Fisheries and Wildlife and confirmation by the Senate.

Sincerely,

S/Elizabeth H. Mitchell
President of the Senate

S/Hannah M. Pingree
Speaker of the House

READ and REFERRED to the Committee on **INLAND
FISHERIES AND WILDLIFE.**

Sent down for concurrence.

The Following Communication: S.P. 476

**STATE OF MAINE
124TH MAINE LEGISLATURE**

March 26, 2009

Sen. Troy Dale Jackson
Senate Chair, Joint Standing Committee on Labor
Rep. John L. Tuttle
House Chair, Joint Standing Committee on Labor
124th Legislature
Augusta, ME 04333

Dear Senator Jackson and Representative Tuttle:

Please be advised that Governor John E. Baldacci has nominated
Edward C. Kelleher of Scarborough for appointment to the Maine
Unemployment Insurance Commission.

Pursuant to Title 26 M.R.S.A. §1081, this nomination will require
review by the Joint Standing Committee on Labor and
confirmation by the Senate.

Sincerely,

S/Elizabeth H. Mitchell
President of the Senate

S/Hannah M. Pingree
Speaker of the House

READ and REFERRED to the Committee on **LABOR**.

Sent down for concurrence.

The Following Communication: S.P. 477

**STATE OF MAINE
124TH MAINE LEGISLATURE**

March 26, 2009

Sen. Lawrence Bliss
Senate Chair, Joint Standing Committee on Judiciary
Rep. Charles R. Priest
House Chair, Joint Standing Committee on Judiciary
124th Legislature
Augusta, ME 04333

Dear Senator Bliss and Representative Priest:

Please be advised that Governor John E. Baldacci has nominated Marilyn E. Stavros of Kennebunkport for appointment as an Active Retired Maine District Court Judge.

Pursuant to Title 4, Chapter 5, M.R.S.A. §157-B, this nomination will require review by the Joint Standing Committee on Judiciary and confirmation by the Senate.

Sincerely,

S/Elizabeth H. Mitchell
President of the Senate

S/Hannah M. Pingree
Speaker of the House

READ and REFERRED to the Committee on **JUDICIARY**.

Sent down for concurrence.

The Following Communication: S.C. 171

**124TH LEGISLATURE
OFFICE OF THE PRESIDENT**

March 27, 2009

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

Dear Secretary O'Brien,

Pursuant to my authority under Title 5, MRSA, Chapter 319, Section 3371, I am pleased to appoint the following Senators to the Maine Fire Protection Services Commission:

Senator Joseph Perry of Penobscot, replacing Senator Ethan Strimling of Cumberland

Senator Richard Nass of York, reappointment

If you have any questions regarding these appointments please do not hesitate to contact my office.

Sincerely,

S/Elizabeth H. Mitchell
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 172

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE**

March 25, 2009

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

Dear Secretary O'Brien:

Pursuant to my authority under House Rule 201.1 (I), I am reappointing Representative Everett W. McLeod of Lee to the Government Oversight Committee and rescinding the temporary appointment of Representative Philip A. Curtis of Madison.

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

Sincerely,

S/Hannah M. Pingree
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 173

**STATE OF MAINE
ONE HUNDRED AND TWENTY FOURTH LEGISLATURE
COMMITTEE ON AGRICULTURE, CONSERVATION AND
FORESTRY**

March 20, 2009

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

Dear President Mitchell and Speaker Pingree,

Pursuant to Joint Rule 310, we are writing to notify you that we have approved the request by the bill sponsor Rep. Stevens of Bangor, to report the following bill Leave to Withdraw:

L.D. 1053 An Act To Ensure Humane Dog and Cat
Breeding in the State

Sincerely,

S/Sen. John M. Nutting Senate Chair

S/Rep. Wendy Pieh House Chair

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

The Following Communication: S.C. 162

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

March 25, 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. 504 An Act To Enhance Economic Development in
Rural Maine

L.D. 613 An Act To Recruit Businesses from Other
States

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.**

The Following Communication: S.C. 163

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

March 25, 2009

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

Dear President Mitchell and Speaker Pingree:

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

L.D. 552 Resolve, Authorizing Coverage of Enteral
Formula under the MaineCare Program

L.D. 675 An Act To Lower the Cost of State Government
in the Departments under the Purview of the
Joint Standing Committee on Health and
Human Services

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

Sincerely,

S/Sen. Joseph C. Brannigan
Senate Chair

S/Rep. Anne C. Perry
House Chair

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

The Following Communication: S.C. 164

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

March 25, 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 Insurance and Financial Services has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 825 An Act To Allow the Consecutive Purchase of
6-month Health Insurance Policies

We have also notified the sponsor and cosponsors 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. 165

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

March 25, 2009

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

Dear President Mitchell and Speaker Pingree,

Pursuant to Joint Rule 310, we are writing to notify you that we have approved the request by the bill sponsor Rep. Duchesne of Hudson, to report the following bill Leave to Withdraw:

L.D. 387 An Act To Protect Groundwater and Surface
Water from Contamination

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. 166

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

March 19, 2009

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

Dear President Mitchell and Speaker Pingree:

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

L.D. 113 An Act Regarding Construction and Excavation
near Burial Sites

L.D. 761 An Act To Abolish the Fund for the Efficient
Delivery of Local and Regional Services

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

Sincerely,

S/Sen. Deborah L. Simpson
Senate Chair

S/Rep. Stephen R. Beaudette
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 167

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

March 24, 2009

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

Dear President Mitchell and Speaker Pingree:

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

L.D. 890 Resolve, Directing the Department of
Administrative and Financial Services To
Develop a Proposed State Policy for the Use of
State Property by the Private Sector

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

Sincerely,

S/Sen. Deborah L. Simpson
Senate Chair

S/Rep. Stephen R. Beaudette
House Chair

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

The Following Communication: S.C. 168

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

March 25, 2009

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

Dear President Mitchell and Speaker Pingree:

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

L.D. 327 An Act To Strengthen Maine Small Business by
Establishing a Preference Percentage for State
Contract Bids

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

Sincerely,

S/Sen. Deborah L. Simpson
Senate Chair

S/Rep. Stephen R. Beaudette
House Chair

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

The Following Communication: S.C. 169

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

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

L.D. 167 An Act To Provide a Sales Tax Exemption for
Used Goods Sold To Benefit Food Pantries

We have also notified the sponsor and cosponsors 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.**

The Following Communication: S.C. 170

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

March 18, 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 bill out "Ought Not to Pass":

L.D. 412 An Act To Create an Animal Welfare Trailer
License Plate

We have also notified the sponsor and cosponsors 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 Amend State Dog Licensing Laws"
S.P. 467 L.D. 1286

Presented by Senator NASS of York.
Cosponsored by Senators: GERZOFKY of Cumberland,
NUTTING of Androscoggin, SHERMAN of Aroostook,
Representatives: CRAY of Palmyra, MILLER of Somerville, PIEH
of Bremen, SMITH of Monmouth.

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 Protect Maine Citizens and Franchised New Motor Vehicle Dealers" (EMERGENCY)
S.P. 483 L.D. 1337

Presented by Senator SULLIVAN of York.
Cosponsored by Senators: COURTNEY of York, DAMON of Hancock, HOBBS of York, MARRACHÉ of Kennebec, PERRY of Penobscot, RECTOR of Knox, SCHNEIDER of Penobscot, Representatives: CLEARY of Houlton, COHEN of Portland, KNIGHT of Livermore Falls, MacDONALD of Boothbay, MARTIN

of Eagle Lake, MAZUREK of Rockland, PRESCOTT of Topsham, TARDY of Newport, WRIGHT of Berwick.

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

Sent down for concurrence.

Bill "An Act To Ensure the Availability of Alcohol-free Motor Fuels"
S.P. 478 L.D. 1320

Presented by Senator MARRACHÉ of Kennebec.
Cosponsored by Representative STRANG BURGESS of Cumberland and Senators: BARTLETT of Cumberland, BLISS of Cumberland, BOWMAN of York, DAMON of Hancock, DIAMOND of Cumberland, GOOLEY of Franklin, JACKSON of Aroostook, McCORMICK of Kennebec, President MITCHELL of Kennebec, NUTTING of Androscoggin, PERRY of Penobscot, SIMPSON of Androscoggin, SULLIVAN of York, Representatives: AUSTIN of Gray, AYOTTE of Caswell, BEAULIEU of Auburn, BOLAND of Sanford, BRIGGS of Mexico, CHASE of Wells, CLARK of Millinocket, CRAY of Palmyra, CURTIS of Madison, DAVIS of Sangerville, DOSTIE of Sabattus, FITTS of Pittsfield, HAMPER of Oxford, HANLEY of Gardiner, HARVELL of Farmington, JOHNSON of Greenville, JONES of Mount Vernon, JOY of Crystal, KNAPP of Gorham, KNIGHT of Livermore Falls, KRUGER of Thomaston, LANGLEY of Ellsworth, MacDONALD of Boothbay, McKANE of Newcastle, McLEOD of Lee, MILLER of Somerville, MORRISON of South Portland, Speaker PINGREE of North Haven, PINKHAM of Lexington Township, PLUMMER of Windham, PRESCOTT of Topsham, RICHARDSON of Warren, RUSSELL of Portland, SANBORN of Gorham, SIROIS of Turner, STUCKEY of Portland, SUTHERLAND of Chapman, THERIAULT of Madawaska, THIBODEAU of Winterport, TILTON of Harrington, TRINWARD of Waterville, WATSON of Bath, WHEELER of Kittery, WILLETTE of Presque Isle.

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

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

Bill "An Act To Encourage Alternative Compensation Models for Teachers and School Administrators"
S.P. 458 L.D. 1277

Presented by Senator WESTON of Waldo.

Resolve, To Provide a Program Model for Children with Autism Spectrum Disorder
S.P. 461 L.D. 1280

Presented by Senator BOWMAN of York.
Cosponsored by Representative BRYANT of Windham.

Bill "An Act To Reform the School Budget Validation Process"
S.P. 464 L.D. 1283

Presented by Senator WESTON of Waldo.

Bill "An Act To Amend the Laws Governing Consolidation of
School Administrative Units To Eliminate Penalties, Establish
Incentives and Allow Alternative Voting Procedures for Budgets"
(EMERGENCY)

S.P. 468 L.D. 1287

Presented by Senator DAMON of Hancock.
Cosponsored by Representative SCHATZ of Blue Hill and
Senator: ROSEN of Hancock, Representatives: BRIGGS of
Mexico, BROWNE of Vassalboro, BURNS of Whiting,
EDGEComb of Caribou, FITTS of Pittsfield, McFADDEN of
Dennysville, SUTHERLAND of Chapman.

Bill "An Act To Preserve School Choice Rights" (EMERGENCY)
S.P. 482 L.D. 1336

Presented by Senator WESTON of Waldo.

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 Ensure That High-quality Services Are Provided to
Behavioral Health Clients"

S.P. 457 L.D. 1276

Presented by Senator CRAVEN of Androscoggin.
Cosponsored by Representative EVES of North Berwick and
Senators: BRANNIGAN of Cumberland, MARRACHÉ of
Kennebec, Representatives: CAMPBELL of Newfield, JONES of
Mount Vernon, STRANG BURGESS of Cumberland.

Bill "An Act To Increase the Efficiency and Effectiveness of
Licensing Behavioral Health Care Providers"

S.P. 462 L.D. 1281

Presented by Senator MILLS of Somerset.
Cosponsored by Representatives: CAMPBELL of Newfield, EVES
of North Berwick, JONES of Mount Vernon, JOY of Crystal,
PETERSON of Rumford, SANBORN of Gorham, STUCKEY of
Portland.

Resolve, Establishing a Study Commission on In Utero Narcotic
Drug Exposure (EMERGENCY)

S.P. 473 L.D. 1291

Presented by Senator McCORMICK of Kennebec.
Cosponsored by Representative FLOOD of Winthrop and
Senators: DIAMOND of Cumberland, MARRACHÉ of Kennebec,
MILLS of Somerset.
Approved for introduction by a majority of the Legislative Council
pursuant to Joint Rule 205.

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

Sent down for concurrence.

Bill "An Act To Modify Maine's Fishway Laws"

S.P. 456 L.D. 1237

Presented by Senator DAMON of Hancock.
Cosponsored by Representative WHEELER of Kittery and
Representatives: EATON of Sullivan, EBERLE of South Portland,
MacDONALD of Boothbay, McKANE of Newcastle, PERCY of
Phippsburg.

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 Create the Insurance Fraud Division within the
Department of Professional and Financial Regulation, Bureau of
Insurance"

S.P. 466 L.D. 1285

Presented by Senator SULLIVAN of York.

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 Provide More Transparency and Protection for
Public Employees in the Laws Governing the Maine Public
Employees Retirement System"

S.P. 474 L.D. 1292

Presented by President MITCHELL of Kennebec.
Cosponsored by Representative TUTTLE of Sanford and
Senators: JACKSON of Aroostook, McCORMICK of Kennebec,
Representative: BLODGETT of Augusta.

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

Sent down for concurrence.

Bill "An Act To Protect and Enhance Maine Marine Fisheries"
S.P. 463 L.D. 1282

Presented by Senator DAMON of Hancock.
Cosponsored by Representative EATON of Sullivan and Senator:
SULLIVAN of York, Representatives: BOLDUC of Auburn,
DUCHESNE of Hudson, EBERLE of South Portland,
MacDONALD of Boothbay, PENDLETON of Scarborough,
PERCY of Phippsburg.

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

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

Bill "An Act To Reduce Income Tax to 4.5% and Remove Low-
income Families from Taxation"
S.P. 460 L.D. 1279

Presented by Senator COURTNEY of York.
Cosponsored by Representative TARDY of Newport and
Senators: McCORMICK of Kennebec, NASS of York, RAYE of
Washington, ROSEN of Hancock, SMITH of Piscataquis,
Representatives: BICKFORD of Auburn, EDGECOMB of Caribou.

Bill "An Act To Create a Scholarship Granting Organization Tax
Credit"
S.P. 465 L.D. 1284

Presented by Senator SHERMAN of Aroostook.
Cosponsored by Senator WESTON of Waldo and
Representatives: BROWNE of Vassalboro, CUSHING of
Hampden, EDGECOMB of Caribou, HAMPER of Oxford, JOY of
Crystal, LEWIN of Eliot, NUTTING of Oakland.

Bill "An Act To Reduce Income Tax Rates"
S.P. 469 L.D. 1288

Presented by Senator SMITH of Piscataquis.
Cosponsored by Representative TARDY of Newport and
Senators: COURTNEY of York, McCORMICK of Kennebec,
NASS of York, Representatives: CRAFTS of Lisbon, CURTIS of
Madison, DAVIS of Sangerville, GILES of Belfast, LEWIN of Eliot.

Bill "An Act To Amend the Law Authorizing the Application of
Service Charges to the Owners of Certain Real Property Exempt
from Property Taxation"
S.P. 472 L.D. 1290

Presented by Senator MARRACHÉ of Kennebec.
Cosponsored by Representative WATSON of Bath and Senators:
GOOLEY of Franklin, McCORMICK of Kennebec, MILLS of
Somerset, PERRY of Penobscot, SIMPSON of Androscoggin,
Representatives: CHASE of Wells, COHEN of Portland,
CROCKETT of Augusta.

Bill "An Act To Clarify Taxpayer Privacy Requirements"
S.P. 479 L.D. 1321

Presented by Senator RAYE of Washington.
Cosponsored by Senators: NASS of York, PERRY of Penobscot,
Representatives: BURNS of Whiting, CHASE of Wells, LANGLEY
of Ellsworth, McFADDEN of Dennysville, SOCTOMAH of the
Passamaquoddy Tribe, VALENTINO of Saco.

Bill "An Act To Exempt from the Sales Tax Meals Provided at
Retirement Facilities"
S.P. 481 L.D. 1335

Presented by Senator PERRY of Penobscot.
Cosponsored by Representative CROCKETT of Augusta and
Senators: BLISS of Cumberland, HOBBS of York,
Representatives: FLEMINGS of Bar Harbor, PRESCOTT of
Topsham, TARDY of Newport.

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

Sent down for concurrence.

Bill "An Act To Exempt Services Provided by Alzheimer Care
Facilities from the Tax on Private Nonmedical Institution Services"
S.P. 459 L.D. 1278

Presented by Senator DAVIS of Cumberland.
Cosponsored by Senators: ROSEN of Hancock, SHERMAN of
Aroostook, TRAHAN of Lincoln.

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

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

Sent down for concurrence.

Bill "An Act To Ensure Continued Access to Emergency
Information in the State by Allowing Governments To Build
Federally Licensed Television Translators"
S.P. 480 L.D. 1334

Presented by Senator HOBBS of York.
Cosponsored by Representatives: ADAMS of Portland, 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.

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

REPORTS OF COMMITTEES

House

Ought to Pass

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Validate Certain Proceedings Authorizing the Issuance of Bonds and Notes by School Administrative District No. 32" (EMERGENCY)

H.P. 588 L.D. 857

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 **HEALTH AND HUMAN SERVICES** on Bill "An Act To Clarify the Prohibition on Payment for Health Care Facility Mistakes or Preventable Adverse Events"

H.P. 258 L.D. 322

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 **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Abolish the Intergovernmental Advisory Commission"

H.P. 174 L.D. 209

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.

Ought to Pass As Amended

The Committee on **HEALTH AND HUMAN SERVICES** on Resolve, Regarding Legislative Review of Portions of Chapter 33: Rules for the Certification of Family Child Care Providers, a Major Substantive Rule of the Department of Health and Human Services, Division of Licensing and Regulatory Services (EMERGENCY)

H.P. 70 L.D. 80

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-8)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-8)**.

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

READ ONCE.

Committee Amendment "A" (H-8) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **MARINE RESOURCES** on Bill "An Act To Clarify the Disposition of Fines from Maine's Soft-shelled Clam Laws"

H.P. 27 L.D. 32

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-7)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-7)**.

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

READ ONCE.

Committee Amendment "A" (H-7) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Change the Name of Columbus Day to Heritage Day"

H.P. 175 L.D. 210

Reported that the same **Ought Not to Pass.**

Signed:

Senators:

SIMPSON of Androscoggin
JACKSON of Aroostook
COURTNEY of York

Representatives:

WILLETTE of Presque Isle
BEAUDETTE of Biddeford
HARVELL of Farmington
CLARK of Easton
KAENRATH of South Portland
COTTA of China

The Minority of the same Committee on the same subject reported that the same **Ought To Pass.**

Signed:

Representatives:

BOLAND of Sanford
SCHATZ of Blue Hill

Comes from the House with the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED.**

Reports **READ.**

On motion by Senator **SIMPSON** of Androscoggin, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Contract Out the State Single Audit"

H.P. 235 L.D. 295

Reported that the same **Ought Not to Pass.**

Signed:

Senators:

COURTNEY of York
SIMPSON of Androscoggin
JACKSON of Aroostook

Representatives:

BOLAND of Sanford
WILLETTE of Presque Isle
BEAUDETTE of Biddeford
KAENRATH of South Portland
SCHATZ of Blue Hill
HARVELL of Farmington

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-14).**

Signed:

Representatives:

CLARK of Easton
COTTA of China

Comes from the House with the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED.**

Reports **READ.**

On motion by Senator **SIMPSON** of Androscoggin, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

Senate

Ought to Pass

Senator SIMPSON for the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Hold Municipal Officers Harmless for a Determination That a Town Way or Public Easement Is Considered Abandoned"

S.P. 255 L.D. 680

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Ought to Pass As Amended

Senator ALFOND for the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Further Facilitate the Provision of Educational Loans for Maine Students and Families" (EMERGENCY)

S.P. 40 L.D. 118

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-19).**

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

READ ONCE.

Committee Amendment "A" (S-19) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator BRYANT for the Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Extend the Season for Training Hunting Dogs"

S.P. 57 L.D. 171

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-22)**.

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

READ ONCE.

Committee Amendment "A" (S-22) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator JACKSON for the Committee on **LABOR** on Bill "An Act To Increase the Ability of the Maine Wage Assurance Fund To Pay Unpaid Workers"

S.P. 24 L.D. 65

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-16)**.

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

READ ONCE.

Committee Amendment "A" (S-16) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator JACKSON for the Committee on **LABOR** on Bill "An Act To Increase the Percentage of Retired Teachers' Health Insurance Paid by the State"

S.P. 32 L.D. 83

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-17)**.

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

READ ONCE.

Committee Amendment "A" (S-17) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator JACKSON for the Committee on **LABOR** on Bill "An Act To Ensure Fair Pay"

S.P. 33 L.D. 84

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-18)**.

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

READ ONCE.

Committee Amendment "A" (S-18) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator DAMON for the Committee on **MARINE RESOURCES** on Bill "An Act Regarding Violations of Lobster Conservation Laws"

S.P. 87 L.D. 246

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-20)**.

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

READ ONCE.

Committee Amendment "A" (S-20) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator GOODALL for the Committee on **NATURAL RESOURCES** on Bill "An Act To Facilitate the Removal of Dams That Pose a Hazard to Public Safety and the Installation and Repair of Fishways"

S.P. 112 L.D. 348

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-21)**.

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

READ ONCE.

Committee Amendment "A" (S-21) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

SECOND READERS

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

House

Bill "An Act Pertaining to the Quality Child Care Education Scholarship Fund" (EMERGENCY)

H.P. 76 L.D. 92

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

H.P. 358 L.D. 513

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

Senate at Ease.

Senate called to order by the President.

Off Record Remarks

Senate

Bill "An Act To Improve the Protection for Buyers of Motor Vehicles from Vehicles Labeled Lemons in Other States"

S.P. 248 L.D. 673

Bill "An Act To Validate the Property Tax Commitments in the Towns That are Members of Community School District No. 9" (EMERGENCY)

S.P. 287 L.D. 740

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

Sent down for concurrence.

Resolve, To Evaluate Climate Change Adaptation Options for the State

S.P. 163 L.D. 460

READ A SECOND TIME.

On motion by Senator **RAYE** of Washington, **TABLED** until Later in Today's Session, pending **PASSAGE TO BE ENGROSSED**.

Senate As Amended

Bill "An Act To Amend the Instruction Permit Process"
S.P. 16 L.D. 7
(C "A" S-7)

Bill "An Act To Modify the Laws Regarding Seat Belts"
S.P. 71 L.D. 221
(C "A" S-9)

Bill "An Act To Extend the Exception to Axle Fines during the Midwinter Season" (EMERGENCY)

S.P. 81 L.D. 240
(C "A" S-10)

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

Sent down for concurrence.

Bill "An Act To Create the Support Animal Welfare Registration Plate"

S.P. 64 L.D. 178
(C "A" S-8)

READ A SECOND TIME.

On motion by Senator **DAMON** of Hancock, **TABLED** until Later in Today's Session, pending **PASSAGE TO BE ENGROSSED AS AMENDED**.

ENACTORS

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

Resolve

Resolve, To Name the Gorham Bypass

H.P. 236 L.D. 296

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

ORDERS OF THE DAY

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

Bill "An Act To Protect and Enhance Maine Marine Fisheries"
S.P. 463 L.D. 1282

Tabled - March 31, 2009, by Senator **GOODALL** of Sagadahoc

Pending - **REFERENCE**

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

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

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (2/24/09) Assigned matter:

JOINT ORDER - Directing the Joint Standing Committee on Health and Human Services To Study the Feasibility of Instituting ImPACT Tests, Which Establish a Personal Baseline for Athletic Head Trauma Injuries

S.P. 247

Tabled - February 24, 2009, by Senator **HOBBINS** of York

Pending - motion by same Senator to **PASS**

(In Senate, February 24, 2009, on motion by Senator **HOBBINS** of York, **READ**.)

Senator **HOBBINS** of York requested and received leave of the Senate to withdraw the Joint Order.

The Chair laid before the Senate the following Tabled and Later (3/26/09) Assigned matter:

Bill "An Act To Exempt Private Nonmedical Institutions from the Service Provider Tax"

H.P. 768 L.D. 1113

Tabled - March 26, 2009, by Senator **COURTNEY** of York

Pending - motion by Senator **BRANNIGAN** of Cumberland to **REFER** to the Committee on **HEALTH AND HUMAN SERVICES**, in concurrence

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

(In House, March 25, 2009, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**.)

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

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

Off Record Remarks

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

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

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

After Recess

Senate called to order by the President.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act Concerning the National Animal Identification System"
H.P. 857 L.D. 1238

Bill "An Act To Establish a Revenue Source for the Maine Pesticide Education Fund"
H.P. 858 L.D. 1239

Bill "An Act To Amend Certain Laws Related to the Department of Agriculture, Food and Rural Resources"
H.P. 874 L.D. 1255

Bill "An Act To Require Citizen Notification of Pesticide Applications Using Aerial Spray or Air-carrier Application Equipment"
H.P. 896 L.D. 1293

Bill "An Act To Amend the Laws Governing the Public Hearing Process for the Board of Pesticides Control"
H.P. 897 L.D. 1294

Bill "An Act To Amend Provisions of the Submerged Lands Law"
H.P. 926 L.D. 1322

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

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

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

PAPERS FROM THE HOUSE

House Papers

Resolve, To License Wetland Scientists
H.P. 859 L.D. 1240

Bill "An Act To Require Licensing for Certain Mechanical Trades"
H.P. 860 L.D. 1241

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.

Bill "An Act To Prohibit Predispute Mandatory Binding Arbitration Clauses in Consumer Contracts"
H.P. 875 L.D. 1256

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 **JUDICIARY**, in **NON-CONCURRENCE**.

Sent down for concurrence.

Bill "An Act To Require Legislative Consultation and Approval Prior to Committing the State to Binding International Trade Agreements"
H.P. 876 L.D. 1257

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 **STATE AND LOCAL GOVERNMENT**, in **NON-CONCURRENCE**.

Sent down for concurrence.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Streamline the Regulatory Process for Commercial Building Construction Projects" (EMERGENCY)
H.P. 861 L.D. 1242

Bill "An Act To Amend Operating After Suspension Laws by Creating an Infraction Alternative for Certain Kinds of Operating After Suspension"
H.P. 862 L.D. 1243

Bill "An Act To Create a Duty To Report Serious Injuries"
H.P. 877 L.D. 1258

Bill "An Act To Deter Graffiti"
H.P. 939 L.D. 1338

Resolve, To Direct the Commissioner of Health and Human Services To Establish a Blue Ribbon Task Force To Examine the Attorney General's Report Regarding Police Shootings as It Relates to Deaths of Persons with Mental Illness
H.P. 943 L.D. 1342

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 Establish the Middle School of Science and Mathematics"
H.P. 898 L.D. 1295

Bill "An Act To Abolish the State Board of Education"
H.P. 900 L.D. 1297

Bill "An Act To Adjust the Special Education Funding for Minimum Subsidy Receivers"
H.P. 901 L.D. 1298

Bill "An Act To Streamline the Fingerprinting Process"
H.P. 902 L.D. 1299

Bill "An Act To Establish Head Injury Safety Requirements for School Athletic Programs"
H.P. 903 L.D. 1300

Bill "An Act To Provide Collective Bargaining Protections for Alternative Organizational Structure Employees"
H.P. 922 L.D. 1319

Bill "An Act To Control the Costs of College Textbooks"
H.P. 927 L.D. 1323

Bill "An Act To Adopt the Interstate Compact on Educational Opportunity for Military Children"
H.P. 928 L.D. 1324

Bill "An Act Regarding Curriculum Requirements and Standards for Awarding a High School Diploma"
H.P. 929 L.D. 1325

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 Advance Health Care in Maine
H.P. 863 L.D. 1244

Resolve, To Improve the Continuity of Care for Individuals with Behavioral Issues in Long-term Care (EMERGENCY)
H.P. 864 L.D. 1245

Bill "An Act To Amend the Certificate of Need Act of 2002 for Nursing Facility Projects"
H.P. 879 L.D. 1260

Resolve, To Require the Department of Health and Human Services To Provide Cost-of-living Adjustments for Nursing Facilities and Certain Medical and Remedial Private Nonmedical Institutions (EMERGENCY)
H.P. 880 L.D. 1261

Bill "An Act To Restrict Gifts to Health Care Practitioners from Pharmaceutical and Medical Device Manufacturers"
H.P. 881 L.D. 1262

Bill "An Act To Amend the Laws Concerning Child Abuse and Neglect Councils"
H.P. 882 L.D. 1263

Bill "An Act To Prohibit Full-time State Employees from Enrollment in MaineCare"
H.P. 905 L.D. 1302

Bill "An Act To Improve the General Assistance Program"
H.P. 906 L.D. 1303

Bill "An Act To Improve Oversight of Pharmaceutical Purchasing"
H.P. 940 L.D. 1339

Bill "An Act To Protect Consumers' Health Information Records"
H.P. 941 L.D. 1340

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Promote Youth Hunting License Sales"
H.P. 865 L.D. 1246

Bill "An Act To Require Snowmobile Safety Training"
H.P. 904 L.D. 1301

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Stabilize Funding and Enable DirigoChoice To Reach More Uninsured"
H.P. 883 L.D. 1264

Bill "An Act Regarding First-party Automobile and Casualty Insurance"
H.P. 907 L.D. 1304

Bill "An Act To Provide for Prompt Resolution of Insurance Claims by Providing for a Direct Remedy by Consumers"
H.P. 908 L.D. 1305

Bill "An Act To Amend the Laws Governing Licensed Financial Service Providers"
H.P. 930 L.D. 1326

House Papers

Bill "An Act To Promote Consumer Fairness in Tax Refund Anticipation Loans"

H.P. 944 L.D. 1343

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.

Bill "An Act To Prohibit Maine Clean Election Act Candidates from Raising Private Campaign Funds"

H.P. 866 L.D. 1247

Bill "An Act Authorizing a Scratch Ticket with Proceeds To Benefit Native American Boys and Girls Clubs"

H.P. 867 L.D. 1248

Bill "An Act To Raise the Campaign Contribution Limit"

H.P. 868 L.D. 1249

Bill "An Act To Amend the Maine Clean Election Act Relating to Seed Money"

H.P. 869 L.D. 1250

Bill "An Act To Allow the Importation of Wine into the State for Individuals through Specific Ports of Entry"

H.P. 911 L.D. 1308

Bill "An Act To Clarify the Use of Instant Redeemable Coupons with Alcoholic Beverages"

H.P. 912 L.D. 1309

Bill "An Act To Update Department of Defense, Veterans and Emergency Management Laws"

H.P. 931 L.D. 1327

RESOLUTION, Proposing an Amendment to the Constitution of Maine Concerning Early Voting and Voting by Absentee Ballot

H.P. 932 L.D. 1328

Bill "An Act To Allow a Resort Casino in Oxford County"

H.P. 933 L.D. 1329

Bill "An Act Regarding Gaming by Charitable Organizations"

H.P. 934 L.D. 1330

Resolve, To Authorize a Pilot Project on Ranked Choice Voting

H.P. 945 L.D. 1344

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Increase the Required Number of Signatures for a Direct Initiative or a People's Veto and To Limit a Direct Initiative to One Subject

H.P. 946 L.D. 1345

Bill "An Act To Amend the Laws Governing Games of Chance"

H.P. 947 L.D. 1346

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 Papers

Bill "An Act Regarding Low-profit Limited Liability Companies"

H.P. 884 L.D. 1265

Resolve, Establishing a Blue Ribbon Panel To Address Disparities in Economic Development between the Passamaquoddy Tribe and the State and the United States (EMERGENCY)

H.P. 885 L.D. 1266

Bill "An Act To Provide Limited Immunity for Road Association Directors, Commissioners and Volunteers"

H.P. 910 L.D. 1307

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

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

Bill "An Act To Require Interscholastic Athletic Organizations To Comply with Freedom of Access Laws"

H.P. 909 L.D. 1306

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

On motion by Senator **BLISS** of Cumberland, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS**, in **NON-CONCURRENCE**.

Sent down for concurrence.

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

PAPERS FROM THE HOUSE

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act Regarding Saltwater Recreational Fishing"
H.P. 935 L.D. 1331

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Establish a Groundwater Withdrawal Program and To Recognize Groundwater as a Public Trust Resource"
H.P. 886 L.D. 1267

Bill "An Act To Update the Site Location of Development Laws"
H.P. 887 L.D. 1268

Bill "An Act To Clarify the Laws Regarding Significant Groundwater Wells"
H.P. 888 L.D. 1269

Resolve, To Establish the Blue Ribbon Commission To Examine the Legal and Policy Implications of Groundwater Extraction (EMERGENCY)
H.P. 913 L.D. 1310

Bill "An Act To Continue Coverage of Oil Clean-up Costs and Improve Administration of the Ground Water Oil Clean-up Fund"
H.P. 936 L.D. 1332

Bill "An Act To Establish Climate and Energy Planning in Maine"
H.P. 937 L.D. 1333

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Generate Savings by Changing Public Notice Requirements"
H.P. 890 L.D. 1271

Bill "An Act To Require a State Agency To Reference the Livable Wage in Information Published by That Agency" (EMERGENCY)
H.P. 915 L.D. 1312

Bill "An Act To Restructure the State Planning Office"
H.P. 916 L.D. 1313

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Create the Maine Fishery Infrastructure Tax Credit"
H.P. 871 L.D. 1252

Bill "An Act To Establish a Local Option Sales Tax"
H.P. 872 L.D. 1253

Bill "An Act To Establish an Income Tax Credit for the Purchase of Certain Wood-burning Boilers and Stoves"
H.P. 891 L.D. 1272

Bill "An Act To Simplify the Application for Benefits under the Circuitbreaker Program"
H.P. 892 L.D. 1273

Bill "An Act To Reform and Lower Maine Taxes"
H.P. 917 L.D. 1314

Bill "An Act To Deter Initiation of Tobacco Use by Increasing the Tax on Tobacco Products" (EMERGENCY)
H.P. 948 L.D. 1347

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.

Bill "An Act To Reduce the Cost of Permitting of Business Development"

H.P. 870 L.D. 1251

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

On motion by Senator **PERRY** of Penobscot, **REFERRED** to the Committee on **NATURAL RESOURCES**, in **NON-CONCURRENCE**.

Sent down for concurrence.

Bill "An Act To Reform Maine's Motor Fuel Tax Laws"

H.P. 942 L.D. 1341

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

On motion by Senator **PERRY** of Penobscot, **REFERRED** to the Committee on **TRANSPORTATION**, in **NON-CONCURRENCE**.

Sent down for concurrence.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Establish a Gold Star Family Member License Plate"

H.P. 893 L.D. 1274

Bill "An Act To Amend the Private Way Laws with Regard to Road Associations"

H.P. 918 L.D. 1315

Bill "An Act To Limit the Transport of Water for Export"

H.P. 919 L.D. 1316

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 Amend the Charter of the Addison Point Water District"

H.P. 920 L.D. 1317

Bill "An Act To Create the Hancock Pond Water District" (EMERGENCY)

H.P. 921 L.D. 1318

Bill "An Act To Provide Grants to Public Educational and Municipal Entities for Feasibility Studies of Renewable Energy Projects"

H.P. 949 L.D. 1348

Bill "An Act To Streamline Ratemaking for Consumer-owned Water Utilities"

H.P. 950 L.D. 1349

Bill "An Act To Establish the Maine Transmission Mitigation Trust Fund" (EMERGENCY)

H.P. 951 L.D. 1350

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

**Pursuant to Statute
Criminal Law Advisory Commission**

The **Criminal Law Advisory Commission**, pursuant to the Maine Revised Statutes, Title 17-A, section 1354, subsection 2 asked leave to report that the accompanying Bill "An Act To Implement the Recommendations of the Criminal Law Advisory Commission"

H.P. 894 L.D. 1275

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.

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

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

PAPERS FROM THE HOUSE

**Pursuant to Statute
Secretary of State**

The **Secretary of State**, pursuant to the Maine Revised Statutes, Title 5, section 12006, subsection 2 asked leave to report that the accompanying Bill "An Act To Repeal Inactive Boards and Commissions"

H.P. 873 L.D. 1254

Be **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** 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 **STATE AND LOCAL GOVERNMENT** and ordered printed pursuant to Joint Rule 218.

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

REFERRED to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed pursuant to Joint Rule 218, in concurrence.

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

PAPERS FROM THE HOUSE

Joint Resolution

The following Joint Resolution:

H.P. 923

**JOINT RESOLUTION IN HONOR OF THE MAINE FARMER
AND MAINE AGRICULTURE**

WHEREAS, recent statistics show that Maine has about 8,000 farms, the bulk of which are small, family-owned operations, that provide full-time and part-time employment to more than 90,000 workers, approximately 13 percent of the State's workforce; and

WHEREAS, Maine's agricultural enterprises provide more than \$684 million through the sale of farm products and contribute more than \$2 billion annually to the State's economy, and an overwhelming majority of Maine people believe that buying local Maine agricultural products helps the State; and

WHEREAS, Maine farmers are the stewards of 1.36 million acres of land, a vital resource in maintaining the food security of Maine people; and

WHEREAS, Maine is first in New England in the production of food, first in New England in the value of aquaculture sales, first in the world in the production of wild blueberries, the world

leader in the production of brown eggs, third in the Nation in the production of maple syrup, eighth in the Nation in the production of fall potatoes, second in New England in milk and livestock production and the only state anywhere involved in the commercial production of fiddleheads; and

WHEREAS, agriculture shaped Maine's past, maintains much of Maine's scenic open space, provides recreational opportunities, makes a significant contribution to the nature and character of Maine's many rural communities and provides for a strong future; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-fourth Legislature now assembled in the First Regular Session, pause in our deliberations to honor Maine farmers and innovators who have contributed so much to the betterment of our State, to pledge our support and encouragement and to urge the youth of Maine to pursue the growing opportunities for careers in today's technologically advanced agriculture industry; and be it further

RESOLVED: That a suitable copy of this resolution, duly authenticated by the Secretary of State, be transmitted to the Commissioner of Agriculture, Food and Rural Resources as a token of the esteem in which those in this vital field are held.

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

READ and **ADOPTED**, in concurrence.

Senator **MILLS** of Somerset was granted unanimous consent to address the Senate on the Record.

Senator **MILLS**: Thank you, Madame President. Men and women of the Senate, I wanted to rise just for a moment to recognize Jobs for Maine's Graduates. Most of you are familiar with it. The thing that has always interested me about it is the fact that the responsibility that this program takes for proving its own effectiveness. I wish there were more programs of this sort that would come before us asking for money on occasion and being able to give us the evidence of effectiveness. JMG is never lax from this obligation that they assume. It is a statewide nonprofit created by the legislature in 1993. It currently works with 3,600 Maine students, helping them overcome barriers to education to reach their potential. They boast a 96% graduation rate. How you get into the program is that you have some jeopardy of not making it. They provide a very valuable supplemental service to our education system. They wind up in the future earning 14% more money than their peers and continuing their post-graduate education. I'd like to welcome our JMG honorary pages here today from Carrabec High School. Their names are Sean Tennet, Miranda Knight, Sophie Handrahan, and Katie Kniffin. With them today is the Principal of the school, Ken Coville, one of my favorite high school principals. Chris Poulin, their JMG Specialist is here today as well. The Board Chair, Jon Doyle, is here as well as the President, Craig Larrabee; Vice President, Kim Lipp; and Communications Manager, Lisa Gardner. Thank you for allowing me to recognize this very fine group.

THE PRESIDENT: The Chair would request that the leadership of Jobs for Maine's Graduates and the students who work with Jobs for Maine's Graduates please stand and accept the greetings of the Maine Senate.

On motion by Senator **BARTLETT** of Cumberland,
ADJOURNED, to Thursday, April 2, 2009, at 10:00 in the morning.