

# 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  
April 14, 2009

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

Prayer by Senator Troy D. Jackson of Aroostook County.

**SENATOR JACKSON:** Good morning everyone. I'm very glad to be here, especially after what I heard this morning. I don't have much longer. I guess they are trying to sell Aroostook County to Canada. Luckily I'm here for at least one more day. I am glad to be here. This is actually my Grandfather O'Leary's birthday if he was still with us, so it's very appropriate for me to be up here today, honoring him and also I have part of my family here today. One of them has a Native American descent, so I choose a prayer that would honor that.

Oh Great Spirit, whose voice I hear in the winds and whose breath gives life to all the world, hear me. I am small and weak. I need Your strength and wisdom. Let me walk in beauty and make my eyes ever behold the red and purple sunset. Make my hands respect the things You have made and my ears sharp to hear Your voice. Make me wise so that I may understand the things You have taught my people. Let me learn the lessons You have hidden in every leaf and rock. Make me always ready to come to You with clean hands and straight eyes, so when light fades as the fading sunset my spirit may come to You without shame. Amen.

Pledge of Allegiance led by Senator Earle L. McCormick of  
Kennebec County.

Reading of the Journal of Thursday, April 9, 2009.

Doctor of the day, Dr. Louisa Barnhart, MD of Augusta.

Off Record Remarks

Out of order and under suspension of the Rules, on motion by  
Senator **MARRACHÉ** of Kennebec, the following Senate Order:  
S.O. 13

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 John Fitzsimmons, President of the Maine Community College System, and the Honorable Richard L. Pattenauade, Chancellor of the University of Maine System, an invitation to attend and to make such communication as pleases them.

**READ and PASSED.**

The Chair appointed the Senator from Kennebec, Senator **MARRACHÉ** to deliver the message to the House of Representatives. The Sergeant-At-Arms escorted the Senator to the House of Representatives.

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

Off Record Remarks

**COMMUNICATIONS**

The Following Communication: S.C. 227

**MAINE COMMUNITY COLLEGE SYSTEM  
OFFICE OF THE PRESIDENT  
323 STATE STREET  
AUGUSTA, MAINE 04330-7131**

March 19, 2009

The Honorable Elizabeth H. Mitchell  
President of the Senate  
124<sup>th</sup> Maine Legislature  
3 State House Station  
Augusta, ME 04333-0003

The Honorable Hannah M. Pingree  
Speaker of the House  
124<sup>th</sup> Maine Legislature  
2 State House Station  
Augusta, ME 04333-0002

Dear President Mitchell and Speaker Pingree:

Thank you for your letter of March 6, 2009, inviting me to address a Joint Session of the 124<sup>th</sup> Maine Legislature on Tuesday, April 14<sup>th</sup>. On behalf of Maine's Community College trustees, employees and students, it is with great pride that I accept your kind invitation. I look forward to sharing with you my thoughts on the state of the Maine Community College System.

Thank you again for your invitation.

Sincerely yours,

S/John Fitzsimmons  
President

**READ and ORDERED PLACED ON FILE.**

L.D. 1366

The Following Communication: S.C. 228

**MAINE'S PUBLIC UNIVERSITIES  
UNIVERSITY OF MAINE SYSTEM  
OFFICE OF THE CHANCELLOR  
16 CENTRAL STREET  
BANGOR, ME 04401-5106**

April 1, 2009

The Honorable Elizabeth H. Mitchell  
President of the Senate

The Honorable Hannah M. Pingree  
Speaker of the House

124<sup>th</sup> Maine Legislature  
State of Maine  
Augusta, ME 04333

Dear President Mitchell and Speaker Pingree:

Thank you for your invitation to address a Joint Session of the 124<sup>th</sup> Maine Legislature on Tuesday, April 14, 2009 concerning the State of the University of Maine System. I accept with pleasure and look forward to the opportunity to share with you my thoughts on the role and future of the University of Maine System.

These are challenging times. I deeply appreciate the support provided by the Legislature as we work together to build a brighter future for the people of Maine.  
Sincerely,

L.D. 1065

S/Richard L. Patten  
Chancellor

**READ and ORDERED PLACED ON FILE.**

The Following Communication: S.C. 229

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

April 8, 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. Piotti of Unity, to report the following bill Leave to Withdraw:

An Act To Increase Access to Health Care by Providing Insurance Coverage for Telemedicine

Sincerely,

S/Sen. Peter B. Bowman  
Senate Chair

S/Rep. Sharon Anglin Treat  
House Chair

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

The Following Communication: S.C. 230

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

April 6, 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 Sen. Goodall of Sagadahoc, to report the following bill Leave to Withdraw:

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

Sincerely,

S/Sen. Nancy B. Sullivan  
Senate Chair

S/Rep. Pamela Jabar Trinward  
House Chair

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

The Following Communication: S.C. 231

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

April 8, 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 Sen. Sullivan of York, to report the following bill Leave to Withdraw:

L.D. 983 An Act To Reduce the Risk of Hypothermia in Residential Rental Units (EMERGENCY)

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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**SENATE PAPERS**

Bill "An Act To Modify Child Support Enforcement Procedures and Requirements"

S.P. 543 L.D. 1459

Presented by Senator SIMPSON of Androscoggin.  
Submitted by the Department of Health and Human Services pursuant to Joint Rule 204.

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 Increase Opportunities for Commercial Tracks and Agricultural Fairs"

S.P. 542 L.D. 1458

Presented by Senator BRYANT of Oxford.  
Cosponsored by Representative PERRY of Calais and Senators: HASTINGS of Oxford, JACKSON of Aroostook, McCORMICK of Kennebec, Representatives: FITTS of Pittsfield, SOCTOMAH of the Passamaquoddy Tribe, TUTTLE of Sanford.

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

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 Resolution**

On motion by Senator **SCHNEIDER** of Penobscot (Cosponsored by Representative CAIN of Orono and 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, GERZOFKY of Cumberland, GOOLEY of Franklin, HASTINGS of Oxford, HOBBS of York, JACKSON of Aroostook, MARRACHÉ of Kennebec, McCORMICK of Kennebec, NUTTING of Androscoggin, PERRY of Penobscot, PLOWMAN of Penobscot, RAYE of Washington, ROSEN of Hancock, SHERMAN of Aroostook, SIMPSON of Androscoggin, SMITH of Piscataquis, SULLIVAN of York, TRAHAN of Lincoln, WESTON of Waldo, Representatives: AUSTIN of Gray, AYOTTE of Caswell, BEAUDETTE of Biddeford, BEAULIEU of Auburn, BICKFORD of Auburn, BLANCHARD of Old Town, BOLAND of Sanford, BROWNE of Vassalboro, BURNS of Whiting, CAMPBELL of Newfield, CASAVANT of Biddeford, CEBRA of Naples, CLARK of Easton, CLEARY of Houlton, COHEN of Portland, CONNOR of Kennebunk, COTTA of China, CRAFTS of Lisbon, CRAY of Palmyra, CROCKETT of Bethel, CURTIS of Madison, DAVIS of Sangerville, DOSTIE of Sabattus, FINCH of Fairfield, FLEMINGS of Bar Harbor, FLOOD of Winthrop, FOSSEL of Alna, GIFFORD of Lincoln, GILES of Belfast, HAMPER of Oxford, HANLEY of Gardiner, HARVELL of Farmington, HASKELL of Portland, HAYES of Buckfield, HINCK of Portland, HUNT of Buxton, JOHNSON of Greenville, JOY of Crystal, MacDONALD of Boothbay, MARTIN of Orono, MARTIN of Eagle Lake, McCABE of Skowhegan, McFADDEN of Dennysville, McKANE of Newcastle, MILLETT of Waterford, NELSON of Falmouth, O'BRIEN of Lincolnville, PETERSON of Rumford, PINKHAM of Lexington Township, PRATT of Eddington, PRESCOTT of Topsham, RANKIN of Hiram, RICHARDSON of Carmel, RICHARDSON of Warren, ROBINSON of Raymond, SARTY of Denmark, SAVIELLO of Wilton, SCHATZ of Blue Hill, SOCTOMAH of the Passamaquoddy Tribe, STRANG BURGESS of Cumberland, SUTHERLAND of Chapman, SYKES of Harrison, TARDY of Newport, THERIAULT of Madawaska, THIBODEAU of Winterport, THOMAS of Ripley, WAGNER of Lewiston, WILLETTE of Presque Isle, WRIGHT of Berwick) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 214.), the following Joint Resolution:

S.P. 537

**JOINT RESOLUTION MEMORIALIZING THE PRESIDENT OF  
THE UNITED STATES AND THE UNITED STATES CONGRESS  
TO RAISE THE WEIGHT LIMIT ON INTERSTATE 95**

WE, your Memorialists, the Members of the One Hundred and Twenty-fourth Legislature of the State of Maine now assembled in the First Regular Session, most respectfully present and petition the President of the United States and the United States Congress as follows:

WHEREAS, Interstate 95 in the State of Maine, which is part of the Dwight D. Eisenhower System of Interstate and Defense Highways and is governed by the Federal-Aid Highway Act of 1956, is central to Maine's commerce and industry; and

WHEREAS, the weight limit on the Interstate Highway System is set at 80,000 pounds by the Federal-Aid Highway Act of 1956 and consequently by Maine statute, yet the State of Maine has a 100,000-pound limit on its secondary roads, which does not match the national limit; and

WHEREAS, the Federal Government has given the State of Maine an exemption, which allows for a 100,000-pound limit, from the 80,000-pound limit to the last 5 miles of the Maine Turnpike and Interstate 95, and this exemption matches the limit for the rest of the State; now, therefore, be it

RESOLVED: That We, your Memorialists, on behalf of the people we represent, take this opportunity to request that the United States Congress allow the State of Maine a 100,000-pound limit on all of the Interstate Highway System in Maine and that the United States Congress review this request when the Highway Bill comes up for reauthorization; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable Barack H. Obama, President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives and to each Member of the Maine Congressional Delegation.

**READ.**

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

Senator **SCHNEIDER:** Thank you, Madame President. Men and women of the Senate, first I would like to thank all of you for working with me supporting this Joint Resolution. We are sending a powerful message on to our President and Congress, lending our voices, calling for change to raise the weight limit on I-95 to 100,000 pounds for the entire I-95 corridor. This change will save lives by getting our large trucks off local roads and putting them onto I-95. It will save money and help small businesses by putting those trucks onto I-95 by saving fuel, lessening our carbon footprint, and together we will make Maine a stronger state by enacting this change. I call also on all of you to get in touch directly with our Congressional delegation to speak with them about this change, to let them know that we are supportive of their efforts in Congress that they are currently undertaking to make this change occur. I thank you for your help with this and I appreciate the opportunity to speak.

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Off Record Remarks

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At this point a message was received from the House of Representatives, borne by Representative PIOTTI of Unity 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 Honorable John Fitzsimmons, President of the Maine Community College System, and the Honorable Richard L. Pattenau, Chancellor of the University of Maine System, an invitation to attend and to make such communication as pleases them.

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

Senator **PLOWMAN:** Thank you, Madame President. I rise to endorse, with my whole heart, this Joint Resolution. In 1994 one of my constituents died in her bed on Rt. 9 in Dixmont when a truck went through her house and took her and her bed into the basement because the 100,000 pound truck that was force to use Rt. 9 had nowhere to go when a car pulled out a little bit in front of them. In approximately 1997 a UPS driver burned to death in his truck on Rt. 9 in Hampden when a 100,000 pound truck hit him as he tried to make deliveries. Two years ago Susan G. Abraham of Hampden, Maine was killed when a 100,000 pound truck that should have been on the Interstate making a delivery to the landfill hit her. These trucks have nowhere to go. They have no reaction time. They do not belong on our streets. In Bangor a truck that was forced to not use I-395 because it was more than 80,000 pounds ran over an elderly woman standing on the corner in downtown Bangor. Since 1994 I've been collecting signatures and sending letters to Representative Oberstar asking him why our people, my people, my constituents, are dying. It's very emotional. It's not just a truck. It's not just economy. It's how do I go and look someone in the eye and say that since 1994 I've been asking for this. How do I look at my friend, Carol Abraham, and say, 'I'm sorry, Carol.' That truck should have gotten off at Dysarts, turned left, and traveled three-quarters of a mile on local roads. I should have never been on 40 miles of back road. This can't be done soon enough. I don't know what your roads are like, but I know the people Rt. 9. I can't handle writing one more letter to Representative Oberstar. It hurts me. It doesn't seem to hurt him. Thank you.

On motion by Senator **SCHNEIDER** of Penobscot, the Joint Resolution **ADOPTED.**

Sent down for concurrence.

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**REPORTS OF COMMITTEES**

**House**

**Ought to Pass**

The Committee on **HEALTH AND HUMAN SERVICES** on Resolve, To Ensure All Children Covered by MaineCare Receive Early and Periodic Screening, Diagnosis and Treatment Services  
H.P. 439 L.D. 625

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

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

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

**READ ONCE**.

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

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**Ought to Pass As Amended**

The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Extend the Operation of the Maine Health Data Processing Center and To Amend the Maine Health Data Organization Statutes" (EMERGENCY)  
H.P. 85 L.D. 101

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-55)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-55)**.

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

**READ ONCE**.

Committee Amendment "A" (H-55) **READ** and **ADOPTED**, in concurrence.

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

---

The Committee on **UTILITIES AND ENERGY** on Resolve, Regarding Legislative Review of Portions of Chapter 2: Administration of Trust, Budgeting, Project Selection Criteria and Procedures, Monitoring and Evaluation Requirements, a Major Substantive Rule of the Energy and Carbon Savings Trust (EMERGENCY)  
H.P. 271 L.D. 335

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-57)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-57)**.

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

**READ ONCE**.

Committee Amendment "A" (H-57) **READ** and **ADOPTED**, in concurrence.

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

---

The Committee on **UTILITIES AND ENERGY** on Bill "An Act To Waive Public Utilities Commission Approval of Special Contracts When the Contracts Apply to Detariffed Rates or Terms"  
H.P. 541 L.D. 790

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-58)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-58)**.

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

**READ ONCE**.

Committee Amendment "A" (H-58) **READ** and **ADOPTED**, in concurrence.

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

---

**Senate**

**Ought to Pass**

Senator JACKSON for the Committee on **LABOR** on Bill "An Act To Clarify the Rights of Public Employee Unions and Public Employers To Agree through Collective Bargaining To Permit Payroll Deductions for Union Dues or Other Funds"  
S.P. 309 L.D. 801

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

Report **READ**.

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

---

Senator BOWMAN for the Committee on **UTILITIES AND ENERGY** on 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

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 SCHNEIDER for the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** on 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

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-54)**.

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

**READ ONCE**.

Committee Amendment "A" (S-54) **READ** and **ADOPTED**.

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

---

Senator BRANNIGAN for the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Implement the Recommendations of the Blue Ribbon Commission To Study Long-term Home-based and Community-based Care" (EMERGENCY)  
S.P. 142 L.D. 400

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-57)**.

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

**READ ONCE**.

Committee Amendment "A" (S-57) **READ** and **ADOPTED**.

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

Senator BRANNIGAN for the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Provide Reimbursement in the MaineCare Program for Board-certified Behavior Analysts"  
S.P. 226 L.D. 611

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-55)**.

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

**READ ONCE**.

Committee Amendment "A" (S-55) **READ** and **ADOPTED**.

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

---

Senator BOWMAN for the Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Clarify Guaranteed Fund Protection for Deferred Compensation Accounts"  
S.P. 132 L.D. 390

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-58)**.

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

**READ ONCE**.

Committee Amendment "A" (S-58) **READ** and **ADOPTED**.

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

---

Senator BOWMAN for the Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Strengthen the Board of the Maine Insurance Guaranty Association"  
S.P. 231 L.D. 616

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-59)**.

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

**READ ONCE**.

Committee Amendment "A" (S-59) **READ** and **ADOPTED**.

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

---

Senator GOODALL for the Committee on **NATURAL RESOURCES** on Bill "An Act To Amend Certain Laws Administered by the Department of Environmental Protection"  
S.P. 179 L.D. 476



Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-56).**

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

**READ ONCE.**

Committee Amendment "A" (S-56) **READ** and **ADOPTED**.

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

---

Senator HOBBS for the Committee on **UTILITIES AND ENERGY** on Bill "An Act To Amend the Charter of the Tenants Harbor Standard Water District" (EMERGENCY)  
S.P. 331 L.D. 883

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-53).**

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

**READ ONCE.**

Committee Amendment "A" (S-53) **READ** and **ADOPTED**.

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

---

**Divided Report**

The Majority of the Committee on **NATURAL RESOURCES** on Resolve, To Require the Department of Environmental Protection To Amend Its Rules for Hydropower Projects To Require a Detailed Cost-benefit Analysis

S.P. 272 L.D. 723

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

Signed:

Senators:

GOODALL of Sagadahoc  
SIMPSON of Androscoggin

Representatives:

BOLDUC of Auburn  
KNAPP of Gorham  
MARTIN of Eagle Lake  
EBERLE of South Portland  
DUCHESNE of Hudson  
WALSH INNES of Yarmouth  
WELSH of Rockport

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-51).**

Signed:

Senator:

SMITH of Piscataquis

Representatives:

HAMPER of Oxford  
EDGECOMB of Caribou  
AYOTTE of Caswell

Reports **READ**.

On motion by Senator **GOODALL** of Sagadahoc, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**.

Sent down for concurrence.

---

**Divided Report**

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Require a Vacancy in the Office of United States Senator To Be Filled by Election"  
S.P. 76 L.D. 226

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-52).**

Signed:

Senator:

COURTNEY of York

Representatives:

WILLETTE of Presque Isle  
BEAUDETTE of Biddeford  
COTTA of China  
CLARK of Easton  
HARVELL of Farmington  
HAYES of Buckfield

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

Signed:

Senators:

SIMPSON of Androscoggin  
JACKSON of Aroostook

Representatives:

KAENRATH of South Portland  
SCHATZ of Blue Hill  
BOLAND of Sanford

Reports **READ**.

On motion by Senator **SIMPSON** of Androscoggin, **TABLED** until Later in Today's Session, pending **ACCEPTANCE OF EITHER REPORT**.

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Off Record Remarks

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

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Off Record Remarks

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**SECOND READERS**

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

**House**

Resolve, To Increase the Blood Supply  
H.P. 412 L.D. 574

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

---

**House As Amended**

Resolve, To Encourage the Preservation of Dark Skies  
H.P. 6 L.D. 11  
(C "A" H-15)

Resolve, To Ensure Appropriate Personal Needs Allowances for Persons Residing in Long-term Care Facilities  
H.P. 11 L.D. 16  
(C "A" H-41)

Bill "An Act To Establish Native American Veterans Day"  
H.P. 25 L.D. 30  
(C "A" H-45)

Bill "An Act To Enhance Motorcycle Safety"  
H.P. 34 L.D. 39  
(C "A" H-39)

Bill "An Act To Supervise and Regulate Escrow Agents in Order To Protect Consumers"  
H.P. 144 L.D. 165  
(C "A" H-40)

Resolve, To Fund the Nursing Education Loan Repayment Program (EMERGENCY)  
H.P. 171 L.D. 206  
(C "A" H-46)

Bill "An Act Regarding Bail Defaults and the Extradition Account"  
H.P. 195 L.D. 249  
(C "A" H-43)

Resolve, Regarding Legislative Review of Portions of Chapter 115: Certification, Authorization, and Approval of Education Personnel, Part I and Part II, a Major Substantive Rule of the Department of Education (EMERGENCY)

H.P. 211 L.D. 268  
(C "A" H-47)

Bill "An Act Regarding Rockport College" (EMERGENCY)  
H.P. 254 L.D. 318  
(C "A" H-48)

Bill "An Act To Prohibit Dragging for Bait Fish in Certain Territorial Waters"

H.P. 285 L.D. 378  
(C "A" H-51)

Bill "An Act To Amend the Notary Public Laws"  
H.P. 286 L.D. 379  
(C "A" H-50)

Bill "An Act To Increase Payments to Victims of Crimes"  
H.P. 446 L.D. 632  
(C "A" H-52)

Bill "An Act To Allow Municipalities and Counties To Require Bartender Training for Liquor Licensees"  
H.P. 517 L.D. 758  
(C "A" H-53)

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

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**Senate**

Bill "An Act To Adopt Amendments to the Uniform Interstate Family Support Act"  
S.P. 164 L.D. 461

Bill "An Act Concerning Mercury-added Button Cell Batteries"  
S.P. 390 L.D. 1026

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

Ordered sent down forthwith for concurrence.

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Bill "An Act To Provide Additional Unemployment Benefits and Make Statutory Revisions in Accordance with the American Recovery and Reinvestment Act of 2009" (EMERGENCY)  
S.P. 541 L.D. 1454

**READ A SECOND TIME.**

On motion by Senator **DIAMOND** of Cumberland, Senate Amendment "A" (S-63) **READ and ADOPTED.**

**PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-63).**

Ordered sent down forthwith for concurrence.

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**Senate As Amended**

Bill "An Act To Amend Maine's Endangered and Threatened Species List by Removing the Bald Eagle"

S.P. 25 L.D. 66  
(C "A" S-44)

Bill "An Act To Clarify Hunting, Fishing and Trapping Laws for Youth"

S.P. 51 L.D. 132  
(C "A" S-46)

Bill "An Act To Protect the Integrity of the State's Carbon Dioxide Budget Trading Program and Auction Process and To Provide Allocations to the Energy and Carbon Savings Trust Fund" (EMERGENCY)

S.P. 93 L.D. 276  
(C "A" S-42)

**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 Extend the Exception to Axle Fines during the Midwinter Season

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

On motion by Senator **DAMON** of Hancock, placed on the **SPECIAL HIGHWAY TABLE**, pending **ENACTMENT**, in concurrence.

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**Emergency Measure**

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

S.P. 287 L.D. 740

This being an Emergency Measure and having received the affirmative vote of 34 Members of the Senate, with no Senators having voted in the negative, and 34 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 Resolve**

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

H.P. 386 L.D. 541  
(C "A" H-10)

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

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**Mandate**

An Act To Change the Name of Township 16, Range 4, WELS, to Madawaska Lake

H.P. 28 L.D. 33  
(C "A" H-12)

This being a Mandate, in accordance with the provisions of Section 21 of Article IX of the Constitution, and having received the affirmative vote of 34 Members of the Senate, with no Senators having voted in the negative, and 34 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 Instruction Permit Process

S.P. 16 L.D. 7  
(C "A" S-7)

An Act To Modify the Laws Regarding Seat Belts

S.P. 71 L.D. 221  
(C "A" S-9)

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

S.P. 248 L.D. 673

An Act Concerning Cremated Remains

H.P. 501 L.D. 718

**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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An Act To Provide Placards to Drivers Who for Medical Reasons Are Not Required To Wear Seat Belts

H.P. 209 L.D. 263  
(C "A" H-11)

On motion by Senator **DAMON** of Hancock, placed on the **SPECIAL HIGHWAY TABLE**, pending **ENACTMENT**, in concurrence.

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**Resolve**

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

H.P. 392 L.D. 554  
(C "A" H-9)

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

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Off Record Remarks

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Senate at Ease.

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:

**REPORTS OF COMMITTEES**

**Senate**

**Ought to Pass As Amended**

Senator **ALFOND** for the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Ensure the Availability of Supplemental Educational Loans" (EMERGENCY)  
S.P. 325 L.D. 856

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-62)**.

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

**READ ONCE.**

Committee Amendment "A" (S-62) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED COMMITTEE AMENDMENT "A" (S-62)**.

Ordered sent down forthwith for concurrence.

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**ORDERS OF THE DAY**

**Unfinished Business**

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

The Chair laid before the Senate the following Tabled and Later (4/9/09) Assigned matter:

HOUSE REPORT - from the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Streamline and Clarify Laws Pertaining to the Civil and Criminal Possession of Marijuana"

H.P. 196 L.D. 250

Report - **Ought to Pass as Amended by Committee Amendment "A" (H-42)**

Tabled - April 9, 2009, by Senator **RAYE** of Washington

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

(In House, April 8, 2009, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-42)**.)

(In Senate, April 9, 2009, Report **READ**.)

Report **ACCEPTED**, in concurrence.

**READ ONCE.**

Committee Amendment "A" (H-42) **READ** and **ADOPTED**, in concurrence.

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

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Off Record Remarks

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Senator **DIAMOND** of Cumberland 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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Off Record Remarks

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Senator **GOODALL** of Sagadahoc was granted unanimous consent to address the Senate off the Record.

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Off Record Remarks

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Senate at Ease.

Senate called to order by the President.

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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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On motion by Senator **BARTLETT** of Cumberland, **ADJOURNED**, to Wednesday, April 15, 2009, at 10:00 in the morning.