

**STATE OF MAINE  
ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE  
FIRST REGULAR SESSION  
JOURNAL OF THE SENATE**

In Senate Chamber  
Wednesday  
March 25, 2009

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

Prayer by Monsignor Marc B. Caron, Prince of Peace Parish in  
Lewiston.

**MONSIGNOR CARON:** If the Lord does not build the house, in  
vain do the builders labor. Let us pray. God of wisdom and  
justice, through You authority is rightly administered, laws are  
enacted, and judgment is decreed.

Toi seul es maître du monde. Tu as remis aux homes le  
pouvoir de le régir. Tu tiens en ta main le Coeur des homes, et  
garantis les droits des peuples. Viens en aide aux membres de  
cette chamber assembles pour traiter des affaires de ce temps.  
Donne-leur un esprit sage et pacifique qui permette un plus grand  
bonheur parmi nous. Qu'ils travaillent à ton oeuvre et puisse  
garantir au people don't ils ont la charge la liberté et la paix. Ainsi  
pourront-ils mener à bien la tâche que tu leur as confiée.

May they preserve the peace of our society, promote the  
common good, and continue to bring us the blessings of freedom  
and justice for all. We pray to You, who are Lord and God, for  
ever and ever. Amen.

Posting of the Colors by Franco American Veterans Post 31 of  
Lewiston.

Pledge of Allegiance led by Senator Lisa T. Marraché of  
Kennebec County.

Melanie Saucier of Fort Kent performed the National Anthems of  
the United States, France and Canada.

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

Off Record Remarks

**PAPERS FROM THE HOUSE**

**Non-Concurrent Matter**

Bill "An Act To Encourage Green Commerce"  
H.P. 586 L.D. 848

In House, March 10, 2009, **REFERRED** to the Committee on  
**UTILITIES AND ENERGY** and ordered printed.

In Senate, March 12, 2009, **REFERRED** to the Committee on  
**BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT**, in  
**NON-CONCURRENCE**.

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

On motion by Senator **BARTLETT** of Cumberland, the Senate  
**RECEDED** and **CONCURRED**.

**COMMUNICATIONS**

The Following Communication: S.C. 136

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

March 18, 2009

The Honorable Elizabeth H. Mitchell  
President of the Senate of Maine  
124th Maine Legislature  
State House  
Augusta, Maine 04333-0003

Dear Madame President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule  
505 of the 124th Maine Legislature, the Joint Standing Committee  
on Labor has had under consideration the nomination of Mitchell  
P. Sammons of Belgrade, for appointment to the Workers'  
Compensation Board.

After public hearing and discussion on this nomination, the  
Committee proceeded to vote on the motion to recommend to the  
Senate that this nomination be confirmed. The Committee Clerk  
called the roll with the following result:

YEAS	Senators	2	Jackson of Aroostook, Gerzofsky of Cumberland
	Representatives	9	Tuttle of Sanford, Bickford of Auburn, Blodgett of Augusta, Butterfield of Bangor, Clark of Millinocket, Cushing of Hampden, Driscoll of Westbrook, Gilbert of Jay, Hamper of Oxford
NAYS		0	
ABSENT		2	Sen. Mills of Somerset, Rep. Thibodeau of Winterport

Eleven members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Mitchell P. Sammons of Belgrade, for appointment to the Workers' Compensation Board be confirmed.

Signed,

S/Troy D. Jackson  
Senate Chair

S/John L. Tuttle Jr.  
House Chair

**READ and ORDERED PLACED ON FILE.**

On motion by Senator **BARTLETT** of Cumberland, Nomination **TABLED** until Later in Today's Session, pending **CONSIDERATION.**

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The Following Communication: S.C. 137

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

March 18, 2009

The Honorable Elizabeth H. Mitchell  
President of the Senate of Maine  
124th Maine Legislature  
State House  
Augusta, Maine 04333-0003  
Dear Madame President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 124th Maine Legislature, the Joint Standing Committee on Labor has had under consideration the nomination of James A. Mingo of Holden, for reappointment to the Workers' Compensation Board.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	2	Jackson of Aroostook, Gerzofsky of Cumberland
	Representatives	8	Tuttle of Sanford, Bickford of Auburn, Blodgett of Augusta, Butterfield of Bangor, Cushing of Hampden, Driscoll of Westbrook, Gilbert of Jay, Hamper of Oxford
NAYS		0	

ABSENT 3 Rep. Clark of Millinocket,  
Sen. Mills of Somerset, Rep.  
Thibodeau of Winterport

Ten members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of James A. Mingo of Holden, for reappointment to the Workers' Compensation Board be confirmed.

Signed,

S/Troy D. Jackson  
Senate Chair

S/John L. Tuttle Jr.  
House Chair

**READ and ORDERED PLACED ON FILE.**

On motion by Senator **BARTLETT** of Cumberland, Nomination **TABLED** until Later in Today's Session, pending **CONSIDERATION.**

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The Following Communication: S.C. 138

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

March 18, 2009

The Honorable Elizabeth H. Mitchell  
President of the Senate of Maine  
124th Maine Legislature  
State House  
Augusta, Maine 04333-0003

Dear Madame President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 124th Maine Legislature, the Joint Standing Committee on Labor has had under consideration the nomination of Anthony Monfiletto of Portland, for reappointment to the Workers' Compensation Board.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	2	Jackson of Aroostook, Gerzofsky of Cumberland
	Representatives	8	Tuttle of Sanford, Bickford of Auburn, Blodgett of Augusta, Butterfield of Bangor, Cushing of Hampden, Driscoll of Westbrook, Gilbert of Jay, Hamper of Oxford

NAYS 0  
 ABSENT 3 Rep. Clark of Millinocket,  
 Sen. Mills of Somerset, Rep.  
 Thibodeau of Winterport

Ten members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Anthony Monfiletto of Portland, for reappointment to the Workers' Compensation Board be confirmed.

Signed,

S/Troy D. Jackson  
 Senate Chair

S/John L. Tuttle Jr.  
 House Chair

**READ and ORDERED PLACED ON FILE.**

On motion by Senator **BARTLETT** of Cumberland, Nomination **TABLED** until Later in Today's Session, pending **CONSIDERATION.**

The Following Communication: S.C. 139

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

March 18, 2009

The Honorable Elizabeth H. Mitchell  
 President of the Senate of Maine  
 124th Maine Legislature  
 State House  
 Augusta, Maine 04333-0003

Dear Madame President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 124th Maine Legislature, the Joint Standing Committee on Labor has had under consideration the nomination of Ginette M. Rivard of Caribou, for appointment to the Workers' Compensation Board.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS Senators 3 Jackson of Aroostook,  
 Gerzofsky of Cumberland,  
 Mills of Somerset

Representatives 7 Tuttle of Sanford, Bickford of  
 Auburn, Blodgett of Augusta,  
 Butterfield of Bangor, Clark of  
 Millinocket, Driscoll of  
 Westbrook, Gilbert of Jay

NAYS Senators 0

Representatives 2 Cushing of Hampden,  
 Hamper of Oxford

ABSENT 1 Rep. Thibodeau of Winterport

Ten members of the Committee having voted in the affirmative and two in the negative, it was the vote of the Committee that the nomination of Ginette M. Rivard of Caribou, for appointment to the Workers' Compensation Board be confirmed.

Signed,

S/Troy D. Jackson  
 Senate Chair

S/John L. Tuttle Jr.  
 House Chair

**READ and ORDERED PLACED ON FILE.**

On motion by Senator **BARTLETT** of Cumberland, Nomination **TABLED** until Later in Today's Session, pending **CONSIDERATION.**

The Following Communication: S.C. 140

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

March 18, 2009

The Honorable Elizabeth H. Mitchell  
 President of the Senate of Maine  
 124th Maine Legislature  
 State House  
 Augusta, Maine 04333-0003

Dear Madame President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 124th Maine Legislature, the Joint Standing Committee on Labor has had under consideration the nomination of Bruce D. Roy of Jay, for appointment to the Workers' Compensation Board.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:



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

- L.D. 9 An Act To Prohibit the Force-feeding of Birds (EMERGENCY)
- L.D. 75 Resolve, Directing the Department of Agriculture, Food and Rural Resources To Streamline Agricultural Regulation

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

Sincerely,

S/Sen. John M. Nutting  
Senate Chair

S/Rep. Wendy Pieh  
House Chair

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

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The Following Communication: S.C. 124

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

March 13, 2009

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

Dear President Mitchell and Speaker Pingree:

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

- L.D. 58 Resolve, To Suspend Certain Maine State Housing Authority Rules for Low-income Home Energy Assistance Program Grant Applications (EMERGENCY)

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

Sincerely,

S/Sen. Elizabeth M. Schneider  
Senate Chair

S/Rep. Nancy E. Smith  
House Chair

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

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The Following Communication: S.C. 132

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

March 17, 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 bill out "Ought Not to Pass":

- L.D. 469 An Act To Strengthen Rural Community Investment

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

Sincerely,

S/Sen. Elizabeth M. Schneider  
Senate Chair

S/Rep. Nancy E. Smith  
House Chair

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

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The Following Communication: S.C. 142

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

March 17, 2009

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

Dear President Mitchell and Speaker Pingree:

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

- L.D. 283     Resolve, Regarding the Cost of Telephone Calls Made by Incarcerated Persons
  
- L.D. 384     An Act To Amend the Laws Governing the Cap on the Tax Assessment for Correctional Services in Lincoln County and Sagadahoc County

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

Sincerely,

S/Sen. Stanley J. Gerzofsky  
Senate Chair

S/Rep. Anne M. Haskell  
House Chair

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

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The Following Communication:     S.C. 125

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

March 13, 2009

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

Dear President Mitchell and Speaker Pingree:

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

- L.D. 697     An Act To Stabilize School Heating Costs

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

Sincerely,

S/Sen. Justin L. Alford  
Senate Chair

S/Rep. Patricia B. Sutherland  
House Chair

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

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The Following Communication:     S.C. 143

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

March 20, 2009

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

Dear President Mitchell and Speaker Pingree:

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

- L.D. 610     An Act To Add 10 Days to the School Year and To Require Daily Physical Exercise for All School Children

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

Sincerely,

S/Sen. Justin L. Alford  
Senate Chair

S/Rep. Patricia B. Sutherland  
House Chair

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

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The Following Communication:     S.C. 126

**STATE OF MAINE  
ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE  
COMMITTEE ON INLAND FISHERIES AND WILDLIFE**

March 13, 2009

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

Dear President Mitchell and Speaker Pingree:

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

L.D. 172      Resolve, Requiring the Department of Inland Fisheries and Wildlife To Market Youth Fishing Day

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

Sincerely,

S/Sen. Bruce S. Bryant  
Senate Chair

S/Rep. Herbert E. Clark  
House Chair

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

\_\_\_\_\_  
The Following Communication:      S.C. 144

**STATE OF MAINE  
ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE  
COMMITTEE ON INLAND FISHERIES AND WILDLIFE**

March 20, 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 Inland Fisheries and Wildlife has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 70      An Act To Amend the Length Limits on Fish Caught on the Inland Waters  
  
L.D. 287      An Act To Survey Anglers Annually  
  
L.D. 457      An Act Regarding Nuisance Beaver

L.D. 482      An Act To Limit the Use of Seaplanes on West Harbor Pond

L.D. 510      An Act To Require Reimbursement for Search and Rescue Operations

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

Sincerely,

S/Sen. Bruce S. Bryant  
Senate Chair

S/Rep. Herbert E. Clark  
House Chair

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

\_\_\_\_\_  
The Following Communication:      S.C. 133

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

March 17, 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. 392      An Act To Reduce Minimum Participation to 60% for Group Health Insurance

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. 134

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

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

L.D. 191 An Act Regarding Insurance Copayments for Short-term Prescriptions

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.**

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The Following Communication: S.C. 131

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

March 13, 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. Jackson of Aroostook, to report the following bill Leave to Withdraw:

L.D. 669 An Act To Clarify an Employer's Ability To Collect the Overcompensation of Wages

Sincerely,

S/Sen. Troy D. Jackson  
Senate Chair

S/Rep. John L. Tuttle, Jr.  
House Chair

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

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The Following Communication: S.C. 122

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

March 17, 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. Hill of York, to report the following bill Leave to Withdraw:

L.D. 902 An Act To Provide the Right of First Refusal to Mobile Home Park Residents

Sincerely,

S/Sen. Nancy B. Sullivan  
Senate Chair

S/Rep. Pamela Jabar Trinward  
House Chair

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

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The Following Communication: S.C. 145

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

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

L.D. 548 An Act To Provide Information to Maine Voters About the Cost and Fiscal Impact of Citizens' Initiatives

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

Sincerely,

S/Sen. Nancy B. Sullivan  
Senate Chair

S/Rep. Pamela Jabar Trinward  
House Chair

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

The Following Communication: S.C. 146

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

March 20, 2009

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

Dear President Mitchell and Speaker Pingree:

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

L.D. 5 An Act To Amend the Laws Governing Liquor Licenses

L.D. 105 An Act To Increase the Allowable Contributions to Traditionally Funded Campaigns

L.D. 140 An Act To Prohibit a Maine Clean Election Act Candidate from Participating in Political Action Committee Funding

L.D. 259 An Act To Amend the Maine Clean Election Act

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

Sincerely,

S/Sen. Nancy B. Sullivan  
Senate Chair

S/Rep. Pamela Jabar Trinward  
House Chair

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

The Following Communication: S.C. 127

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

March 13, 2009

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

Dear President Mitchell and Speaker Pingree:

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

L.D. 363 An Act To Allow State Agencies To Acquire and Sell Carbon Credits under the Regional Greenhouse Gas Initiative

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

Sincerely,

S/Sen. Seth A. Goodall  
Senate Chair

S/Rep. Robert S. Duchesne  
House Chair

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

The Following Communication: S.C. 128

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

March 16, 2009

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

Dear President Mitchell and Speaker Pingree:

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

L.D. 506 An Act To Protect Public Safety and Provide for the Prudent Use of Landfill Capacity

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

Sincerely,

S/Sen. Seth A. Goodall  
Senate Chair

S/Rep. Robert S. Duchesne  
House Chair

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

The Following Communication: S.C. 135

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

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

L.D. 686 An Act To Require Semiannual Testing in Certain Gravel Pits

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

Sincerely,

S/Sen. Seth A. Goodall  
Senate Chair

S/Rep. Robert S. Duchesne  
House Chair

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

The Following Communication: S.C. 129

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

March 12, 2009

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

Dear President Mitchell and Speaker Pingree:

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

- L.D. 463 An Act To Allow Nonresident Property Owners To Vote on Municipal Budget Matters
- L.D. 499 An Act To Require the State To Issue Requests for Proposals for the Shredding of State Documents
- L.D. 586 An Act To Retain Business in the State By Amending the Law Governing State Contract Bids
- L.D. 587 An Act To Allow a Board of Selectmen To Fill a Vacancy on That Board

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. 130

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

March 16, 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. 471 An Act To Encourage Alternative Energy and Promote Maine Businesses (EMERGENCY)

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. 141

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

March 18, 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:

L.D. 243 Resolve, To Direct the Department of Transportation To Establish a Memorial Park Honoring Veterans in Topsham

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 Prevent Price Gouging in the Sale of Milk"  
S.P. 430 L.D. 1182

Presented by Senator MILLS of Somerset.  
Cosponsored by Senator: MARRACHÉ of Kennebec.

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 Prevent Predatory Marketing Practices against Minors Regarding Data Concerning Health Care Issues"  
S.P. 431 L.D. 1183

Presented by Senator SCHNEIDER of Penobscot.  
Cosponsored by Representative PERRY of Calais and Senator: BRANNIGAN of Cumberland, Representatives: AUSTIN of Gray, CAMPBELL of Newfield, HUNT of Buxton, MacDONALD of Boothbay, PRESCOTT of Topsham, SMITH of Monmouth, TREAT of Hallowell, WRIGHT of Berwick.

Resolve, To Facilitate the Creation and Expansion of Certain Business Sectors

S.P. 434 L.D. 1186

Presented by Senator SCHNEIDER of Penobscot.  
Cosponsored by Representative CLEARY of Houlton and Senators: RECTOR of Knox, SULLIVAN of York, Representatives: AUSTIN of Gray, HUNT of Buxton, MacDONALD of Boothbay, MARTIN of Orono, PRESCOTT of Topsham, SMITH of Monmouth.

Bill "An Act To Establish Uniform Protocols for the Use of Controlled Substances"

S.P. 441 L.D. 1193

Presented by Senator MILLS of Somerset.

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

Sent down for concurrence.

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Bill "An Act To Clarify the Crime of Obstructing Government Administration"

S.P. 421 L.D. 1130

Presented by Senator HOBBS of York.

Bill "An Act To Improve the Use of Information Regarding Sex Offenders"

S.P. 429 L.D. 1157

Presented by Senator GERZOFKY of Cumberland.  
Cosponsored by Representative HASKELL of Portland.

Bill "An Act To Allow the Sale and Use of Consumer Fireworks"

S.P. 435 L.D. 1187

Presented by Senator GOOLEY of Franklin.  
Cosponsored by Representative HILL of York and Senators: DAMON of Hancock, MARRACHÉ of Kennebec, NASS of York, Representatives: BROWNE of Vassalboro, HOGAN of Old Orchard Beach, MAZUREK of Rockland, PEOPLES of Westbrook, WEAVER of York.

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

Ordered sent down forthwith for concurrence.

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Bill "An Act To Protect School Children from Dangerous or Abusive Restraint and Seclusion"

S.P. 407 L.D. 1096

Presented by Senator ALFOND of Cumberland.  
Cosponsored by Representative STRANG BURGESS of Cumberland and Representatives: CASAVANT of Biddeford, PETERSON of Rumford.

Bill "An Act To Improve Alternative Organizational Structures by Requiring the Department of Education To Provide Them with Estimated Allocations"

S.P. 408 L.D. 1097

Presented by Senator RAYE of Washington.  
Cosponsored by Representative McFADDEN of Dennysville and Senators: SCHNEIDER of Penobscot, WESTON of Waldo, Representatives: BURNS of Whiting, JOHNSON of Greenville, SCHATZ of Blue Hill, SOCTOMAH of the Passamaquoddy Tribe, SUTHERLAND of Chapman, TILTON of Harrington.

Resolve, To Understand and Assist in Efforts To Promote Science, Technology, Engineering and Math Education

S.P. 412 L.D. 1101

Presented by Senator SCHNEIDER of Penobscot.  
Cosponsored by Representative CLEARY of Houlton and Senators: ALFOND of Cumberland, RECTOR of Knox, WESTON of Waldo, Representatives: CASAVANT of Biddeford, JOHNSON of Greenville, McFADDEN of Dennysville, NELSON of Falmouth, RANKIN of Hiram, SUTHERLAND of Chapman.

Bill "An Act To Limit the Scope of Miscellaneous Costs within the General Purpose Aid for Local Schools Appropriation"

S.P. 417 L.D. 1126

Presented by Senator TRAHAN of Lincoln.  
Cosponsored by Representative McKANE of Newcastle and Senators: NUTTING of Androscoggin, RAYE of Washington, WESTON of Waldo, Representatives: FINCH of Fairfield, PENDLETON of Scarborough, PIEH of Bremen, RICHARDSON of Carmel, SCHATZ of Blue Hill.

Bill "An Act To Permit Efficient School Districts To Opt Out of Consolidation" (EMERGENCY)

S.P. 420 L.D. 1129

Presented by Senator COURTNEY of York.

Bill "An Act To Improve Teacher Confidentiality Laws"

S.P. 439 L.D. 1191

Presented by Senator MILLS of Somerset.

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

Sent down for concurrence.

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Bill "An Act To Ensure Royalties to Visual Artists"

S.P. 444 L.D. 1196

Presented by Senator ALFOND of Cumberland.  
Cosponsored by Representative WEBSTER of Freeport and Senators: BLISS of Cumberland, GERZOFKY of Cumberland, Representatives: BUTTERFIELD of Bangor, CAIN of Orono, HASKELL of Portland, MacDONALD of Boothbay, NELSON of Falmouth.

Committee on **EDUCATION AND CULTURAL AFFAIRS**  
suggested and ordered printed.

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

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Bill "An Act To Define Services for Maine Runaway and  
Homeless Youth"

S.P. 418 L.D. 1127

Presented by Senator ALFOND of Cumberland.  
Cosponsored by Representative ROTUNDO of Lewiston and  
Senators: BRANNIGAN of Cumberland, CRAVEN of  
Androscoggin, PERRY of Penobscot, SIMPSON of Androscoggin,  
Representatives: BUTTERFIELD of Bangor, LAJOIE of Lewiston,  
STEVENS of Bangor, STUCKEY of Portland.

Bill "An Act To Require the Department of Health and Human  
Services To Procure an Equal Supply of Vaccine from Each  
Manufacturer of That Vaccine under Certain Circumstances"

S.P. 425 L.D. 1153

Presented by Senator MARRACHÉ of Kennebec.  
Cosponsored by Representatives: LEWIN of Eliot, PERRY of  
Calais, SANBORN of Gorham.

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

Sent down for concurrence.

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Resolve, Directing the Department of Inland Fisheries and Wildlife  
To Conduct a Study To Identify All Publicly Owned Inland and  
Coastal Water Access Sites

S.P. 410 L.D. 1099

Presented by Senator DIAMOND of Cumberland.  
Cosponsored by Representative PIEH of Bremen and Senators:  
BLISS of Cumberland, GERZOFKY of Cumberland, GOOLEY of  
Franklin, HASTINGS of Oxford, McCORMICK of Kennebec,  
MILLS of Somerset, PLOWMAN of Penobscot, RAYE of  
Washington, RECTOR of Knox, SHERMAN of Aroostook,  
SIMPSON of Androscoggin, SMITH of Piscataquis, TRAHAN of  
Lincoln, Representatives: BECK of Waterville, BLODGETT of  
Augusta, BRIGGS of Mexico, BRYANT of Windham, CAIN of  
Orono, CASAVANT of Biddeford, CEBRA of Naples, CRAFTS of  
Lisbon, CRAY of Palmyra, CROCKETT of Bethel, CROCKETT of  
Augusta, DRISCOLL of Westbrook, EDGECOMB of Caribou,  
FINCH of Fairfield, FLOOD of Winthrop, FOSSEL of Alna,  
GILBERT of Jay, GILES of Belfast, HANLEY of Gardiner,  
HARLOW of Portland, HUNT of Buxton, KENT of Woolwich,  
KNAPP of Gorham, KNIGHT of Livermore Falls, LEGG of  
Kennebunk, LOVEJOY of Portland, MAGNAN of Stockton  
Springs, PEOPLES of Westbrook, PETERSON of Rumford,  
PINKHAM of Lexington Township, PRESCOTT of Topsham,  
RICHARDSON of Warren, SANBORN of Gorham, SAVIELLO of

Wilton, SCHATZ of Blue Hill, SHAW of Standish, SIROIS of  
Turner, STRANG BURGESS of Cumberland, SUTHERLAND of  
Chapman, THOMAS of Ripley, TUTTLE of Sanford, WEAVER of  
York.

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

Sent down for concurrence.

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Bill "An Act To Improve the Home Foreclosure Process"  
S.P. 416 L.D. 1125

Presented by Senator SIMPSON of Androscoggin.  
Cosponsored by Representative PRIEST of Brunswick and  
Senator: BLISS of Cumberland, Representatives: BEAULIEU of  
Auburn, BECK of Waterville, BRYANT of Windham, CLEARY of  
Houlton, DILL of Cape Elizabeth, HILL of York, KRUGER of  
Thomaston.

Bill "An Act To Establish a Reinsurance Mechanism To Expand  
Health Insurance for Individuals and Groups"

S.P. 442 L.D. 1194

Presented by Senator ROSEN of Hancock.

Bill "An Act To Reform Insurance Coverage To Include Diagnosis  
for Autism Spectrum Disorders"

S.P. 446 L.D. 1198

Presented by Senator BOWMAN 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.

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Bill "An Act To Improve the Process for Recovering Personal  
Property and for Filing Actions Involving Consumer Credit"  
S.P. 432 L.D. 1184

Presented by Senator HASTINGS of Oxford.  
Cosponsored by Representative DILL of Cape Elizabeth.

Bill "An Act To Clarify Child Protection Proceedings"  
S.P. 436 L.D. 1188

Presented by Senator PERRY of Penobscot.

Bill "An Act To Change the Statute of Limitations for Health Care  
Practitioners"

S.P. 440 L.D. 1192

Presented by Senator MILLS of Somerset.

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 Require Cause for Employment Termination"  
S.P. 433 L.D. 1185

Presented by Senator CRAVEN of Androscoggin.  
Cosponsored by Representative CLARK of Millinocket and  
Senator: JACKSON of Aroostook, Representatives: BERRY of  
Bowdoinham, BRYANT of Windham, BUTTERFIELD of Bangor,  
RUSSELL of Portland, STUCKEY of Portland, WAGNER of  
Lewiston, WEBSTER of Freeport.

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

Sent down for concurrence.

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Bill "An Act To Simplify and Improve the Maine Clean Election  
Laws"  
S.P. 437 L.D. 1189

Presented by Senator MILLS of Somerset.

Bill "An Act To Improve the Maine Clean Election Act"  
S.P. 445 L.D. 1197

Presented by Senator GOODALL of Sagadahoc.  
Cosponsored by Representative CAREY of Lewiston and  
Senators: PLOWMAN of Penobscot, SULLIVAN of York,  
Representatives: CORNELL du HOUX of Brunswick, RUSSELL  
of Portland.

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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Bill "An Act To Allow Noncitizen Residents To Vote in Municipal  
Elections"  
S.P. 443 L.D. 1195

Presented by Senator ALFOND of Cumberland.  
Cosponsored by Representative BOLDUC of Auburn and  
Senators: BRANNIGAN of Cumberland, JACKSON of Aroostook,  
Representatives: BECK of Waterville, BUTTERFIELD of Bangor,  
GOODE of Bangor, HARLOW of Portland, HINCK of Portland,  
RUSSELL of Portland, SUTHERLAND of Chapman, TRINWARD  
of Waterville, WAGNER of Lewiston.

Committee on **LEGAL AND VETERANS AFFAIRS** suggested  
and ordered printed.

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

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Bill "An Act To Allow Family Members of an Island Community to  
Share a Lobster and Crab Fishing License"  
S.P. 419 L.D. 1128

Presented by Senator DAMON of Hancock.  
Cosponsored by Representatives: EATON of Sullivan, McKANE  
of Newcastle, PERCY of Phippsburg, Speaker PINGREE of North  
Haven.

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

Sent down for concurrence.

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Bill "An Act To Amend the Laws Governing the Recycling of  
Televisions"  
S.P. 428 L.D. 1156

Presented by Senator SIMPSON of Androscoggin.  
Cosponsored by Representative EBERLE of South Portland and  
Senators: CRAVEN of Androscoggin, GOODALL of Sagadahoc,  
Representatives: BOLDUC of Auburn, PRATT of Eddington,  
RUSSELL of Portland.

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

Sent down for concurrence.

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Resolve, To Transfer Ownership of the Reed Center on the  
Stevens Campus in the City of Hallowell to School Administrative  
District No. 16  
S.P. 409 L.D. 1098

Presented by Senator GOODALL of Sagadahoc.  
Cosponsored by Representative BERRY of Bowdoinham and  
Senator: McCORMICK of Kennebec, Representatives: FOSSEL  
of Alna, SMITH of Monmouth.

Bill "An Act To Preserve Government Documents"  
S.P. 411 L.D. 1100

Presented by Senator ALFOND of Cumberland.  
Cosponsored by Representative PENDLETON of Scarborough  
and Senator: MARRACHÉ of Kennebec, Representatives:  
BICKFORD of Auburn, PRIEST of Brunswick, VALENTINO of  
Saco.

Bill "An Act To Establish the Maine Science Advisory Board"  
S.P. 413 L.D. 1102

Presented by Senator SMITH of Piscataquis.  
Cosponsored by Senator: SHERMAN of Aroostook,  
Representative: FLETCHER of Winslow.

Bill "An Act To Establish the Maine Commission on Indigent Legal  
Services" (EMERGENCY)  
S.P. 423 L.D. 1132

Presented by Senator HOBBS of York.  
Cosponsored by Representative PRIEST of Brunswick and  
Senators: ALFOND of Cumberland, BLISS of Cumberland,  
HASTINGS of Oxford, MARRACHÉ of Kennebec, President  
MITCHELL of Kennebec, Representatives: BEAULIEU of Auburn,  
BERRY of Bowdoinham, BRYANT of Windham, CAIN of Orono,  
CLEARY of Houlton, CROCKETT of Bethel, DILL of Cape  
Elizabeth, HILL of York, KRUGER of Thomaston, MITCHELL of  
the Penobscot Nation, NASS of Acton, Speaker PINGREE of  
North Haven, PIOTTI of Unity, ROTUNDO of Lewiston, RUSSELL  
of Portland, STEVENS of Bangor.

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

Sent down for concurrence.

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Bill "An Act To Provide Legislative Oversight of Changes to  
Policies and Practices of the Bureau of Revenue Services"  
S.P. 415 L.D. 1124

Presented by Senator PERRY of Penobscot.

Resolve, To Establish a Study Commission To Review Tax  
Increment Financing in the Unorganized Territory (EMERGENCY)  
S.P. 426 L.D. 1154

Presented by Senator NASS of York.

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

Sent down for concurrence.

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Bill "An Act To Improve the Safety of Minors by Collecting Data  
on Vehicle Collision Rates"  
S.P. 414 L.D. 1123

Presented by Senator GOOLEY of Franklin.  
Cosponsored by Representative BROWNE of Vassalboro and  
Senators: CRAVEN of Androscoggin, NUTTING of Androscoggin,  
PLOWMAN of Penobscot, SMITH of Piscataquis,  
Representatives: ADAMS of Portland, HARLOW of Portland,  
STRANG BURGESS of Cumberland, THERIAULT of  
Madawaska.

Bill "An Act To Clarify the Law Regarding the Passing of School  
Buses by Bicyclists"  
S.P. 422 L.D. 1131

Presented by Senator NUTTING of Androscoggin.

Bill "An Act To Amend the Motor Vehicle Laws"  
S.P. 438 L.D. 1190

Presented by Senator DAMON of Hancock.  
Cosponsored by Senators: GOOLEY of Franklin, PERRY of  
Penobscot, Representatives: BROWNE of Vassalboro, CAREY of  
Lewiston, HARLOW of Portland, HOGAN of Old Orchard Beach,  
MAZUREK of Rockland, PEOPLES of Westbrook.  
Submitted by the Secretary of State pursuant to Joint Rule 204.

On motion by Senator **DAMON** of Hancock, **REFERRED** to the  
Committee on **TRANSPORTATION** and ordered printed.

Sent down for concurrence.

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Bill "An Act To Make Certain Changes to the Laws Governing  
Approval for Transmission Lines"  
S.P. 427 L.D. 1155

Presented by Senator HOBBS of York.  
Submitted by the Public Utilities Commission pursuant to Joint  
Rule 204.

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

Sent down for concurrence.

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

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Off Record Remarks

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**REPORTS OF COMMITTEES**

**House**

**Ought to Pass**

The Committee on **BUSINESS, RESEARCH AND ECONOMIC  
DEVELOPMENT** on Bill "An Act To Protect Consumers from the  
Unlicensed Practice of a Trade or Profession"  
H.P. 135 L.D. 156

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**.

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

The Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Correct the Law Concerning Private Investigators' License Qualifications"

H.P. 104 L.D. 122

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

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

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

**READ ONCE**.

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

The Committee on **TRANSPORTATION** on Bill "An Act To Include the Town of Falmouth as a Member of the Greater Portland Transit District" (EMERGENCY)

H.P. 340 L.D. 452

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**.

**Senate**

**Pursuant to Public Law**

Senator **NUTTING** for the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act To Implement the Recommendations of the Commission To Study the Protection of Farms and Farmland"

S.P. 424 L.D. 1133

Reported that the same be **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY**, pursuant to Public Law 2007, chapter 649, section 11, subsection 6.

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

**REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY**.

Sent down for concurrence.

**Ought to Pass**

Senator **SCHNEIDER** for the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Include as Authorized Project Costs the Construction or Improvement of Buildings Used by Municipalities for Purposes of Designating Municipal Development Districts"

S.P. 195 L.D. 500

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

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

**READ ONCE**.

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

Senator **BOWMAN** for the Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Enable the Maine Employers' Mutual Insurance Company To Better Serve the Needs of All Employers"

S.P. 221 L.D. 606

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 Amend the Laws Concerning Informal Conferences as Part of the Board of Licensure in Medicine's Disciplinary Proceedings"

S.P. 38 L.D. 89

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

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

**READ ONCE**.

Committee Amendment "A" (S-6) **READ** and **ADOPTED**.

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

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**Divided Report**

The Majority of the Committee on **NATURAL RESOURCES** on Resolve, To Evaluate Climate Change Adaptation Options for the State

S.P. 163 L.D. 460

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

Signed:

Senators:

GOODALL of Sagadahoc  
SIMPSON of Androscoggin

Representatives:

BOLDUC of Auburn  
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 Not To Pass.**

Signed:

Senator:

SMITH of Piscataquis

Representatives:

HAMPER of Oxford  
KNAPP of Gorham  
EDGECOMB of Caribou  
AYOTTE of Caswell

Reports **READ.**

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

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**SECOND READERS**

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

**House As Amended**

Bill "An Act To Allow Military Personnel Living in Maine To Benefit under the Maine Resident Homestead Property Tax Exemption" (EMERGENCY)

H.P. 44 L.D. 51  
(C "A" H-6)

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

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**Senate**

Bill "An Act To Raise the Fee a Bail Commissioner May Charge"  
S.P. 77 L.D. 227

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

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 Amend the Occupancy Limits for Campsites in the Unorganized Territories

H.P. 113 L.D. 134

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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**Off Record Remarks**

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**Act**

An Act To Amend the Alewife Fishing Laws  
H.P. 130 L.D. 151

**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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**ORDERS OF THE DAY**

**Unfinished Business**

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

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

Bill "An Act To Encourage Renewable Energy Investment"  
H.P. 660 L.D. 958

Tabled - March 12, 2009, by Senator **SCHNEIDER** of Penobscot

Pending - **REFERENCE**

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

(In House, March 10, 2009, **REFERRED** to the Committee on **TAXATION**.)

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

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

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Provide Constitutional Protection to the Funds Generated by the Regional Greenhouse Gas Initiative  
H.P. 658 L.D. 956

Tabled - March 12, 2009, by Senator **GOODALL** of Sagadahoc

Pending - **REFERENCE**

(In House, March 10, 2009, **REFERRED** to the Committee on **NATURAL RESOURCES** and ordered printed.)

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

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The Chair laid before the Senate the following Tabled and Later (3/17/09) Assigned matter:

Bill "An Act To Increase Efficiency through Regionalization"  
S.P. 398 L.D. 1064

Tabled - March 17, 2009, by Senator **SIMPSON** of Androscoggin

Pending - **REFERENCE**

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

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

Sent down for concurrence.

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Senate at Ease.

Senate called to order by the President.

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

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Senator **RAYE** of Washington was granted unanimous consent to address the Senate off the Record.

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

After Recess

Senate called to order by the President.

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#### ORDERS OF THE DAY

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

HOUSE REPORT - from the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Protect Consumers from the Unlicensed Practice of a Trade or Profession"

H.P. 135 L.D. 156

Reported - **Ought to Pass**

Tabled - March 25, 2009, by Senator **SCHNEIDER** of Penobscot

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

(In House, March 17, 2009, Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.)

(In Senate, March 25, 2009, Report **READ**.)

Report **ACCEPTED**, in concurrence.

**READ ONCE.**

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

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

NOMINATION - of Mitchell P. Sammons of Belgrade for appointment to the Workers' Compensation Board

Tabled - March 25, 2009, by Senator **BARTLETT** of Cumberland

Pending - **CONSIDERATION**

(In Senate, March 25, 2009, Communication (S.C. 136) from the Committee on **LABOR, READ** and **ORDERED PLACED ON FILE.**)

The President laid before the Senate the following: "Shall the recommendation of the Committee on **LABOR** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 124<sup>th</sup> Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#19)**

YEAS: Senators: None

NAYS: Senators: ALFOND, BARTLETT, BLISS, BOWMAN, BRANNIGAN, BRYANT, COURTNEY, CRAVEN, DAMON, DAVIS, DIAMOND, GERZOFISKY, GOODALL, GOOLEY, HASTINGS, HOBBS, JACKSON, MARRACHE, MCCORMICK, NASS, NUTTING, PERRY, PLOWMAN, RAYE, RECTOR, ROSEN, SCHNEIDER, SHERMAN, SIMPSON, SMITH, SULLIVAN, TRAHAN, WESTON, THE PRESIDENT - ELIZABETH H. MITCHELL

ABSENT: Senator: MILLS

No Senator having voted in the affirmative and 34 Senators having voted in the negative, with 1 Senator being absent, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Mitchell P. Sammons** of Belgrade for appointment to the Workers' Compensation Board was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

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

NOMINATION - of James A. Mingo of Holden for reappointment to the Workers' Compensation Board

Tabled - March 25, 2009, by Senator **BARTLETT** of Cumberland

Pending - **CONSIDERATION**

(In Senate, March 25, 2009, Communication (S.C. 137) from the Committee on **LABOR, READ** and **ORDERED PLACED ON FILE.**)

The President laid before the Senate the following: "Shall the recommendation of the Committee on **LABOR** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 124<sup>th</sup> Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#20)**

YEAS: Senators: None

NAYS: Senators: ALFOND, BARTLETT, BLISS, BOWMAN, BRANNIGAN, BRYANT, COURTNEY, CRAVEN, DAMON, DAVIS, DIAMOND, GERZOFISKY, GOODALL, GOOLEY, HASTINGS, HOBBS, JACKSON, MARRACHE, MCCORMICK, NASS, NUTTING, PERRY, PLOWMAN, RAYE, RECTOR, ROSEN, SCHNEIDER, SHERMAN, SIMPSON, SMITH, SULLIVAN, TRAHAN, WESTON, THE PRESIDENT - ELIZABETH H. MITCHELL

ABSENT: Senator: MILLS

No Senator having voted in the affirmative and 34 Senators having voted in the negative, with 1 Senator being absent, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **James A. Mingo** of Holden for reappointment to the Workers' Compensation Board was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

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

NOMINATION - of Anthony Monfiletto of Portland for reappointment to the Workers' Compensation Board

Tabled - March 25, 2009, by Senator **BARTLETT** of Cumberland

Pending - **CONSIDERATION**

(In Senate, March 25, 2009, Communication (S.C. 138) from the Committee on **LABOR, READ** and **ORDERED PLACED ON FILE.**)

The President laid before the Senate the following: "Shall the recommendation of the Committee on **LABOR** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 124<sup>th</sup> Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#21)**

YEAS: Senators: None

NAYS: Senators: ALFOND, BARTLETT, BLISS, BOWMAN, BRANNIGAN, BRYANT, COURTNEY, CRAVEN, DAMON, DAVIS, DIAMOND, GERZOFISKY, GOODALL, GOOLEY, HASTINGS, HOBBS, JACKSON, MARRACHE, MCCORMICK, NASS, NUTTING, PERRY, PLOWMAN, RAYE, RECTOR, ROSEN, SCHNEIDER, SHERMAN, SIMPSON, SMITH, SULLIVAN, TRAHAN, WESTON, THE PRESIDENT - ELIZABETH H. MITCHELL

ABSENT: Senator: MILLS

No Senator having voted in the affirmative and 34 Senators having voted in the negative, with 1 Senator being absent, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Anthony Monfiletto** of Portland for reappointment to the Workers' Compensation Board was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

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

NOMINATION - of Ginette M. Rivard of Caribou for appointment to the Workers' Compensation Board

Tabled - March 25, 2009, by Senator **BARTLETT** of Cumberland

Pending - **CONSIDERATION**

(In Senate, March 25, 2009, Communication (S.C. 139) from the Committee on **LABOR, READ** and **ORDERED PLACED ON FILE.**)

The President laid before the Senate the following: "Shall the recommendation of the Committee on **LABOR** be overridden?"

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

Senator **RAYE:** Thank you, Madame President. I wish to pose a question through the Chair?

**THE PRESIDENT:** The Senator may pose his question.

Senator **RAYE:** Thank you very much, Madame President. Prior to the Senate vote on this nomination I would just like to seek clarification for the record, if I could. There had been a concern raised during the nomination hearing that this nominee is a registered lobbyist, which would be a violation of the statute in terms of her eligibility for service. It is our understanding that this has been resolved, but as a matter of record I would like to pose a question through the Chair, if it can be confirmed that Ms. Rivard is no longer a registered lobbyist and thus eligible for this seat. Thank you.

**THE PRESIDENT:** The Senator from Washington, Senator Raye poses a question through the Chair to anyone who may wish to answer. The Chair recognizes the Senator from Aroostook, Senator Jackson.

Senator **JACKSON:** Thank you, Madame President. Thank you, ladies and gentlemen of the Senate. Ms. Rivard wasn't actually registered as a lobbyist. She was registered as a lobbyist associate and I have received confirmation that the Ethics Commission has been asked to remove her name from the lobbyist associates. She is no longer listed as a lobbyist associate.

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

Senator **PLOWMAN:** Thank you, Madame President. May I pose a question through the Chair?

**THE PRESIDENT:** The Senator may pose her question.

Senator **PLOWMAN:** Thank you, Madame President. To any one who may answer, could you tell me if the nominee was a registered lobbyist at the time that she was nominated by the Executive and what the statute says regarding nominations by the Executive regarding lobbyists? Thank you.

**THE PRESIDENT:** The Senator from Penobscot, Senator Plowman poses a question through the Chair to anyone who may wish to answer. The Chair recognizes the Senator from Aroostook, Senator Jackson.

Senator **JACKSON:** Thank you, Madame President. Thank you, ladies and gentlemen of the Senate. Again, Ms. Rivard was never listed as a lobbyist. She was listed as a lobbyist associate. The statute speaks of the fact that you cannot be registered as a lobbyist upon confirmation. It does not speak, as I understand it, to the Governor nominating any one if they were at the time listed as a lobbyist or lobbyist associate as long as they are not currently serving in that capacity when they are actually confirmed.

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

Senator **PLOWMAN:** Thank you, Madame President. Men and women of the Senate, as a member of the Legal and Veterans Affairs Committee, which is overseen by the Ethics Commission, I would point out to you there is no difference between a lobbyist and a lobbyist associate. A lobbyist is a lobbyist and pays a \$200 fee to be listed for the purposes of declaring to the people of the state of Maine and us that they are here to influence legislation and to influence policy making. Just for your information. Thank you.

**THE PRESIDENT:** The Chair recognizes the Senator from Aroostook, Senator Jackson.

Senator **JACKSON:** Thank you, Madame President. Not being a lawyer but having some regard, having some ability, to look at the Workers' Comp laws, it states quite clearly in the Workers' Comp statutes that a lobbyist associate is not a lobbyist.

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

Senator **PLOWMAN:** Thank you, Madame President. Thank you for the answer. I will say that the Director of Ethics and the Commission do not consider them to be different for the purposes of registering or the purpose that they serve. Thank you.

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

Senator **BARTLETT:** Thank you, Madame President. On this issue the bottom line is that the committee of jurisdiction had an opportunity to explore this issue thoroughly. They confirmed that the appointment met the letter of the law. I respectfully suggest we move forward with this nomination.

**THE PRESIDENT:** The Chair recognizes the Senator from Somerset, Senator Mills.

Senator **MILLS:** Thank you, Madame President. Men and women of the Senate, it's useful that we made the appropriate inquiries. That is why we, on the Policy Committee, have a job to do and we make that inquiry and we determined that the statute actually says a lobbyist may not serve as a member of the board, but it does not say that they can't be nominated. I don't think there was any violation when the Governor nominated her. The candidate, who we found well qualified by the way, did take the proper action to withdraw her name from the Ethics Commission as an associate lobbyist or whatever the term was. I, for one, felt well satisfied that the committee had done its job and so had the nominee. I will vote in favor of it. Thank you.

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 124<sup>th</sup> Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#22)**

YEAS: Senators: None

NAYS: Senators: ALFOND, BARTLETT, BLISS, BOWMAN, BRANNIGAN, BRYANT, COURTNEY, CRAVEN, DAMON, DAVIS, DIAMOND, GERZOFSKY, GOODALL, GOOLEY, HASTINGS, HOBBS, JACKSON, MARRACHE, MCCORMICK, MILLS, NASS, NUTTING, PERRY, PLOWMAN, RAYE, RECTOR, ROSEN, SCHNEIDER, SHERMAN, SIMPSON, SMITH, SULLIVAN, TRAHAN, WESTON, THE PRESIDENT - ELIZABETH H. MITCHELL

ABSENT: Senator: None

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Ginette M. Rivard** of Caribou for appointment to the Workers' Compensation Board was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

**THE PRESIDENT:** The Chair is pleased to recognize in the rear of the chamber Ginette Rivard of Caribou. Would she please rise and accept the greetings of the chamber.

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

NOMINATION - of Bruce D. Roy of Jay for appointment to the Workers' Compensation Board

Tabled - March 25, 2009, by Senator **BARTLETT** of Cumberland

Pending - **CONSIDERATION**

(In Senate, March 25, 2009, Communication (S.C. 140) from the Committee on **LABOR, READ** and **ORDERED PLACED ON FILE**.)

The President laid before the Senate the following: "Shall the recommendation of the Committee on **LABOR** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 124<sup>th</sup> Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#23)**

YEAS: Senators: None

NAYS: Senators: ALFOND, BARTLETT, BLISS, BOWMAN, BRANNIGAN, BRYANT, COURTNEY, CRAVEN, DAMON, DAVIS, DIAMOND, GERZOFKY, GOODALL, GOOLEY, HASTINGS, HOBBS, MCCORMICK, MILLS, NASS, NUTTING, PERRY, PLOWMAN, RAYE, RECTOR, ROSEN, SCHNEIDER, SHERMAN, SIMPSON, SMITH, SULLIVAN, TRAHAN, WESTON, THE PRESIDENT - ELIZABETH H. MITCHELL

ABSENT: Senators: JACKSON, MARRACHE

No Senator having voted in the affirmative and 33 Senators having voted in the negative, with 2 Senators being absent, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Bruce D. Roy** of Jay for appointment to the Workers' Compensation Board was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

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

NOMINATION - of Diane Doyle of Saco for appointment to the Maine Turnpike Authority

Tabled - March 25, 2009, by Senator **BARTLETT** of Cumberland

Pending - **CONSIDERATION**

(In Senate, March 25, 2009, Communication (S.C. 147) from the Committee on **TRANSPORTATION, READ and ORDERED PLACED ON FILE.**)

The President laid before the Senate the following: "Shall the recommendation of the Committee on **TRANSPORTATION** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 124<sup>th</sup> Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#24)**

YEAS: Senators: None

NAYS: Senators: ALFOND, BARTLETT, BLISS, BOWMAN, BRANNIGAN, BRYANT, COURTNEY, CRAVEN, DAMON, DAVIS, DIAMOND, GERZOFKY, GOODALL, GOOLEY, HASTINGS, HOBBS, MCCORMICK, MILLS, NASS, NUTTING, PERRY, PLOWMAN, RAYE, RECTOR, ROSEN, SCHNEIDER, SHERMAN, SIMPSON, SMITH, SULLIVAN, TRAHAN, WESTON, THE PRESIDENT - ELIZABETH H. MITCHELL

ABSENT: Senators: JACKSON, MARRACHE

No Senator having voted in the affirmative and 33 Senators having voted in the negative, with 2 Senators being absent, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Diane Doyle** of Saco for appointment to the Maine Turnpike Authority was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

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 Animal Welfare Laws" H.P. 758 L.D. 1103

Resolve, Authorizing Certain Land Transactions by the Department of Conservation, Bureau of Parks and Lands H.P. 797 L.D. 1158

Bill "An Act Relating to Industrial Hemp" H.P. 798 L.D. 1159

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 Paper**

Bill "An Act To Reduce Maine's Debt by Applying Year-end Departmental Balances to the Debt Service" H.P. 780 L.D. 1136

Comes from the House, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed.

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

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

**PAPERS FROM THE HOUSE**

**House Papers**

Bill "An Act To Limit the Interest Charged under Rental-purchase Agreements"

H.P. 781 L.D. 1137

Comes from the House, **REFERRED** to the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed.

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

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Bill "An Act To Regulate Mixed Martial Arts Competitions, Exhibitions and Events"

H.P. 751 L.D. 1089

Comes from the House, **REFERRED** to the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed.

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

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

**PAPERS FROM THE HOUSE**

**House Papers**

Bill "An Act To Promote Personal Financial Responsibility by Allowing a Person To Make Good on Dishonored Checks Prior to the Imposition of Criminal Penalties"

H.P. 762 L.D. 1107

Resolve, To Provide Assistance to Private Sellers of Firearms

H.P. 782 L.D. 1138

Bill "An Act To Require Internet Service Providers To Retain Records"

H.P. 783 L.D. 1139

Bill "An Act To Implement the Recommendations of the Ad Hoc Task Force on the Use of Deadly Force by Law Enforcement Officers Against Individuals Suffering From Mental Illness"

H.P. 805 L.D. 1166

Come from the House, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed.

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

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

**PAPERS FROM THE HOUSE**

**House Papers**

Bill "An Act To Allow Veterans and Active Duty Military Members To Qualify for In-state Tuition"

H.P. 752 L.D. 1090

Bill "An Act To Require the Convening of the Professional Standards Board" (EMERGENCY)

H.P. 759 L.D. 1104

Bill "An Act To Establish a Model Dating Violence Prevention Policy"

H.P. 760 L.D. 1105

Resolve, To Establish a Schoolchildren's Well-being Stakeholder Group

H.P. 761 L.D. 1106

Resolve, Directing the Department of Education and the Department of Agriculture, Food and Rural Resources To Convene a Work Group To Strengthen Farm-to-school Efforts in the State (EMERGENCY)

H.P. 784 L.D. 1140

Bill "An Act To Add a Member from Castine to the Board of Trustees of the Maine Maritime Academy"

H.P. 785 L.D. 1141

Bill "An Act To Prohibit a Person from Being Hired in a School Administrative Unit in a Position for Which a Relative Serves in a Supervisory Capacity"

H.P. 799 L.D. 1160

Bill "An Act To Require That Universities within the University of Maine System Accept Credits Earned at Other Universities within the System"

H.P. 800 L.D. 1161

Bill "An Act To Amend the Laws Governing Teacher Certification Interns"

H.P. 801 L.D. 1162

Resolve, To Reduce Childhood Obesity in Schools by Adding to the Physical Education Curriculum

H.P. 802 L.D. 1163

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 Establish the Task Force on Kinship Families (EMERGENCY)

H.P. 770 L.D. 1115

Bill "An Act To Ensure Health Care Practitioners Understand and Screen for Domestic Abuse for Pregnant Women and New Mothers"

H.P. 771 L.D. 1116

Bill "An Act To Create a Statewide Breast-feeding Resource System at Women, Infants and Children Offices"

H.P. 772 L.D. 1117

Resolve, To Ensure Access to Speech and Hearing Services

H.P. 786 L.D. 1142

Bill "An Act To Amend the Maine Certificate of Need Act of 2002 To Change Nursing Facilities Review Thresholds for Energy Efficiency Projects and for Replacement Equipment"

H.P. 803 L.D. 1164

Bill "An Act To Improve Children's Safety in Public Swimming Pools"

H.P. 804 L.D. 1165

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 Paper**

Resolve, To Establish the Commission To Examine the Establishment of a Wildlife Sanctuary on Blue Hill Bay  
H.P. 779 L.D. 1135

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

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

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

**PAPERS FROM THE HOUSE**

**House Papers**

Bill "An Act To Reduce the Cost of Health Insurance"  
H.P. 753 L.D. 1091

Bill "An Act To Clarify and Update the Laws Related to Life and Health Insurance"  
H.P. 821 L.D. 1180

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.

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 Statute of Limitations under the Maine Human Rights Act"  
H.P. 763 L.D. 1108

Bill "An Act To Expand Rights for Maine Families"  
H.P. 773 L.D. 1118

Bill "An Act To Establish Child Custody and Domestic Violence Presumptions"  
H.P. 787 L.D. 1143

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.

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

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

**PAPERS FROM THE HOUSE**

**House Papers**

Bill "An Act To Improve Worksite Accountability for Public Construction Projects by Requiring Subcontractor Identification"  
H.P. 754 L.D. 1092

Bill "An Act To Prohibit the Reduction of Benefits under the Maine Workers' Compensation Act of 1992 for Certain Prior Injuries"  
H.P. 764 L.D. 1109

Bill "An Act To Limit the Work Week of Doctors and Medical Residents"  
H.P. 806 L.D. 1167

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

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

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

**PAPERS FROM THE HOUSE**

**House Papers**

Resolve, Creating a Commission To Study the Issue of Homeless Veterans in the State  
H.P. 765 L.D. 1110

Bill "An Act To Promote Transparency and Accountability in Campaigns and Governmental Ethics"  
H.P. 766 L.D. 1111

Bill "An Act To Establish a Recall Procedure for Elected Officials"  
H.P. 767 L.D. 1112

Bill "An Act To Allow the Taste Testing of Malt Liquor and Spirits"  
H.P. 807 L.D. 1168

Bill "An Act To Amend the Election Laws"  
H.P. 808 L.D. 1169

Come from the House, **REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS** and ordered printed.

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

**PAPERS FROM THE HOUSE**

**House Paper**

Bill "An Act To Institute Voluntary Emissions Standards for Outdoor Wood Boilers"  
H.P. 810 L.D. 1171

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

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

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

**PAPERS FROM THE HOUSE**

**House Papers**

Bill "An Act To Clarify the Municipal Jurisdiction of a Portion of Saco Bay"  
H.P. 774 L.D. 1119

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Amend the Time Frame for Towns To Certify Citizen Initiative and People's Veto Signatures  
H.P. 789 L.D. 1145

Resolve, To Allow the Secretary of State and the InforME Board To Facilitate the Payment of Outstanding Parking Tickets When Registering a Motor Vehicle  
H.P. 791 L.D. 1147

Bill "An Act To Allow a Municipality To Grant a Variance for the Construction of a Parking Structure for a Person with a Permanent Disability"  
H.P. 811 L.D. 1172

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 Concerning Technical Changes to the Tax Laws"  
H.P. 755 L.D. 1093

Bill "An Act To Require a Review of Certain Changes in the Application of the Sales and Use Tax Law"  
H.P. 775 L.D. 1120

Bill "An Act To Protect Elderly Residents from Losing Their Homes Due to Taxes or Foreclosure"  
H.P. 776 L.D. 1121

Bill "An Act To Authorize Municipalities To Impose Service Charges to Tax-exempt Property Owned by Certain Organizations Whose Primary Activities Are Not Charitable"  
H.P. 790 L.D. 1146

Bill "An Act To Designate Sales Tax Holiday Weekends"  
H.P. 792 L.D. 1148

Bill "An Act To Amend the Veterans Homestead Exemption To Include Certain Medal Winners"  
H.P. 793 L.D. 1149

Bill "An Act To Exempt Sales of Heating Oil and Kerosene to Maine Businesses from Sales Tax"  
H.P. 812 L.D. 1173

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

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

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

**PAPERS FROM THE HOUSE**

**House Papers**

Bill "An Act To Enhance Safety at Construction Sites by Regulating Open Trenches"  
H.P. 756 L.D. 1094

Resolve, To Establish a Pilot Project To Issue Conditional Titles for Certain Automobiles and Trucks That Are More than 25 Years Old  
H.P. 794 L.D. 1150

Bill "An Act To Prohibit the Use of Engine Brakes on All State Roads under Certain Circumstances"  
H.P. 795 L.D. 1151

Bill "An Act To Allow the Use of Cameras To Enforce Traffic Violations"

H.P. 813 L.D. 1174

Bill "An Act To Add Combat Action Badges and Ribbons to the Special Commemorative Decals for Veterans License Plates"  
H.P. 814 L.D. 1175

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.

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

**PAPERS FROM THE HOUSE**

**House Papers**

Bill "An Act To Provide Affordable Installation of Alternative Energy Systems"  
H.P. 757 L.D. 1095

Bill "An Act To Facilitate the Marketing of Power Produced by Small Generators"  
H.P. 769 L.D. 1114

Bill "An Act To Amend the Laws Governing Certain Reports and Reviews Related to Utilities and Energy and Certain Positions at the Public Utilities Commission"  
H.P. 796 L.D. 1152

Bill "An Act To Revise the Charter of the Portland Water District"  
H.P. 815 L.D. 1176

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.

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

**PAPERS FROM THE HOUSE**

**House Paper**

Bill "An Act To Create Jobs through Investment in Green Energy"  
H.P. 822 L.D. 1181

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

On motion by Senator **BARTLETT** of Cumberland, **REFERRED** to the Joint Select Committee on **MAINE'S ENERGY FUTURE** and ordered printed, in concurrence.

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

On motion by Senator **ALFOND** of Cumberland, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218, in concurrence.

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

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

**PAPERS FROM THE HOUSE**

**PAPERS FROM THE HOUSE**

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

**Pursuant to Statute  
Governor's Office of Health Policy and Finance**

The **Maine Fire Protection Services Commission**, pursuant to the Maine Revised Statutes, Title 5, section 3371 asked leave to report that the accompanying Bill "An Act To Establish the Maine Emergency Services Institute"

The **Governor's Office of Health Policy and Finance**, pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 101: Establishment of the Capital Investment Fund, a Major Substantive Rule of the Governor's Office of Health Policy and Finance (EMERGENCY)

H.P. 816 L.D. 1177

H.P. 777 L.D. 1122

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

Be **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** 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.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed pursuant to Joint Rule 218.

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

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

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

On motion by Senator **BRANNIGAN** of Cumberland, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed pursuant to Joint Rule 218, in concurrence.

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

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

**PAPERS FROM THE HOUSE**

**PAPERS FROM THE HOUSE**

**Pursuant to Statute  
Department of Education**

**Pursuant to Statute  
Criminal Law Advisory Commission**

The **Department of Education**, pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 131: The Maine Federal, State, and Local Accountability Standards, a Major Substantive Rule of the Department of Education (EMERGENCY)

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 Create a Post-judgment Mechanism To Provide Relief for a Person Whose Identity Has Been Stolen and Falsely Used in Court Proceedings"

H.P. 817 L.D. 1178

H.P. 818 L.D. 1179

Be **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218.

Be **REFERRED** to the Committee on **JUDICIARY** and ordered printed pursuant to Joint Rule 218.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** 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 **JUDICIARY** and ordered printed pursuant to Joint Rule 218.

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

On motion by Senator **BLISS** of Cumberland, **REFERRED** to the Committee on **JUDICIARY** and ordered printed pursuant to Joint Rule 218, in concurrence.

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**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 Streamline the Process for Court-ordered Mental Health Examinations in Criminal Cases"

H.P. 824 L.D. 1200

Be **REFERRED** to the Committee on **JUDICIARY** 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 **JUDICIARY** and ordered printed pursuant to Joint Rule 218.

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

On motion by Senator **BLISS** of Cumberland, **REFERRED** to the Committee on **JUDICIARY** and ordered printed pursuant to Joint Rule 218, in concurrence.

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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. 819

**RÉSOLUTION CONJOINTE HONORANT LES FRANCO-AMÉRICAINS**

**Considérant que**, l'état du Maine est nommé après la province du Maine en France et que les villages de Paris et Calais dans l'état du Maine portent les noms de la capitale de France et du port français de Calais, respectivement; et

**Considérant que**, plus d'un tiers de la population du Maine est de descendance française et canadienne, et les franco-américains du Maine ont contribué beaucoup à la beauté et la qualité de cet état; et

**Considérant que**, le français est la première langue de milliers de citoyens du Maine; et

**Considérant que**, il y a eu une augmentation de l'utilisation de la langue française et une appréciation croissante de l'héritage franco-américain à travers l'état; et

**Considérant que**, des clubs et des associations pour promouvoir la culture et la langue française sont nés à travers l'état, y inclus le caucus francophone à la capitale; et

**Considérant que**, les gens qui parlent couramment le français et l'anglais sont une ressource économique et culturelle pour l'état du Maine; et

**Considérant que**, le tourisme culturel sera accru par les véritables centres franco-américains à travers l'état et la grande présence de franco-américains dans le Maine peut renforcer davantage nos relations avec le Canada, la France, et les autres pays francophones; et

**Considérant que**, le premier Jour Franco-Américain a été célébré mercredi, 6 mars, 2002, à la Capitale de l'État; maintenant, alors, qu'il soit

**Résolu**, que nous, les membres de la Cent-Vingt-quatrième Législature, assemblés dans la première session régulière, au nom des gens que nous représentons, proclamons que mercredi, 25 mars, 2009 est le Jour Franco-Américain, soit célébré à la Capitale de l'État; et qu'il soit aussi

**Résolu**, que le Jour Franco-Américain soit célébré pour commémorer la riche histoire du peuple français dans l'état du Maine et aux États-Unis d'Amérique.

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**JOINT RESOLUTION RECOGNIZING FRANCO-AMERICAN DAY**

WHEREAS, the State of Maine is named after the Province of Maine in France and the towns of Paris and Calais owe their names to the capital city of France and the French port city of Calais, respectively; and

WHEREAS, more than 1/3 of the population of Maine is of French and Canadian descent. Franco-Americans in Maine have contributed much to the beauty and quality of this State; and

WHEREAS, French is the primary language of thousands of Mainers and there has been a resurgence in the use of the French language and a heightened appreciation of the Franco-American heritage throughout the State; and

WHEREAS, clubs and organizations to promote French culture and language have sprung up throughout the State, including the Francophone Caucus at the Capitol; and

WHEREAS, fluent French-English bilingual people are a cultural and economic resource to the State; and

WHEREAS, cultural tourism can be greatly enhanced by the genuine Franco-American centers throughout the State and the large Franco-American presence in Maine can further strengthen our relationships with Canada, France and the rest of the francophone world; and

WHEREAS, the first Franco-American Day was celebrated on Wednesday, March 6, 2002 at the State Capitol; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-fourth Legislature now assembled in the First Regular Session, on behalf of the people we represent, proclaim that Wednesday, March 25, 2009 is Franco-American Day, to be celebrated at the State Capitol; and be it further

RESOLVED: That Franco-American Day be celebrated to commemorate the rich history of the French people in the State of Maine and the United States of America.

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

**READ** and **ADOPTED**, in concurrence.

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

**PAPERS FROM THE HOUSE**

**Joint Order**

The following Joint Order:

H.P. 820

ORDERED, the Senate concurring, that the Commission To Study Providing Child Care for Students of the University of Maine System and the Maine Community College System is established as follows.

**1. Commission To Study Providing Child Care for Students of the University of Maine System and the Maine Community College System established.** The Commission To Study Providing Child Care for Students of the University of Maine System and the Maine Community College System, referred to in this order as "the commission," is established.

**2. Membership.** The commission consists of 9 members, appointed as follows:

A. Two members of the Senate, one Senator from the Joint Standing Committee on Labor and one Senator from the Joint Standing Committee on Education and Cultural Affairs, appointed by the President of the Senate;

B. Five members of the House of Representatives, with at least one Representative from the Joint Standing Committee on Labor and one Representative from the Joint Standing Committee on Education and Cultural Affairs, appointed by the Speaker of the House;

C. One member representing the University of Maine System with expertise in financial aid, appointed by the President of the Senate; and

D. One member representing the Maine Community College System with expertise in financial aid, appointed by the Speaker of the House.

**3. Commission chairs.** The first-named Senator is the Senate chair of the commission and the first-named member of the House is the House chair of the commission.

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

**5. Duties.** The commission shall:

A. Make a needs assessment of the current student population of the University of Maine System and the Maine Community College System who have a child or children and how many of them would benefit from child care financial aid. The needs assessment must also review the potential of increasing enrollment if financial aid for child care was available for future students;

B. In consultation with the Maine Association of Student Financial Aid Administrators, if necessary, review the ability of financial aid officers to make what is known as "professional judgment" decisions on a case-by-case basis to students applying for financial aid to determine if that is a venue for providing financial aid funds to students and potential students who have a child or children. In making this review, the commission shall analyze the federal Higher Education Act of 1965, which identifies child care as a specific example of a special circumstance for use of professional judgment, but only when it involves unusually high child care costs and if that limitation is a hindrance to awarding financial aid for child care;

C. Study and ascertain if there is a best way to have child care needs be a part of the total financial need of a student in a way that uses existing funds, programs, grants or financial aid packages for the benefit of increasing educational opportunities in this State; and

D. Issue a report of its findings and its recommendations.

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

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

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

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

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

**PAPERS FROM THE HOUSE**

**House Paper**

Bill "An Act To Ensure the Accuracy of Maine Election Results"  
H.P. 809 L.D. 1170

Comes 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.

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

Off Record Remarks

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

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

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

Senator **RAYE** of Washington was granted unanimous consent to address the Senate off the Record.

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

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

Senator **RECTOR** of Knox 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.

Off Record Remarks

On motion by Senator **BARTLETT** of Cumberland, **ADJOURNED**, to Thursday, March 26, 2009, at 10:00 in the morning.