

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

In Senate Chamber
Thursday
February 15, 2007

Senate called to order by President Beth Edmonds of Cumberland County.

Prayer by Senator Richard A. Nass of York County.

SENATOR NASS: Good morning. Would you join me in a short prayer? Father in Heaven, we pray for the people of our state who are suffering in deep snow and ice-covered highways. Protect them, especially the travelers among them. You have never ceased helping us by sending us brothers and sisters whose love for You and us have made them dynamos of courage and conviction. Such a one was Abraham Lincoln, whose birthday we celebrated two days ago. Thank You for him and let us be better prepared because of him. Lead us forth this day to answer every challenge and give us the humility to know when the correct answer is 'I don't know.' Amen.

Reading of the Journal of Tuesday, February 13, 2007.

Doctor of the day, Katherine Pope, MD of Cumberland Foreside.

Off Record Remarks

Out of order and under suspension of the Rules, on motion by Senator **MITCHELL** of Kennebec, the following Joint Order:
S.P. 236

Ordered, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, February 27, 2007, at 10:00 in the morning.

READ and PASSED.

Ordered sent down forthwith for concurrence.

Out of order and under suspension of the Rules, on motion by Senator **MITCHELL** of Kennebec, the following Senate Order:
S.O. 14

Ordered, that a message be sent to the House of Representatives proposing a Convention of the two branches of the Legislature be held at 11:00 this morning, in the Hall of the House for the purpose of extending to the Honorable Terrance J. MacTaggart, Chancellor of the University of Maine System, and the Honorable John Fitzsimmons, President of the Maine Community College System, an invitation to attend and to make such communication as pleases them.

READ and PASSED.

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

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

PAPERS FROM THE HOUSE

Non-Concurrent Matter

Bill "An Act To Protect Minors from Certain Bill Collectors"
H.P. 96 L.D. 104

In House, January 9, 2007, **REFERRED** to the Committee on **JUDICIARY** and ordered printed.

In Senate, February 8, 2007, **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES**, in **NON-CONCURRENCE**.

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

On motion by Senator **MARTIN** of Aroostook, **TABLED** until Later in Today's Session, pending **FURTHER CONSIDERATION**.

Non-Concurrent Matter

Bill "An Act To Allow for Corporate Ownership of Dental Practices"
H.P. 431 L.D. 553

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

In House, February 6, 2007, **REFERRED** to the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT**.

In Senate, February 8, 2007, **REFERRED** to the Committee on **JUDICIARY**, in **NON-CONCURRENCE**.

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

On motion by Senator **HOBBS** of York, the Senate **RECEDED and CONCURRED**.

House Papers

Resolve, To Assist Veterans in Need of Shelter
H.P. 511 L.D. 662

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

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

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

Resolve, Establishing the Commission To Improve Certain Aspects of the Citizen Initiative Process (EMERGENCY)
H.P. 530 L.D. 699

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

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

COMMUNICATIONS

The Following Communication: S.C. 69

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

January 29, 2007

The Honorable Beth G. Edmonds
President of the Senate
Station 3 State House
Augusta, ME 04333

Dear President Edmonds:

Thank you for your invitation to address the 123rd Maine State Legislature on Thursday, February 15, 2007 at 11:00 a.m. I am honored to be invited and am pleased to accept the invitation.

As you know, Maine's public universities are essential and valuable contributors to Maine's economy and quality of life. I look forward to updating you and your colleagues on the state of the University of Maine System when the Legislature holds its Joint Session on the 15th.

Sincerely,

S/Terrence J. MacTaggart
Chancellor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 70

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

January 19, 2007

The Honorable Beth G. Edmonds
President of the Senate
123rd Maine Legislature
Station 3 State House
Augusta, ME 04333-0003

The Honorable Glenn Cummings
Speaker of the House
123rd Maine Legislature
2 State House Station
Augusta, ME 04333-0002

Dear President Edmonds and Speaker Cummings:

Thank you for your letter of January 16, 2007, inviting me to address a Joint Session of the 123rd Maine Legislature on Thursday, February 15th. On behalf of Maine's Community College trustees, employees and students, it is with great pride that I accept your kind invitation. I look forward to sharing with you my thoughts on the state of the Maine Community College System.

Thank you again for your invitation.

Sincerely yours,

S/John Fitzsimmons
President

READ and ORDERED PLACED ON FILE.

SENATE PAPERS

Bill "An Act To Authorize a General Fund Bond Issue for Affordable Rental Housing"

S.P. 237 L.D. 777

Sponsored by President EDMONDS of Cumberland.
Cosponsored by Representative ADAMS of Portland and
Senators: BRANNIGAN of Cumberland, BROMLEY of
Cumberland, Representatives: KOFFMAN of Bar Harbor, RAND
of Portland.

Bill "An Act To Provide Essential Library Resources to All Maine Communities"

S.P. 242 L.D. 793

Sponsored by President EDMONDS of Cumberland.
Cosponsored by Representative CROCKETT of Augusta and Senators: MITCHELL of Kennebec, ROSEN of Hancock, ROTUNDO of Androscoggin, Representatives: ADAMS of Portland, CROSTHWAITE of Ellsworth, Speaker CUMMINGS of Portland, TARDY of Newport.

Bill "An Act To Enhance the Maine State Grant Program"
S.P. 249 L.D. 800

Sponsored by Senator MITCHELL of Kennebec.
Cosponsored by Speaker CUMMINGS of Portland and Senators: ROSEN of Hancock, TURNER of Cumberland, Representatives: CAIN of Orono, EBERLE of South Portland, FISCHER of Presque Isle, HASKELL of Portland, RECTOR of Thomaston, STRANG BURGESS of Cumberland.

On motion by Senator **ROTUNDO** of Androscoggin, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed.

Sent down for concurrence.

Bill "An Act To Strengthen Rural Community Investment"
S.P. 239 L.D. 790

Sponsored by Senator RAYE of Washington.
Cosponsored by Representative PIOTTI of Unity and Senators: BENOIT of Sagadahoc, BROMLEY of Cumberland, BRYANT of Oxford, COURTNEY of York, DAMON of Hancock, DIAMOND of Cumberland, DOW of Lincoln, President EDMONDS of Cumberland, GOOLEY of Franklin, HASTINGS of Oxford, MARTIN of Aroostook, McCORMICK of Kennebec, MILLS of Somerset, MITCHELL of Kennebec, NUTTING of Androscoggin, ROSEN of Hancock, SCHNEIDER of Penobscot, SHERMAN of Aroostook, SMITH of Piscataquis, SNOWE-MELLO of Androscoggin, STRIMLING of Cumberland, TURNER of Cumberland, WESTON of Waldo, Representatives: AYOTTE of Caswell, BROWNE of Vassalboro, BRYANT of Windham, CAIN of Orono, CARTER of Bethel, CLARK of Millinocket, CLEARLY of Houlton, CRAY of Palmyra, CROSTHWAITE of Ellsworth, Speaker CUMMINGS of Portland, CURTIS of Madison, DUCHESNE of Hudson, FAIRCLOTH of Bangor, FINLEY of Skowhegan, FISCHER of Presque Isle, FITTS of Pittsfield, FLOOD of Winthrop, GIFFORD of Lincoln, GILES of Belfast, GOULD of South Berwick, HOLMAN of Fayette, JACKSON of Allagash, JOY of Crystal, KOFFMAN of Bar Harbor, LORING of the Penobscot Nation, MacDONALD of Boothbay, MAZUREK of Rockland, McFADDEN of Dennysville, McLEOD of Lee, MILLER of Somerville, MILLETT of Waterford, MILLS of Farmington, MUSE of Fryeburg, PERCY of Phippsburg, PERRY of Calais, PIEH of Bremen, PINGREE of North Haven, RECTOR of Thomaston, SAVIELLO of Wilton, SCHATZ of Blue Hill, SMITH of Monmouth, TARDY of Newport, TIBBETTS of Columbia, WATSON of Bath.

Bill "An Act To Provide Representation by a Mechanic or Installer on the Manufactured Housing Board"

S.P. 243 L.D. 794

Sponsored by Senator HASTINGS of Oxford.
Cosponsored by Representative HAMPER of Oxford and Senators: DOW of Lincoln, HOBBS of York, Representatives: CEBRA of Naples, HAYES of Buckfield, MILLETT of Waterford, SIROIS of Turner, SYKES of Harrison.

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

Sent down for concurrence.

Bill "An Act To Enhance the Qualifications for a Concealed Firearms Permit"

S.P. 238 L.D. 778

Sponsored by Senator TURNER of Cumberland.
Cosponsored by Senator: STRIMLING of Cumberland, Representatives: FLOOD of Winthrop, WOODBURY of Yarmouth.

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

Sent down for concurrence.

Bill "An Act To Ensure Equitable Geographic Representation on the State Board of Education"

S.P. 240 L.D. 791

Sponsored by Senator RAYE of Washington.
Cosponsored by Representative SUTHERLAND of Chapman and Senators: BOWMAN of York, MILLS of Somerset, SCHNEIDER of Penobscot, WESTON of Waldo, Representatives: EDGEComb of Caribou, McFADDEN of Dennysville, PINGREE of North Haven, TARDY of Newport.

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

Sent down for concurrence.

Bill "An Act Concerning Postpartum Mental Health Education"
S.P. 241 L.D. 792

Sponsored by Senator SULLIVAN of York.
Cosponsored by Representative PENDLETON of Scarborough
and Senators: BOWMAN of York, President EDMONDS of
Cumberland, MARRACHÉ of Kennebec, Representatives:
HAYES of Buckfield, PERRY of Calais, PRATT of Eddington,
SUTHERLAND of Chapman, TRINWARD of Waterville.

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

Sent down for concurrence.

Bill "An Act To Prohibit the Use of Motorized Watercraft on Lily
Pond in Deer Isle"

S.P. 248 L.D. 799

Sponsored by Senator DAMON of Hancock.
Cosponsored by Representative PINGREE of North Haven.

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

Sent down for concurrence.

Bill "An Act To Conform State Law with Federal Law Regarding
Bankruptcy Exemptions"

S.P. 246 L.D. 797

Sponsored by Senator SULLIVAN of York.
Cosponsored by Representative McKANE of Newcastle and
Senator: BOWMAN of York, Representatives: RICHARDSON of
Warren, VAUGHAN of Durham.

On motion by Senator **MARTIN** of Aroostook, **REFERRED** to the
Committee on **INSURANCE AND FINANCIAL SERVICES** and
ordered printed.

Sent down for concurrence.

Bill "An Act To Create the Endangered or Threatened Marine
Species Fund"

S.P. 245 L.D. 796

Sponsored by Senator DAMON of Hancock.
Cosponsored by Representative PERCY of Phippsburg.
Submitted by the Department of Marine Resources pursuant to
Joint Rule 204.

Bill "An Act To Standardize Inshore Drugging Seasons for
Scallops and Sea Cucumbers"

S.P. 247 L.D. 798

Sponsored by Senator DAMON of Hancock.
Cosponsored by Representative PERCY of Phippsburg.

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

Sent down for concurrence.

Bill "An Act To Extend the Solar Energy Rebate Program"
S.P. 244 L.D. 795

Sponsored by Senator BENOIT of Sagadahoc.
Cosponsored by Representative PRESCOTT of Topsham and
Senators: BARTLETT of Cumberland, RAYE of Washington,
SNOWE-MELLO of Androscoggin, Representatives:
BLANCHARD of Old Town, FLETCHER of Winslow, HINCK of
Portland, HOLMAN of Fayette.

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

Sent down for concurrence.

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

At this point a message was received from the House of
Representatives, borne by Representative PINGREE of North
Haven informing the Senate that the House concurred with the
proposition for a Convention of the two branches of the
Legislature to be held in the Hall of the House at 11:00 in the
morning for the purpose of extending to the Honorable Terrence
MacTaggart, Chancellor of the University of Maine System and
the Honorable John Fitzsimmons, President of the Maine College
System, an invitation to attend the Convention and make such
communications as pleases them.

REPORTS OF COMMITTEES

Senate

Ought to Pass

Senator SULLIVAN for the Committee on **INSURANCE AND
FINANCIAL SERVICES** on Bill "An Act To Modify the Laws
Regarding Garnishment of Wages"

S.P. 69 L.D. 231

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator DAMON for the Committee on **MARINE RESOURCES** on Bill "An Act To List the Shortnose Sturgeon as a Marine Endangered Species"

S.P. 48 L.D. 140

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

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

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 (2/8/07) Assigned matter:

Bill "An Act To Allow Civil Penalties for Trespass while Engaging in Activities Regulated by Inland Fisheries and Wildlife"
H.P. 455 L.D. 588

Tabled - February 8, 2007, by Senator **HOBBS** of York

Pending - **REFERENCE**

(Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** suggested and ordered printed.)

(In House, February 6, 2007, **REFERRED** to the Committee on **JUDICIARY**.)

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

The Chair laid before the Senate the following Tabled and Later (2/8/07) Assigned matter:

Bill "An Act To Provide Funding for Transitional Employment Training Opportunities for Persons with Mental Illness"
H.P. 506 L.D. 657

Tabled - February 8, 2007, by Senator **BRANNIGAN** of Cumberland

Pending - **REFERENCE**

(In House, February 8, 2007, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.)

On motion by Senator **BRANNIGAN** of Cumberland, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**, in **NON-CONCURRENCE**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (2/13/07) Assigned matter:

Bill "An Act To Amend the Accord and Satisfaction Laws To Add Juveniles"

S.P. 226 L.D. 709

Tabled - February 13, 2007, by Senator **HOBBS** of York

Pending - **REFERENCE**

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

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

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (2/13/07) Assigned matter:

Bill "An Act To Encourage Manufacturing by Expanding Pine Tree Development Zones"

H.P. 540 L.D. 719

Tabled - February 13, 2007, by Senator **BROMLEY** of Cumberland

Pending - **REFERENCE**

(In House, February 13, 2007, **REFERRED** to the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed.)

On motion by Senator **STRIMLING** of Cumberland, **REFERRED** to the Committee on **TAXATION**, in **NON-CONCURRENCE**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (2/13/07) Assigned matter:

Bill "An Act To Repeal the Tax on Private Nonmedical Institutions"
H.P. 534 L.D. 703

Tabled - February 13, 2007, by Senator **BRANNIGAN** of
Cumberland

Pending - **REFERENCE**

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

(In House, February 13, 2007, **REFERRED** to the Committee on
HEALTH AND HUMAN SERVICES.)

On motion by Senator **BRANNIGAN** of Cumberland, **REFERRED**
to the Committee on **APPROPRIATIONS AND FINANCIAL**
AFFAIRS, in **NON-CONCURRENCE**.

Sent down for concurrence.

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

JOINT ORDER - Expression of Legislative Sentiment
Recognizing Barry Cote, of Augusta, on the occasion of his
retirement.

SLS 39

Tabled - February 13, 2007, by Senator **MITCHELL** of Kennebec

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

(In Senate, 3/13/07, **READ**.)

READ.

THE PRESIDENT: The Chair recognizes the Senator from
Kennebec, Senator Mitchell.

Senator **MITCHELL:** Thank you, Madame President and
distinguished members of the Senate. It is an extraordinary
pleasure for me, but a sad one as well, to congratulate Barry Cote
on his retirement. I know he's looking forward to it, but I know all
of us in this Chamber appreciate the work. Imagine cleaning up
after all of us for all of those years. He's done an extraordinary
job and the State of Maine is very proud of his service. I know
you will join me in wishing him a very happy retirement.

PASSED.

Sent down for concurrence.

THE PRESIDENT: The Chair is pleased to recognize in the rear
of the Chamber Barry Cote of Augusta. Would he please rise and
receive the greetings of the Maine Senate.

The Chair laid before the Senate the following Tabled
Unassigned matter:

Bill "An Act To Ensure That Pine Tree Development Zone
Benefits Are Not Extended to Businesses That Compete with
Existing Maine Businesses"

S.P. 235 L.D. 768

Tabled - February 13, 2007, by Senator **BROMLEY** of
Cumberland

Pending - **REFERENCE**

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

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

Sent down for concurrence.

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

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

COMMUNICATIONS

The Following Communication: S.C. 71

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

February 13, 2007
Honorable Beth Edmonds, President of the Senate
Honorable Glenn Cummings, Speaker of the House
123rd Maine Legislature
State House
Augusta, Maine 04333

Dear President Edmonds and Speaker Cummings:

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. 30 Resolve, To Decrease Landfill Costs and
Protect the Environment through a Beverage
Container Reuse Program

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

Sincerely,

S/Sen. Lynn Bromley
Senate Chair

S/Rep. Nancy E. Smith
House Chair

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

The Following Communication: S.C. 72

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

February 13, 2007

Honorable Beth Edmonds, President of the Senate
Honorable Glenn Cummings, Speaker of the House
123rd Maine Legislature
State House
Augusta, Maine 04333

Dear President Edmonds and Speaker Cummings:

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

L.D. 124 An Act To Allow the Recovery of Reasonable
Attorney's Fees

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

Sincerely,

S/Sen. Ethan Strimling
Senate Chair

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

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

The Following Communication: S.C. 73

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

February 13, 2007

Honorable Beth Edmonds, President of the Senate
Honorable Glenn Cummings, Speaker of the House
123rd Maine Legislature
State House
Augusta, Maine 04333

Dear President Edmonds and Speaker Cummings:

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

L.D. 110 An Act To Require an Independent Audit of
State Government Every 4 Years

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

Sincerely,

S/Sen. Elizabeth M. Schneider
Senate Chair

S/Rep. Christopher R. Barstow
House Chair

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

The Following Communication: S.C. 74

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

February 13, 2007

Honorable Beth Edmonds, President of the Senate
Honorable Glenn Cummings, Speaker of the House
123rd Maine Legislature
State House
Augusta, Maine 04333

Dear President Edmonds and Speaker Cummings:

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

L.D. 31 An Act To Fund Alcohol and Tobacco Addiction
Treatment Programs BY REQUEST

L.D. 302 An Act To Create an Alternative Fuel Vehicle Income Tax Credit and an Alternative Fuel Vehicle Rebate

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

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

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

Sincerely,

S/Sen. Joseph C. Perry
Senate Chair

S/Rep. John F. Piotti
House Chair

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

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Clarify That Senior Lifetime Hunting Licenses Include the Right To Hunt Turkey"

H.P. 599 L.D. 783

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

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

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Remove Clergy as Signatories on Marriage Licenses"

H.P. 595 L.D. 779

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

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

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Enhance the Natural Resources Protection Laws"
H.P. 600 L.D. 784

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

Off Record Remarks

Senate at Ease.

Senate called to order by the President.

Off Record Remarks

Senator **MARRACHÉ** of Kennebec was granted unanimous consent to address the Senate off the Record.

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

After Convention

In Senate Chamber

Senate called to order by the President

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Establish a New Method of Determining the State Budget"

H.P. 598 L.D. 782

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

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Promote Green Power Use at State Buildings"
H.P. 601 L.D. 785

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Enhance Redevelopment of Mill Buildings"
H.P. 596 L.D. 780

Bill "An Act To Establish the Maine Land Bank and Community Preservation Program"
H.P. 602 L.D. 786

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Change the Assessment of Lands Used for Long-term Ownership
H.P. 603 L.D. 787

Bill "An Act To Dedicate 20 Percent of the Sales Tax on Motor Vehicles to the Highway Fund"
H.P. 604 L.D. 788

Bill "An Act To Decrease the Excise Tax Imposed on Motor Vehicles"
H.P. 605 L.D. 789

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

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

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act Making Unified Highway Fund and Other Funds Allocations for the Expenditures of State Government and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2008 and June 30, 2009" (EMERGENCY)
H.P. 597 L.D. 781

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

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

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

PAPERS FROM THE HOUSE

**Pursuant to Statute
Maine State Retirement System**

The **Maine State Retirement System**, pursuant to the Maine Revised Statutes, Title 5, section 17103, subsection 13 asked leave to report that the accompanying Bill "An Act To Establish the Operating Budget for the Maine State Retirement System for the Fiscal Year Ending June 30, 2008" (EMERGENCY)
H.P. 594 L.D. 776

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

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

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

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

REPORTS OF COMMITTEES

House

Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Provide for the Nonpartisan Election of County Commissioners"

H.P. 121 L.D. 129

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

Signed:

Senators:

SCHNEIDER of Penobscot
BRANNIGAN of Cumberland

Representatives:

BARSTOW of Gorham
BOLAND of Sanford
WEAVER of York
BEAUDETTE of Biddeford
SIROIS of Turner
CURTIS of Madison
JOY of Crystal
HAYES of Buckfield
COTTA of China

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

Signed:

Senator:

BENOIT of Sagadahoc

Representative:

SCHATZ of Blue Hill

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

Reports **READ**.

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

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

COMMUNICATIONS

The Following Communication: S.P. 254

**STATE OF MAINE
123RD MAINE LEGISLATURE**

February 13, 2007

Sen. Bill Diamond
Senate Chair, Joint Standing Committee on Criminal Justice and Public Safety
Rep. Stan Gerzofsky
House Chair, Joint Standing Committee on Criminal Justice and Public Safety
123rd Legislature
Augusta, ME 04333

Dear Senator Diamond and Representative Gerzofsky:

Please be advised that Governor John E. Baldacci has nominated Robert McAleer of Harpswell for appointment as Director of the Maine Emergency Management Agency.

Pursuant to M.R.S.A. Title 37-B §704, this nomination will require review by the Joint Standing Committee on Criminal Justice and Public Safety and confirmation by the Senate.

Sincerely,

S/Beth Edmonds
President of the Senate

S/Glenn Cummings
Speaker of the House

READ and **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY**.

Sent down for concurrence.

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

COMMUNICATIONS

The Following Communication: S.P. 255

**STATE OF MAINE
123RD MAINE LEGISLATURE**

February 13, 2007

Sen. Philip L. Bartlett II
Senate Chair, Joint Standing Committee on Utilities and Energy
Rep. Lawrence Bliss
House Chair, Joint Standing Committee on Utilities and Energy
123rd Legislature
Augusta, ME 04333

Dear Senator Bartlett and Representative Bliss:

Please be advised that Governor John E. Baldacci has nominated Richard Davies of Hallowell for appointment as Public Advocate.

Pursuant to M.R.S.A. Title 35-A §1701, this nomination will require review by the Joint Standing Committee on Utilities and Energy and confirmation by the Senate.

Sincerely,

S/Beth Edmonds
President of the Senate

S/Glenn Cummings
Speaker of the House

READ and **REFERRED** to the Committee on **UTILITIES AND ENERGY**.

Sent down for concurrence.

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

On motion by Senator **MITCHELL** of Kennebec, **ADJOURNED**, pursuant to the Joint Order, to Tuesday, February 27, 2007, at 10:00 in the morning.

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

COMMUNICATIONS

The Following Communication: S.P. 256

STATE OF MAINE
123RD MAINE LEGISLATURE

February 14, 2007

Sen. Ethan Strimling
Senate Chair, Joint Standing Committee on Labor
Rep. John L. Tuttle
House Chair, Joint Standing Committee on Labor
123rd Legislature
Augusta, ME 04333

Dear Senator Strimling and Representative Tuttle:

Please be advised that Governor John E. Baldacci has nominated the following to the Maine State Retirement System Board of Trustees:

Peter Leslie of Waterford for reappointment
Benedetto Viola of Scarborough for reappointment
Kenneth Williams of Damariscotta for reappointment
Richard Metivier of Lewiston for appointment
Carol Mitchell of Portland for appointment

Pursuant to Title 5 M.R.S.A. §17102, these nominations will require review by the Joint Standing Committee on Labor and confirmation by the Senate.

Sincerely,

S/Beth Edmonds
President of the Senate

S/Glenn Cummings
Speaker of the House

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

Sent down for concurrence.