

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

In Senate Chamber
Thursday
April 9, 2009

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

Prayer by Reverend Walden Chandler, First Baptist Church of St.
George.

REVEREND CHANDLER: Creator God, we thank You for being
with us on this Passover day and during this Easter week. I read
this prayer that fits our lives for this day.

When full understanding is not possible, give us faith to trust
in You anyways. When our questions are greater than our
answers, give us faith to trust in You anyways. When our doubts
outweigh our certainties, give us faith to trust in You anyways.

Bless this Senate body with Your presence this day. Amen.

Reading of the Journal of Wednesday, April 8, 2009.

Doctor of the day, Dr. Lisa Letourneau, MD of Scarborough.

Off Record Remarks

Out of order and under suspension of the Rules, on motion by
Senator **BARTLETT** of Cumberland, the following Joint Order:
S.P. 540

Ordered, the House concurring, that when the House and Senate
adjourn, they do so until Tuesday, April 14, 2009 at 10:00 in the
morning.

READ and PASSED.

Ordered sent down forthwith for concurrence.

PAPERS FROM THE HOUSE

Non-Concurrent Matter

Bill "An Act To Enact the Uniform Debt Management Services
Act"

H.P. 895 L.D. 1289

Committee on **INSURANCE AND FINANCIAL SERVICES**
suggested and ordered printed.

In House, March 31, 2009, **REFERRED** to the Committee on
JUDICIARY.

In Senate, April 7, 2009, **REFERRED** to the Committee on
INSURANCE AND FINANCIAL SERVICES, in **NON-
CONCURRENCE**.

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

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

House Papers

Bill "An Act To Expand Tax Incentives for Visual Media
Productions"

H.P. 1005 L.D. 1449

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

REFERRED to the Committee on **TAXATION** and ordered
printed, in concurrence.

Bill "An Act To Establish the Renewable Energy Resources
Program"

H.P. 1006 L.D. 1450

Comes 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.

COMMUNICATIONS

The Following Communication: S.C. 206

**STATE OF MAINE
124TH MAINE LEGISLATURE**

March 6, 2009

John Fitzsimmons, President
Maine Community College System
131 State House Station
Augusta, ME 04333

Dear President Fitzsimmons:

We are pleased to invite you to address a Joint Session of the 124th Maine Legislature on Tuesday, April 14, 2009 at 11:00 a.m. concerning the State of the Maine Community College System and any other matters that you may care to bring to our attention.

On the same day, following your address, Richard Pattenau, Chancellor of the University of Maine System, will be addressing the Joint Convention.

We look forward to seeing you then.

Sincerely,

S/Elizabeth H. Mitchell
President of the Senate

S/Hannah M. Pingree
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 207

**STATE OF MAINE
124TH MAINE LEGISLATURE**

March 6, 2009

Richard L. Pattenau, Chancellor
University of Maine System
16 Central Street
Bangor, ME 04401

Dear Chancellor Pattenau:

We are pleased to invite you to address a Joint Session of the 124th Maine Legislature on Tuesday, April 14, 2009 concerning the State of the University of Maine System and any other matters that you may care to bring to our attention. We will begin the Joint Session at 11:00 a.m. with an address from John Fitzsimmons, President of the Maine Community College System. You will address the Joint Convention directly following the President.

We look forward to seeing you then.

Sincerely,

S/Elizabeth H. Mitchell
President of the Senate

S/Hannah M. Pingree
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 208

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

April 6, 2009

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

Dear President Mitchell and Speaker Pingree:

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

- L.D. 47 An Act To Allow the Town of Baldwin To Be Eligible for Full Pine Tree Development Zone Benefits
- L.D. 598 An Act To Protect Private Enterprise from Tax-subsidized Competition by Imposing Requirements on Certain Postsecondary Institutions
- L.D. 1023 An Act To Require a Seller of a Gas Station To Provide an Updated Inspection Prior to Sale of the Property

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

Sincerely,

S/Sen. Elizabeth M. Schneider
Senate Chair

S/Rep. Nancy E. Smith
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 218

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

April 1, 2009

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

Dear President Mitchell and Speaker Pingree:

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

- L.D. 307 An Act To Amend the Laws Governing Payment for Prearranged Funeral Services
- L.D. 440 An Act Regarding Exceptions to the Maine Uniform Building and Energy Code
- L.D. 813 An Act To Require Plain Language in Consumer Contracts

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

Sincerely,

S/Sen. Elizabeth M. Schneider
Senate Chair

S/Rep. Nancy E. Smith
House Chair

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

The Following Communication: S.C. 209

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

April 3, 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 bill out "Ought Not to Pass":

- L.D. 1035 An Act To Discourage Theft from and Destruction of Vending Machines

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

Sincerely,

S/Sen. Stanley J. Gerzofsky
Senate Chair

S/Rep. Anne M. Haskell
House Chair

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

The Following Communication: S.C. 210

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

April 6, 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 bill out "Ought Not to Pass":

- L.D. 748 An Act To Adjust the Assessment for Correctional Services from Sagadahoc County (EMERGENCY)

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

Sincerely,

S/Sen. Stanley J. Gerzofsky
Senate Chair

S/Rep. Anne M. Haskell
House Chair

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

The Following Communication: S.C. 219

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

April 8, 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. 995 An Act To Improve Purchasing for the Department of Corrections
- L.D. 1067 Resolve, To Establish a Blue Ribbon Commission To Study Methods of Protecting Emergency Medical Services Personnel during the Transportation of Persons with Mental Illness (EMERGENCY)

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

Sincerely,

S/Sen. Stanley J. Gerzofsky
Senate Chair

S/Rep. Anne M. Haskell
House Chair

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

The Following Communication: S.C. 211

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

April 6, 2009

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

Dear President Mitchell and Speaker Pingree:

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

- L.D. 321 An Act To Impose a State Residency Requirement for Eligibility for General Assistance
- L.D. 408 An Act To Clarify the Term of a Retail Tobacco License
- L.D. 424 Resolve, Directing the Department of Education and the Department of Health and Human Services To Adopt Rules Requiring a Tetanus, Diphtheria and Pertussis Booster Vaccination in School-age Children
- L.D. 576 Resolve, To Require the Department of Health and Human Services and the Maine State Housing Authority To Create Efficiencies in Existing Services for Persons Who Are Homeless
- L.D. 721 Resolve, Directing the Department of Health and Human Services To Raise Public Awareness of Reflex Sympathetic Dystrophy Syndrome
- L.D. 752 Resolve, To Require the Department of Health and Human Services To Request a Waiver To Prohibit the Use of Food Stamps for the Purchase of Soft Drinks
- L.D. 753 Resolve, To Require the Department of Health and Human Services To Request a Waiver To Prohibit the Use of Food Stamps for the Purchase of Taxable Food Items
- L.D. 794 Resolve, To Adjust Copayment Rules To Ensure Access to Home-based Care Services
- L.D. 795 Resolve, To Enhance Public Information about the MaineCare Program
- L.D. 819 An Act To Encourage Transparency in Disclosing the Ingredients in Vaccinations for Children to Parents and Guardians
- L.D. 881 Resolve, To Ensure the Health of Maine Children by Requiring a Certain Vaccination
- L.D. 916 An Act Regarding Trans Fat
- L.D. 940 An Act To Estimate the Financial Costs to Providers in Implementing MaineCare Rules

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

Sincerely,

S/Sen. Joseph C. Brannigan
Senate Chair

S/Rep. Anne C. Perry
House Chair

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

The Following Communication: S.C. 217

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

April 7, 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. Watson of Bath, to report the following bill Leave to Withdraw:

L.D. 289 An Act To Require Boating Safety Education

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. 220

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

April 8, 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 bills out "Ought Not to Pass":

L.D. 21 An Act To Encourage the Diagnosis and Treatment of Autism Spectrum Disorders

L.D. 1040 An Act Relating to Health Benefit Plan Coverage of Chemotherapy

L.D. 1304 An Act Regarding First-party Automobile and Casualty Insurance

We have also notified the sponsors and cosponsors of each bill listed 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. 221

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

April 7, 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 Labor has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 888 Resolve, Directing the Governor and the Department of Administrative and Financial Services, Bureau of Human Resources To Remove Longevity Biases from Collective Bargaining Agreements

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

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.**

The Following Communication: S.C. 212

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

April 6, 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. 293 An Act To Provide Project Support for Veterans' Cemeteries
- L.D. 948 An Act To Reduce the Cost of the Maine Clean Election Act
- L.D. 949 An Act To Reduce the Number of Qualifying Contributions Required for Special Elections under 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. 222

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

April 7, 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. 1168 An Act To Allow the Taste Testing of Malt Liquor and Spirits

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. 223

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

April 8, 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. 887 An Act To Amend the Reporting Requirements for Independent Expenditures for Political Campaigns
- L.D. 990 An Act To Increase the Preservation Time for Municipal Campaign Finance Reports

L.D. 1247 An Act To Prohibit Maine Clean Election Act Candidates from Raising Private Campaign Funds

The Following Communication: S.C. 224

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. 213

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

April 6, 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 bills out "Ought Not to Pass":

L.D. 871 An Act To Facilitate Compliance with Solid Waste Management Rules

L.D. 876 Resolve, To Create a Surrounding Community Advisory Panel for the Juniper Ridge Landfill in Old Town

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

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

April 8, 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 bills out "Ought Not to Pass":

L.D. 1011 An Act To Improve Solid Waste Disposal Quality

L.D. 1051 An Act To Encourage Tire Recycling

We have also notified the sponsors and cosponsors of each bill listed 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. 214

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

April 3, 2009

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

Dear President Mitchell and Speaker Pingree:

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

- L.D. 381 An Act To Base the Motor Vehicle Excise Tax on the Documented Actual Sale Price Rather than on the Maker's List Price
- L.D. 459 An Act To Provide Tax Relief for Maine Residents Deployed for Military Service
- L.D. 841 An Act Regarding the State Earned Income Tax Credit
- L.D. 872 An Act To Provide a Tax Credit to Certain Heating Fuel Contract Consumers
- L.D. 884 An Act To Provide Income Tax Equity for Working Spouses

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

The Following Communication: S.C. 225

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

April 7, 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. 974 An Act To Decrease the Automobile Excise Tax and Promote Energy Efficiency

We have also notified the sponsor and cosponsor 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. 226

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

April 3, 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,

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

Sincerely,

S/Sen. Joseph C. Perry
Senate Chair

S/Rep. Thomas R. Watson
House Chair

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

The Following Communication: S.C. 215

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

April 7, 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. Sirois of Turner, to report the following bill Leave to Withdraw:

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

Sincerely,

S/Sen. Joseph C. Perry
Senate Chair

S/Rep. Thomas R. Watson
House Chair

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

L.D. 798 Resolve, Requiring the Department of Transportation To Replace All Property Markers along the 85-mile Stretch of the Calais Branch Corridor from Washington Junction to Ayers Junction

Sincerely,

S/Sen. Dennis S. Damon
Senate Chair

S/Rep. Edward J. Mazurek
House Chair

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

The Following Communication: S.C. 216

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

April 1, 2009

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

Dear President Mitchell and Speaker Pingree:

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

L.D. 764 An Act To Allow Municipalities To Offer Access to the Internet through Digital Subscriber Lines

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

Sincerely,

S/Sen. Barry J. Hobbins
Senate Chair

S/Rep. Jon Hinck
House Chair

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

SENATE PAPERS

Resolve, Establishing the Committee To Study the Feasibility of Instituting Testing for Sports-related Head Injuries (EMERGENCY)

S.P. 538 L.D. 1452

Presented by Senator HOBBS of York.
Cosponsored by Representative DOSTIE of Sabattus.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

Sent down for concurrence.

Bill "An Act To Provide Additional Unemployment Benefits and Make Statutory Revisions in Accordance with the American Recovery and Reinvestment Act of 2009" (EMERGENCY)

S.P. 541 L.D. 1454

Presented by President MITCHELL of Kennebec.
(GOVERNOR'S BILL)
Cosponsored by Speaker PINGREE of North Haven and Senators: BARTLETT of Cumberland, COURTNEY of York, MARRACHÉ of Kennebec, RAYE of Washington, Representatives: BERRY of Bowdoinham, CURTIS of Madison, PIOTTI of Unity, TARDY of Newport.

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

Senator **JACKSON** of Aroostook moved to **REFER** to the Committee on **LABOR**.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **REFER** to the Committee on **LABOR**.

Bill "An Act To Reform Natural Resources Agencies and Establish the Department of Natural Resources" (EMERGENCY)

S.P. 539 L.D. 1453

Presented by Senator GERZOFKY of Cumberland.
(GOVERNOR'S BILL)
Cosponsored by Representative BOLAND of Sanford and Senator: SIMPSON of Androscoggin, Representatives: BEAUDETTE of Biddeford, BLANCHARD of Old Town, COTTA of China, HOGAN of Old Orchard Beach, KAENRATH of South Portland, MARTIN of Eagle Lake, TUTTLE of Sanford.

REFERRED to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

Sent down for concurrence.

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** on Resolve, To Encourage the Preservation of Dark Skies

H.P. 6 L.D. 11

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-15)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-15)**.

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

READ ONCE.

Committee Amendment "A" (H-15) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act Regarding Bail Defaults and the Extradition Account"

H.P. 195 L.D. 249

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-43)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-43)**.

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

READ ONCE.

Committee Amendment "A" (H-43) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

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

H.P. 196 L.D. 250

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-42)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-42)**.

Report **READ**.

THE PRESIDENT: The Chair recognizes the Senator from York, Senator Nass.

Senator **NASS:** Thank you, Madame President. When is it appropriate to ask a question about this bill? My question is about the contents of the committee report. Does this bill, the unanimous report, increase the threshold for trafficking in marijuana by any amount?

THE PRESIDENT: The Senator from York, Senator Nass poses a question through the Chair to anyone who may wish to answer. The Chair recognizes the Senator from Cumberland, Senator Gerzofsky.

Senator **GERZOFSKY:** Thank you, Madame President. To answer that question, no it does not. It increases the civil amount that a person may possess. Right now it is at 1.25 ounces. It increases it to 2.5 ounces. Trafficking of marijuana starts at a joint, at a very low threshold.

On motion by Senator **RAYE** of Washington, **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 Increase Payments to Victims of Crimes"
H.P. 446 L.D. 632

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

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-52)**.

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

READ ONCE.

Committee Amendment "A" (H-52) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Resolve, To Fund the Nursing Education Loan Repayment Program (EMERGENCY)

H.P. 171 L.D. 206

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-46)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-46)**.

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

READ ONCE.

Committee Amendment "A" (H-46) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Resolve, Regarding Legislative Review of Portions of Chapter 115: Certification, Authorization, and Approval of Education Personnel, Part I and Part II, a Major Substantive Rule of the Department of Education (EMERGENCY)

H.P. 211 L.D. 268

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-47)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-47)**.

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

READ ONCE.

Committee Amendment "A" (H-47) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act Regarding Rockport College" (EMERGENCY)

H.P. 254 L.D. 318

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-48)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-48)**.

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

READ ONCE.

Committee Amendment "A" (H-48) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Supervise and Regulate Escrow Agents in Order To Protect Consumers"

H.P. 144 L.D. 165

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-40)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-40)**.

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

READ ONCE.

Committee Amendment "A" (H-40) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act To Establish Native American Veterans Day"

H.P. 25 L.D. 30

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-45)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-45)**.

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

READ ONCE.

Committee Amendment "A" (H-45) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act To Allow Municipalities and Counties To Require Bartender Training for Liquor Licensees"

H.P. 517 L.D. 758

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

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-53)**.

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

READ ONCE.

Committee Amendment "A" (H-53) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **MARINE RESOURCES** on Bill "An Act To Prohibit Dragging for Bait Fish in Certain Territorial Waters"
H.P. 285 L.D. 378

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-51)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-51)**.

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

READ ONCE.

Committee Amendment "A" (H-51) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Amend the Notary Public Laws"
H.P. 286 L.D. 379

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-50)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-50)**.

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

READ ONCE.

Committee Amendment "A" (H-50) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **TRANSPORTATION** on Bill "An Act To Enhance Motorcycle Safety"

H.P. 34 L.D. 39

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-39)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-39)**.

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

READ ONCE.

Committee Amendment "A" (H-39) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act Pertaining to the Possession of Animal Fighting Paraphernalia"

H.P. 151 L.D. 186

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

Signed:

Senator:
GERZOFKY of Cumberland

Representatives:
HASKELL of Portland
HANLEY of Gardiner
LAJOIE of Lewiston
GREELEY of Levant
PLUMMER of Windham
BURNS of Whiting
WHEELER of Kittery
MAGNAN of Stockton Springs
SYKES of Harrison

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-44)**.

Signed:

Senators:
NUTTING of Androscoggin
DAVIS of Cumberland

Representative:
SCHATZ of Blue Hill

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

Reports **READ**.

Senator **GERZOFSKY** of Cumberland moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence.

On motion by Senator **DAVIS** of Cumberland, supported by a Division of one-fifth of the members present and voting, a Roll Call was ordered.

On motion by Senator **NUTTING** of Androscoggin, **TABLED** until Later in Today's Session, pending the motion by Senator **GERZOFSKY** of Cumberland to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence. (Roll Call Ordered)

Divided Report

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Resolve, To Ensure Appropriate Personal Needs Allowances for Persons Residing in Long-term Care Facilities
H.P. 11 L.D. 16

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-41)**.

Signed:

Senators:

BRANNIGAN of Cumberland
MARRACHÉ of Kennebec
MILLS of Somerset

Representatives:

PERRY of Calais
JONES of Mount Vernon
CAMPBELL of Newfield
STUCKEY of Portland
EVES of North Berwick

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

Signed:

Representatives:

PETERSON of Rumford
SANBORN of Gorham
LEWIN of Eliot
STRANG BURGESS of Cumberland

(Representative SOCTOMAH of the Passamaquoddy Tribe - of the House - supports the Majority **Ought To Pass as Amended** Report.)

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-41)**.

Reports **READ**.

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

READ ONCE.

Committee Amendment "A" (H-41) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Provide Funding to the ElderCare Network"
H.P. 304 L.D. 416

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

Signed:

Senators:

BRANNIGAN of Cumberland
MARRACHÉ of Kennebec
MILLS of Somerset

Representatives:

PERRY of Calais
PETERSON of Rumford
JONES of Mount Vernon
SANBORN of Gorham
JOY of Crystal
CAMPBELL of Newfield
STRANG BURGESS of Cumberland
STUCKEY of Portland
EVES of North Berwick

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-56)**.

Signed:

Representative:

LEWIN of Eliot

(Representative SOCTOMAH of the Passamaquoddy Tribe - of the House - supports the Majority **Ought Not To Pass** Report.)

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

Reports **READ**.

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

Divided Report

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Resolve, To Increase the Blood Supply
H.P. 412 L.D. 574

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

Signed:

Senators:

- BRANNIGAN of Cumberland
- MARRACHÉ of Kennebec
- MILLS of Somerset

Representatives:

- PETERSON of Rumford
- SANBORN of Gorham
- JONES of Mount Vernon
- CAMPBELL of Newfield
- STRANG BURGESS of Cumberland
- STUCKEY of Portland
- EVES of North Berwick

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

Signed:

Representatives:

- PERRY of Calais
- LEWIN of Eliot
- JOY of Crystal

(Representative SOCTOMAH of the Passamaquoddy Tribe - of the House - supports the Majority **Ought To Pass** Report.)

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

Reports **READ**.

On motion by Senator **BRANNIGAN** of Cumberland, the Majority **OUGHT TO PASS** Report **ACCEPTED**, in concurrence.

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **NATURAL RESOURCES** on Bill "An Act To Allow the Sale and Use of Fuel Containing MTBE in a Vehicle in a Competitive Event"

H.P. 458 L.D. 644

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

Signed:

Senators:

- GOODALL of Sagadahoc
- SIMPSON of Androscoggin
- SMITH of Piscataquis

Representatives:

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

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

Signed:

Representatives:

- EDGECOMB of Caribou
- AYOTTE of Caswell

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

Reports **READ**.

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

Senate

Ought to Pass

Senator BLISS for the Committee on **JUDICIARY** on Bill "An Act To Adopt Amendments to the Uniform Interstate Family Support Act"

S.P. 164 L.D. 461

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator GOODALL for the Committee on **NATURAL RESOURCES** on Bill "An Act Concerning Mercury-added Button Cell Batteries"

S.P. 390 L.D. 1026

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 BRYANT for the Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Amend Maine's Endangered and Threatened Species List by Removing the Bald Eagle"

S.P. 25 L.D. 66

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-44)**.

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

READ ONCE.

Committee Amendment "A" (S-44) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator BRYANT for the Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Clarify Hunting, Fishing and Trapping Laws for Youth"

S.P. 51 L.D. 132

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-46)**.

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

READ ONCE.

Committee Amendment "A" (S-46) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator HOBBS for the Committee on **UTILITIES AND ENERGY** on Bill "An Act To Protect the Integrity of the State's Carbon Dioxide Budget Trading Program and Auction Process and To Provide Allocations to the Energy and Carbon Savings Trust Fund" (EMERGENCY)

S.P. 93 L.D. 276

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-42)**.

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

READ ONCE.

Committee Amendment "A" (S-42) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator HOBBS for the Committee on **UTILITIES AND ENERGY** on Bill "An Act To Protect Electricity Consumers in Northern Maine"

S.P. 223 L.D. 608

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-50)**.

Report **READ**.

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

Divided Report

The Majority of the Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Permit Personal Watercraft on Lake St. George in Liberty"

S.P. 37 L.D. 88

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

Signed:

Senators:

JACKSON of Aroostook
TRAHAN of Lincoln

Representatives:

DAVIS of Sangerville
EBERLE of South Portland
WHEELER of Kittery
CLARK of Millinocket
BRIGGS of Mexico
SARTY of Denmark
SAVIELLO of Wilton

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-45).**

Sent down for concurrence.

Signed:

Senator:

BRYANT of Oxford

Representatives:

SHAW of Standish

CRAFTS of Lisbon

Reports **READ.**

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

Sent down for concurrence.

Divided Report

The Majority of the Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Provide Complimentary Hunting and Fishing Licenses to Resident Disabled Veterans Who Served in Support Units Outside of Combat Zones"

S.P. 54 L.D. 168

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

Signed:

Senators:

BRYANT of Oxford

JACKSON of Aroostook

TRAHAN of Lincoln

Representatives:

EBERLE of South Portland

WHEELER of Kittery

CLARK of Millinocket

BRIGGS of Mexico

SHAW of Standish

SARTY of Denmark

SAVIELLO of Wilton

CRAFTS of Lisbon

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-47).**

Signed:

Representative:

McLEOD of Lee

Reports **READ.**

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

Divided Report

The Majority of the Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Create an Additional Hunting Season for Bear"

S.P. 82 L.D. 241

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

Signed:

Senators:

BRYANT of Oxford

TRAHAN of Lincoln

Representatives:

DAVIS of Sangerville

EBERLE of South Portland

WHEELER of Kittery

CLARK of Millinocket

SHAW of Standish

McLEOD of Lee

SARTY of Denmark

SAVIELLO of Wilton

CRAFTS of Lisbon

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-48).**

Signed:

Senator:

JACKSON of Aroostook

Reports **READ.**

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

Sent down for concurrence.

Divided Report

The Majority of the Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Lower the Cost of State Government in the Departments under the Purview of the Joint Standing Committee on Inland Fisheries and Wildlife"

S.P. 251 L.D. 676

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

Signed:

Senators:
BRYANT of Oxford
TRAHAN of Lincoln

Representatives:
DAVIS of Sangerville
EBERLE of South Portland
WHEELER of Kittery
CLARK of Millinocket
SHAW of Standish
McLEOD of Lee
SARTY of Denmark
CRAFTS of Lisbon

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-49)**.

Signed:

Representative:
SAVIELLO of Wilton

Reports **READ**.

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

Sent down for concurrence.

Bill "An Act To Prohibit Telephone Line-item Charges Not Representing Services Requested by the Customer or Required by Law"

H.P. 111 L.D. 127
(C "A" H-32)

Bill "An Act To Allow a Cosmetologist, Barber, Manicurist or Aesthetician Licensee To Perform Services outside of the Primary Business Location"

H.P. 149 L.D. 184
(C "A" H-37)

Bill "An Act To Amend the Charter of the Caribou Utilities District"

H.P. 165 L.D. 200
(C "A" H-34)

Bill "An Act Regarding Consumer-owned Water Utilities and Contracts for Water Extraction and for the Sale of Water"

H.P. 192 L.D. 238
(C "A" H-35)

Bill "An Act To Encourage Economic Recovery and Employment Growth To Support Maine's Working Waterfronts" (EMERGENCY)

H.P. 214 L.D. 271
(C "A" H-36)

Bill "An Act To Clarify the Law Regarding Reinstatement of a Driver's License"

H.P. 339 L.D. 451
(C "A" H-38)

SECOND READERS

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

House

Bill "An Act To Clarify Child Abuse and Neglect Information Disclosure"

H.P. 141 L.D. 162

Bill "An Act To Require School Bus Drivers and School Bus Attendants To Report Suspected Child Abuse"

H.P. 315 L.D. 427

Resolve, To Designate the Great South Bridge in the Town of Milbridge as the Harold West Bridge

H.P. 579 L.D. 843

Bill "An Act To Amend the Charter of the Winterport Water District" (EMERGENCY)

H.P. 656 L.D. 953

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

House As Amended

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

Senate As Amended

Bill "An Act To Protect Beaches in Maine's State Parks" (EMERGENCY)

S.P. 26 L.D. 67
(C "A" S-38)

Bill "An Act To Calculate the School Year by Number of Hours" (EMERGENCY)

S.P. 86 L.D. 245
(C "B" S-32)

Resolve, To Change the Uses for Funds for Conservation Programs (EMERGENCY)

S.P. 151 L.D. 407
(C "A" S-39)

Bill "An Act To Equalize Annuity and Structured Settlement Annuity Benefits with Life Insurance under the Maine Life and Health Insurance Guaranty Association"

S.P. 263 L.D. 688
(C "A" S-40)

Bill "An Act To Permit the Landing of Dragged Crabs as Bycatch"
(EMERGENCY)

S.P. 350 L.D. 928
(C "A" S-41)

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

Sent down for concurrence.

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

Senate at Ease.

Senate called to order by the President.

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.

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

After Recess

Senate called to order by the President.

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Establish the Maine Fuel Board"
H.P. 1007 L.D. 1455

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

REFERRED to the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** 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 Ensure That Construction Workers Are Protected by Workers' Compensation Insurance"
H.P. 1008 L.D. 1456

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

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

ORDERS OF THE DAY

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

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

Tabled - April 9, 2009, by Senator **JACKSON** of Aroostook

Pending - motion by same Senator to **REFER** to the Committee on **LABOR**

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

Senator **JACKSON** of Aroostook requested and received leave of the Senate to withdraw his motion to **REFER** to the Committee on **LABOR**.

READ ONCE, without reference to a Committee.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Off Record Remarks

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

ENACTORS

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

Emergency Measure

An Act To Encourage Economic Recovery and Employment
Growth To Support Maine's Working Waterfronts

H.P. 214 L.D. 271
(C "A" H-36)

This being an Emergency Measure and having received the affirmative vote of 31 Members of the Senate, with no Senators having voted in the negative, and 31 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.

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

On motion by Senator **BARTLETT** of Cumberland,
ADJOURNED, pursuant to the Joint Order, to Tuesday, April 14, 2009, at 10:00 in the morning.