

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

In Senate Chamber
Tuesday
January 15, 2008

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

Prayer by Senator Christine R. Savage of Knox County.

SENATOR SAVAGE: Good morning. Will you please bow in prayer. Heavenly Father, we ask Your blessings on these Senators. Guide them as they make difficult decisions, that they be made for the good of all citizens. Help us to be tolerant of other ideas and opinions. Father, in the cold days ahead wrap Your loving arms around those in need; the cold, the hungry and the homeless. Help us all to be more giving. We ask all this in Your name. Amen.

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

Reading of the Journal of Thursday, January 10, 2008.

Off Record Remarks

SENATE PAPERS

Bill "An Act To Ensure Access to Necessary Health Care Services in Maine by Repealing the Capital Investment Fund"
S.P. 821 L.D. 2152

Sponsored by Senator DIAMOND of Cumberland.
Cosponsored by Senator WESTON of Waldo, Representative TARDY of Newport.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Bill "An Act To Improve the Organizational Structure of the Department of Health and Human Services"
S.P. 822 L.D. 2153

Sponsored by Senator RAYE of Washington.
Cosponsored by Representative MILLER of Somerville and Representative CRAVEN of Lewiston.
Submitted by the Department of Health and Human Services pursuant to Joint Rule 204.

REFERRED to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

Sent down for concurrence.

Bill "An Act Concerning Technical Changes to the Tax Laws"
S.P. 823 L.D. 2154

Sponsored by Senator PERRY of Penobscot.
Cosponsored by Representative PIOTTI of Unity.
Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.

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

Sent down for concurrence.

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

ORDERS

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **TRANSPORTATION** on Bill "An Act To Study the Feasibility of Locating a New Bridge in the St. David Area"
H.P. 394 L.D. 511

Reported that the same **Ought to Pass as Amended by Committee Amendment "B" (H-643)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-643)**.

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

READ ONCE.

Committee Amendment "B" (H-643) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **LABOR** on Bill "An Act To Promote Workplace Safety and Certainty within the Construction Industry by Authorizing the Workers' Compensation Board To Issue Construction Contractor Certificates"

H.P. 903 L.D. 1275

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

Signed:

Senators:

STRIMLING of Cumberland
DOW of Lincoln

Representatives:

TUTTLE of Sanford
CLARK of Millinocket
THOMAS of Ripley
HASKELL of Portland
HAMPER of Oxford
DUPREY of Hampden
JACKSON of Allagash
BURNS of Berwick
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-641)**.

Signed:

Senator:

SULLIVAN of York

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

Reports **READ**.

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

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence.

Senate

Ought to Pass As Amended

Senator **HOBBS** for the Committee on **JUDICIARY** on Bill "An Act To Increase Reimbursement for Jury Duty"

S.P. 11 L.D. 1

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-401)**.

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

READ ONCE.

Committee Amendment "A" (S-401) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

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

SECOND READERS

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

House As Amended

Bill "An Act To Provide a Reward for Information Regarding the Murder of a Law Enforcement Officer"

H.P. 66 L.D. 68
(C "B" H-638)

Bill "An Act To Amend the Laws Governing the Plea of Not Criminally Responsible by Reason of Mental Disease or Defect in Juvenile Cases"

H.P. 69 L.D. 71
(C "B" H-639)

Bill "An Act To Support the Maine Patent Program"

H.P. 632 L.D. 833
(C "B" H-637)

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

Senate As Amended

Bill "An Act To Make a Conviction for a 6th Operating under the Influence Charge a Class B Crime"

S.P. 95 L.D. 280
(C "B" S-397)

Bill "An Act To Strengthen the Crime of Gross Sexual Assault as It Pertains to Persons Who Furnish Drugs to Victims"

S.P. 116 L.D. 372
(C "B" S-398)

Bill "An Act To Amend the Habitual Offender and Felony Operating Under the Influence Laws"

S.P. 579 L.D. 1674
(C "B" S-399)

Bill "An Act To Amend the Laws Governing Stalking"

S.P. 681 L.D. 1873
(C "B" S-400)

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.

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Assist Maine's Forest Products Industry" (EMERGENCY)

H.P. 1532 L.D. 2155

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

Comes from the House, under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, without reference to a Committee.

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

Sent down for concurrence.

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

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

Senator **WESTON** of Waldo was granted unanimous consent to address the Senate off the Record.

On motion by Senator **MITCHELL** of Kennebec, **RECESSED** until 11:00 in the morning.

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 Improve the Health of Maine Communities and Reduce Emergency Care Burdens"

H.P. 1528 L.D. 2148

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

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

Bill "An Act To Clarify Retirement Programs for Participating Local Districts" (EMERGENCY)

H.P. 1530 L.D. 2150

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

On motion by Senator **STRIMLING** of Cumberland, **REFERRED** to the Committee on **LABOR** 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 State Government Is a Model Employer of People with Disabilities"
H.P. 1527 L.D. 2147

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 Paper

Bill "An Act To Make Minor Substantive Changes to the Tax Laws"
H.P. 1531 L.D. 2151

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

On motion by Senator **PERRY** of Penobscot, **REFERRED** to the Committee on **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 To Lower Energy Costs and Increase Renewable Energy in Maine"
H.P. 1529 L.D. 2149

Comes from the House, **REFERRED** to the Committee on **UTILITIES AND ENERGY** and ordered printed.

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

Off Record Remarks

Senate at Ease.

Senate called to order by the President.

Senator **ROSEN** of Hancock 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.

Senator **MARTIN** of Aroostook was granted unanimous consent to address the Senate off the Record.

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

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

On motion by Senator **MITCHELL** of Kennebec, **ADJOURNED** to Thursday, January 17, 2008, at 10:00 in the morning.