

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

In Senate Chamber  
Thursday  
February 2, 2006

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

Prayer by Reverend Kristen Bjorn of Fairfield United Methodist Church.

**REVEREND BJORN:** Good morning everyone. Let us pray. Loving God, how awesome it is to realize You know us so well. How amazing it is to acknowledge that nothing can separate us from Your love and that You are present in all places. Whether we are riding high on a mountain top experience or struggling to find our way out of the valley of darkness, You are not far from us. You come to us regardless of the depth of fears or the weakness of our faith. When we find life to be a voyage on rough waters, You draw near to bring us peace and calm. When it is hard for us to keep our heads above water, You offer us Your grace and Your mercy. We thank You for being the kind of God who is everywhere and ever present. Amen.

Reading of the Journal of Wednesday, February 1, 2006.

Off Record Remarks

Out of order and under suspension of the Rules, on motion by Senator **BRENNAN** of Cumberland, the following Joint Order:  
S.P. 770

ORDERED, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, February 7, 2006, at 10:00 in the morning.

**READ and PASSED.**

Ordered sent down forthwith for concurrence.

**PAPERS FROM THE HOUSE**

**Non-Concurrent Matter**

Joint Order Directing the Joint Standing Committee on Legal and Veterans Affairs to Report a Bill Regarding Tribal Commercial Track and Slot Machines in Washington County  
H.P. 1377

In House, January 12, 2006, **READ** and **PASSED**.

In Senate, January 26, 2006, **READ** and **FAILED PASSAGE**, in **NON-CONCURRENCE**.

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

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

**Non-Concurrent Matter**

SENATE REPORTS - from the Committee on **TAXATION** on Bill "An Act To Amend the Maine Tree Growth Tax Law To Encourage Public Access"

S.P. 455 L.D. 1328

Majority - **Ought Not to Pass** (11 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (S-429)** (1 member)

In Senate, January 31, 2006, Reports **READ**. On motion by Senator **PERRY** of Penobscot, the Bill and accompanying papers **COMMITTED** to the Committee on **TAXATION**.

Comes from the House, Reports **READ** and the Bill and accompanying papers **INDEFINITELY POSTPONED**, in **NON-CONCURRENCE**.

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

Off Record Remarks

**SENATE PAPERS**

Resolve, To Ensure the Availability of Consumer-directed Personal Assistance Services

S.P. 769 L.D. 1991

Sponsored by President EDMONDS of Cumberland. Cosponsored by Speaker RICHARDSON of Brunswick and Senators: BRENNAN of Cumberland, MAYO of Sagadahoc, MITCHELL of Kennebec, STRIMLING of Cumberland, Representatives: FARRINGTON of Gorham, LERMAN of Augusta, PINGREE of North Haven, WEBSTER of Freeport. Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Bill "An Act To Protect the Confidentiality of Prescription Information"

S.P. 771 L.D. 1992

Sponsored by Senator MAYO of Sagadahoc. Cosponsored by Representative PINGREE of North Haven and Senator: MARTIN of Aroostook, Representatives: BURNS of Berwick, MILLER of Somerville, WALCOTT of Lewiston. Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

On motion by Senator MAYO of Sagadahoc, REFERRED to the Committee on HEALTH AND HUMAN SERVICES and ordered printed.

Sent down for concurrence.

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

**REPORTS OF COMMITTEES**

**House**

**Pursuant to Resolve**

The Committee on INSURANCE AND FINANCIAL SERVICES on Bill "An Act To Create the Insurance Fraud Division within the Bureau of Insurance"

H.P. 1394 L.D. 1990

Reported that the same be REFERRED to the Committee on INSURANCE AND FINANCIAL SERVICES, pursuant to Resolve 2005, chapter 47.

Comes from the House with the Report READ and ACCEPTED and the Bill REFERRED to the Committee on INSURANCE AND FINANCIAL SERVICES.

Report READ and ACCEPTED, in concurrence.

REFERRED to the Committee on INSURANCE AND FINANCIAL SERVICES, in concurrence.

**Ought to Pass As Amended**

The Committee on STATE AND LOCAL GOVERNMENT on Bill "An Act To Restore the Funding to the Fund for the Efficient Delivery of Local and Regional Services" (EMERGENCY)

H.P. 1219 L.D. 1712

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-741).

Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-741).

Report READ and ACCEPTED, in concurrence.

READ ONCE.

Committee Amendment "A" (H-741) READ and ADOPTED, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

**Senate**

**Change of Committee**

Senator MAYO for the Committee on HEALTH AND HUMAN SERVICES on Bill "An Act To Allow the Department of Health and Human Services To Locate Parents Who Are Delinquent in Child Support Payments through Information Related to Cellular Telephones" (EMERGENCY)

S.P. 660 L.D. 1743

Reported that the same be REFERRED to the Committee on JUDICIARY.

Report READ and ACCEPTED.

REFERRED to the Committee on JUDICIARY.

Sent down for concurrence.

**Ought to Pass As Amended**

Senator MITCHELL for the Committee on EDUCATION AND CULTURAL AFFAIRS on Bill "An Act To Extend Tuition Waivers to Persons Who Have Resided in Subsidized Adoptive Care or Who Have Subsidized Guardians"

S.P. 672 L.D. 1755

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-442).

Report READ and ACCEPTED.

READ ONCE.

Committee Amendment "A" (S-442) READ and ADOPTED.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

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

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**ORDERS OF THE DAY**

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

Resolve, To Improve Retention, Quality and Benefits for Direct Care Health Workers

S.P. 735 L.D. 1934

Tabled - January 4, 2006, by Senator **MAYO** of Sagadahoc

Pending - **REFERENCE**

(Committee on **HEALTH AND HUMAN SERVICES** suggested and ordered printed.)

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

Sent down for concurrence.

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

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Senate at Ease.

Senate called to order by the President.

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

**PAPERS FROM THE HOUSE**

**House Paper**

Bill "An Act To Make Public Information Regarding Financial Interests Affecting Legislative Testimony"

H.P. 1395 L.D. 1993

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

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

Off Record Remarks

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

Off Record Remarks

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

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

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

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On motion by Senator **BRENNAN** of Cumberland, **ADJOURNED**, pursuant to the Joint Order, to Tuesday, February 7, 2006, at 10:00 in the morning.