

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

In Senate Chamber  
Wednesday  
May 2, 2007

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

Prayer by Reverend Glenn Metzler of Kennebec Mennonite Church in Augusta.

**REVEREND METZLER:** Thank you. President Edmonds, honorable Senators of the State of Maine, thank you for the invitation for me to share an invocation with you this afternoon as you begin your session. If you had the opportunity to ask God for any one thing, knowing that you wouldn't be refused, what would that one thing be? King David's son, Solomon, had such an opportunity. One night the Lord appeared to Solomon in a dream and he said to Solomon, 'Ask for whatever you want and I will give it to you.' In First Kings, Chapter 3, Verse 5. That's better than even a genie in a bottle. Asking the God who made heaven and earth for one thing, knowing that He was going to grant that to you. Solomon's response to God was, 'You have shown great kindness to Your servant, my father David, because he was faithful to You, righteous, and upright in heart. You have continued this great kindness to him and have given him a son to sit on his throne this very day.' He went on to say, 'But I'm only a little child and do not know how to carry out my duties. Your servant is here among the people You have chosen. A great people, too numerous to count or number. So give Your servant a discerning heart to govern Your people and to distinguish between right and wrong, for who is able to govern this great people of Yours.' I don't know about you, as Senators, but I know about me, as a pastor, that there are times when I feel like that little child that Solomon talked about and don't know exactly how to carry out my duties. Our church is working at remodeling a larger facility and there are times I admit that I don't know what my duties are or how to carry out those duties. You and I, like Solomon, are servants among people. I deal with church budgets. I help resolve conflicts. I encourage people to reach their potential that God has given to them. You, likewise, are servants among the people of the State of Maine. I hear that budget is the issue of the day. Perhaps there is stress around the budget. This afternoon I would like to pray for wisdom as you deal with all those issues surrounding the budget and I would also ask God for discerning hearts as you provide for the people of this great State of Maine and as you carry out your various duties from day to day. Let us pray.

Heavenly Father, I thank You for these few moments with these men and women who are committed to serve the people of our state as Senators. Lord, it is said if any of us lacks wisdom he or she should ask God, who gives generously to all without finding fault, and it will be given. Today I ask You for wisdom to be given generously to these men and women to carry out the duties of this day. Lord, give them insight into making wise decisions regarding the budget and the many other decisions and

deadlines they face from day to day in this role. Lord, I would also like to ask a blessing on the families of the Senators that are represented in this chamber. Keep them safe in their various communities across this state and provide for their needs. Guide each of us in the personal decisions we make and may we keep ourselves healthy so we can approach our work with clear minds and with the energy needed for this day. At the end of the day, may each of us have no regrets and know that we have done our best. I would ask these blessings for us in the name of our Lord. Amen.

Reading of the Journal of Tuesday, May 1, 2007.

**PAPERS FROM THE HOUSE**

**Joint Resolutions**

The following Joint Resolution:

H.P. 1315

**JOINT RESOLUTION PROCLAIMING MAY 2007 AS  
LYME DISEASE AWARENESS MONTH  
IN THE STATE OF MAINE**

WHEREAS, the health and well-being of the citizens of the State of Maine are of paramount importance and Lyme disease is a common but frequently misunderstood illness that, if not caught early and treated properly, can cause serious health problems; and

WHEREAS, according to the federal Centers for Disease Control and Prevention, Lyme disease was identified and named in 1977, when arthritis was observed in a cluster of children in and around Lyme, Connecticut and the Council of State and Territorial Epidemiologists designated Lyme disease as a nationally notifiable disease in January 1991; and

WHEREAS, Lyme disease is the most common vector-borne disease in the United States and is caused by the spirochete *Borrelia burgdorferi*, which is usually transmitted by the bite of a tick. Children aged 5 to 9 and adults in their 50s and 60s comprise the age groups at the highest risk; and

WHEREAS, Lyme disease early on can cause rash and flu-like symptoms such as fever, muscle aches, headaches and fatigue but can be treated with antibiotics if caught early. Unfortunately the disease often goes undetected because it mimics other illnesses or may be misdiagnosed; and

WHEREAS, if left untreated, Lyme disease can lead to severe heart, neurological, eye and joint problems because the bacteria can affect many different organs and organ systems; and

WHEREAS, during 2005, a total of 23,305 cases of Lyme disease were reported in the United States, a 15 percent increase over the previous year. The Centers for Disease Control and Prevention indicates that the actual number of reported cases of Lyme disease that meet its criteria is 10 times the amount

reported, bringing the actual number of cases that meet the center's criteria to 233,050 for 2005; and

WHEREAS, Lyme disease accounts for 95 percent of all vector-borne infections in the United States and the ticks that spread Lyme disease also spread other diseases, such as ehrlichiosis, anaplasmosis and babesiosis, and the presence of other tick-borne diseases clouds the diagnostic and treatment picture; and

WHEREAS, having a Lyme Disease Awareness Month provides an opportunity to focus on this significant and complex disease; to provide information on and raise public awareness of its causes, effects and treatments; and to underscore important education and research efforts surrounding Lyme and tick-borne diseases; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-Third Legislature, now assembled in the First Regular Session, on behalf of the people we represent, recognize that May of 2007 is Lyme Disease Awareness Month in order to make our citizens more aware of this prevalent disease; and be it further

RESOLVED: That a suitable copy of this resolution, duly authenticated by the Secretary of State, be transmitted to the Department of Health and Human Services.

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

**READ.**

**THE PRESIDENT:** The Chair recognizes the Senator from Oxford, Senator Bryant.

Senator **BRYANT:** Thank you, Madame President, men and women of the Senate. I was just thinking a few minute ago when the Pastor asked us if there was one thing that we could wish what it would be. I think this next resolve would rise high on that level. If there was a way to not have diseases and there was a way to stop the pain and suffering that is out there. I won't take up a lot of your time, but I think I'd put that high on my list. I'll just read one piece of this joint resolution. 'Whereas, having a Lyme Disease Awareness Month provides an opportunity to focus on this significant and complex disease; to provide information on and raise public awareness of its causes, effects and treatments; and to underscore important education and research efforts surrounding Lyme Disease and tick-borne diseases.' I would just say that I'm proud to be able to have this resolution in front of us and it is important that the people in the State of Maine understand the treatments and understand the problems with that. Thank you.

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

Senator **DIAMOND:** Thank you, Madame President, men and women of the Senate. Very briefly, I too rise and applaud the work of the Lyme Disease Awareness network. It's one of their biggest struggles, to let people know, especially the medical community, what this Lyme Disease really is all about. We have two people in the back of the Chamber that you met yesterday;

Bob and Barb Murray from Windham, who have been working tirelessly on this. I just wanted to thank them publicly. Thank you, Madame President.

**ADOPTED**, in concurrence.

The following Joint Resolution:

H.P. 1318

**JOINT RESOLUTION MEMORIALIZING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO ENACT THE LYME AND TICK-BORNE DISEASE PREVENTION, EDUCATION, AND RESEARCH ACT OF 2007**

WE, your Memorialists, the Members of the One Hundred and Twenty-third Legislature of the State of Maine now assembled in the First Regular Session, most respectfully present and petition the President of the United States and the United States Congress as follows:

WHEREAS, Lyme disease is a common but frequently misunderstood illness that, if not caught early and treated properly, can cause serious health problems; and

WHEREAS, Lyme disease is a bacterial infection that is usually transmitted by a tick bite, and early signs of infection may include a rash and flu-like symptoms such as fever, muscle aches, headaches and fatigue; and

WHEREAS, although Lyme disease can be treated with antibiotics if caught early, the disease often goes undetected because it mimics other illnesses or may be misdiagnosed and, if untreated, can lead to severe heart, neurological, eye and joint problems because the bacteria can affect many different organs and organ systems; and

WHEREAS, although Lyme disease accounts for 95% of all vector-borne infections in the United States, the ticks that spread the disease also spread other diseases such as ehrlichiosis, babesiosis and anaplasmosis; and

WHEREAS, the federal Centers for Disease Control and Prevention indicates that the reported cases of Lyme disease are only 10% of actual cases that meet its surveillance criteria; and

WHEREAS, the persistence of symptomatology in many patients without reliable testing makes treatment of patients more difficult; and

WHEREAS, the Lyme and Tick-Borne Disease Prevention, Education, and Research Act of 2007 has been introduced in the 110th United States Congress as H.R. 741; and

WHEREAS, the Lyme and Tick-Borne Disease Prevention, Education, and Research Act of 2007 would advance the treatment of, and cure for, Lyme disease and other tick-borne diseases by expanding federal efforts concerning prevention, education, treatment and research activities related to Lyme disease and other tick-borne diseases by providing authorization

for the appropriation of \$20,000,000 for each of the federal fiscal years 2008 to 2012 for these activities; and

WHEREAS, this legislation would also require the United States Secretary of Health and Human Services to annually report to the United States Congress on these activities and make recommendations for further research and education and would establish Tick-Borne Diseases Advisory Committee within the Office of the United States Secretary of Health and Human Services; now, therefore, be it

RESOLVED: That We, your Memorialists, on behalf of the people we represent, respectfully urge and request that the President of the United States and the United States Congress enact the Lyme and Tick-Borne Disease Prevention, Education, and Research Act of 2007, which is currently pending in the United States Congress as H.R. 741 and any subsequent companion bill passed in the United States Senate; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable George W. Bush, President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives and to each Member of the Maine Congressional Delegation.

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

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

**THE PRESIDENT:** The Chair is pleased to recognize in the rear of the Chamber the members of the Maine Lyme Disease network; Mr. and Mrs. Murray. Would they please rise and accept the greetings of the Maine Senate.

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Off Record Remarks

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**COMMUNICATIONS**

The Following Communication: S.C. 254

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

April 27, 2007

The Honorable Beth Edmonds  
President of the Senate of Maine  
123rd Maine Legislature  
State House  
Augusta, Maine 04333-0003

Dear Madame President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 123rd Maine Legislature, the Joint Standing Committee on Business, Research and Economic Development has had under consideration the nomination of Richard L. Kelso of Gardiner, for reappointment to the Maine Rural Development Authority.

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

YEAS	Senators	2	Courtney of York, Schneider of Penobscot
	Representatives	8	Smith of Monmouth, Austin of Gray, Beaudette of Biddeford, Beaulieu of Auburn, Cleary of Houlton, MacDonald of Boothbay, Samson of Auburn, Silsby of Augusta
NAYS		0	
ABSENT		3	Sen. Bromley of Cumberland, Rep. Prescott of Topsham, Rep. Rector of Thomaston

Ten members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Richard L. Kelso of Gardiner, for reappointment to the Maine Rural Development Authority be confirmed.

Signed,

S/Lynn Bromley  
Senate Chair

S/Nancy E. Smith  
House Chair

**READ** and **ORDERED PLACED ON FILE**.

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

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The Following Communication: S.C. 255

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

April 27, 2007

The Honorable Beth Edmonds  
 President of the Senate of Maine  
 123rd Maine Legislature  
 State House  
 Augusta, Maine 04333-0003

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

April 30, 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 bills out "Ought Not to Pass":

Dear Madame President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 123rd Maine Legislature, the Joint Standing Committee on Business, Research and Economic Development has had under consideration the nomination of Honorable James O. Donnelly of Brewer, for reappointment to the Maine Rural Development Authority.

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

YEAS	Senators	2	Courtney of York, Schneider of Penobscot
	Representatives	8	Smith of Monmouth, Austin of Gray, Beaudette of Biddeford, Beaulieu of Auburn, Cleary of Houlton, MacDonald of Boothbay, Samson of Auburn, Silsby of Augusta
NAYS		0	
ABSENT		3	Sen. Bromley of Cumberland, Rep. Prescott of Topsham, Rep. Rector of Thomaston

Ten members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Honorable James O. Donnelly of Brewer, for reappointment to the Maine Rural Development Authority be confirmed.

Signed,

S/Lynn Bromley  
 Senate Chair

S/Nancy E. Smith  
 House Chair

**READ and ORDERED PLACED ON FILE.**

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

The Following Communication: S.C. 246

- |           |  |
|-----------|--|
| L.D. 550  | An Act To Allow the Independent Practice of Dental Hygiene   |
| L.D. 553  | An Act To Allow for Corporate Ownership of Dental Practices  |
| L.D. 794  | An Act To Provide Representation by a Mechanic or Installer on the Manufactured Housing Board                    |
| L.D. 944  | An Act To Reduce Regulatory Costs for Maine Businesses   |
| L.D. 1077 | An Act To Create a Seasonal Vendor Sales Tax Revolving Loan Fund   |
| L.D. 1246 | Resolve, To Improve Oral Health for Children   |
| L.D. 1278 | An Act To Require Licensing for Certain Mechanical Trades  |
| L.D. 1352 | An Act To Amend the Laws Governing the Maine State Housing Authority   |
| L.D. 1471 | An Act To Ensure That Publicly Funded Programs Do Not Jeopardize Existing Industry                               |
| L.D. 1472 | An Act To Provide for the Regulation of Denturists by the Board of Complementary Health Care Providers           |
| L.D. 1730 | An Act To Protect Citizens from Identity Theft through Restriction of the Disclosure of Confidential Information |

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

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The Following Communication: S.C. 247

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

April 30, 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 Education and Cultural Affairs has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 272 An Act To Create Charter Programs within Existing Schools
- L.D. 453 An Act To Enhance the Choices for Children and Parents from Areas without Public Secondary Schools
- L.D. 1254 An Act To Modify the Student Code of Conduct
- L.D. 1480 An Act To Provide an Income Tax Credit for Donations to Maine Public Schools
- L.D. 1591 An Act To Provide Educational Opportunities for Dependents of Maine Military Personnel
- L.D. 1634 An Act To Reduce School Construction Costs

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. Jacqueline Norton  
House Chair

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

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The Following Communication: S.C. 248

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

May 1, 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 Health and Human Services has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 12 An Act To Establish a Residency Requirement for MaineCare Recipients
- L.D. 28 An Act To Establish a Statewide Residency Requirement for General Assistance
- L.D. 1162 An Act To Remove Disparities in the Administration of Emergency Aid
- L.D. 1209 An Act To License Weekly Housing Programs BY REQUEST
- L.D. 1252 An Act To Amend State Funding Reimbursement under the General Assistance Program
- L.D. 1451 An Act To Promote the Health and Safety of Maine Consumers

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. 249

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

April 30, 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 Judiciary has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 102 An Act To Amend the Laws Governing Mechanics Liens
- L.D. 1231 An Act To Serve the Best Interests of Children in Divorce

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

Sincerely,

S/Sen. Barry J. Hobbins  
Senate Chair

S/Rep. Deborah Simpson  
House Chair

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

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The Following Communication: S.C. 250

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

April 30, 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 bills out "Ought Not to Pass":

L.D. 1545 An Act To Protect Workers from Political or Religious Intimidation

L.D. 1593 An Act To Require the Consent of Union Members To Have Dues Used for Political Purposes

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

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The Following Communication: S.C. 251

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

May 1, 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 Natural Resources has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 107 Resolve, To Address State Leadership in Climate Engineering

L.D. 258 An Act To Amend the Laws Governing Setbacks under the Natural Resource Protection Laws

L.D. 326 An Act To Enhance Implementation of the Significant Wildlife Habitat Rules (EMERGENCY)

L.D. 1014 An Act To Ensure Reasonable and Equitable Land Use Opportunities near Shorebird, Wading Bird and Waterfowl Habitat (EMERGENCY)

L.D. 1311 An Act To Fight Global Warming Effects in the State

L.D. 1319 An Act Relating to Previously Approved Small Coastal Subdivisions

L.D. 1430 An Act To Compensate Property Owners for Property Designated as a Significant Wildlife Habitat

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. John F. Piotti  
House Chair

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

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

Sincerely,

Sen. John L. Martin  
Senate Chair

Rep. Theodore S. Koffman  
House Chair

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

The Following Communication: S.C. 253

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

April 30, 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 Utilities and Energy has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 230 An Act To Clarify the Scope of Conservation Programs with Respect to Electricity Use

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

Sincerely,

S/Sen. Philip L. Bartlett II  
Senate Chair

S/Rep. Lawrence Bliss  
House Chair

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

The Following Communication: S.C. 252

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

April 30, 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. 171 An Act To Establish a Voluntary Tax Account

L.D. 260 An Act To Provide an Income Tax Deduction for Teachers To Account for the Purchase of Supplies

L.D. 1069 An Act To Provide a Property Tax Exemption for Nonprofit Technology Centers (EMERGENCY)

L.D. 1461 An Act To Allow a Tax Credit for Tuition Paid to Private Schools

L.D. 1529 An Act To Create a Scholarship Grant Organization Tax Credit

L.D. 1597 An Act Regarding the Service Provider Tax

The Following Communication: H.C. 228

**STATE OF MAINE  
CLERK'S OFFICE  
2 STATE HOUSE STATION  
AUGUSTA, MAINE 04333**

May 1, 2007

Honorable Joy J. O'Brien  
Secretary of the Senate  
3 State House Station  
Augusta, Maine 04333

Dear Secretary O'Brien:

Please be advised that pursuant to House Rule 201.1, (l)(a), the Speaker made the following change to an appointment to the Committee on Labor:

The appointment of Representative Cressey of Cornish to the Joint Standing Committee on Labor was rescinded.

Representative Hamper of Oxford was appointed to the Joint Standing Committee on Labor, replacing Representative Cressey of Cornish.

Sincerely,

S/Millicent M. MacFarland  
Clerk of the House

**READ** and **ORDERED PLACED ON FILE**.

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**SENATE PAPERS**

Bill "An Act To Provide Additional Financing for Costs Associated with the Remediation of a Waste Oil Site in Plymouth" (EMERGENCY)

S.P. 686 L.D. 1887

Sponsored by Senator MARTIN of Aroostook.  
Cosponsored by Representative TARDY of Newport and Senator: SMITH of Piscataquis, Representative: KOFFMAN of Bar Harbor.  
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

On motion by Senator **MARTIN** of Aroostook, **REFERRED** to the Committee on **NATURAL RESOURCES**.

Sent down for concurrence.

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

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**REPORTS OF COMMITTEES**

**House**

**Ought to Pass**

The Committee on **JUDICIARY** on Bill "An Act To Amend the Civil Foreclosure Laws"

H.P. 657 L.D. 868

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

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

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

**READ ONCE**.

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

---

**Ought to Pass As Amended**

The Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Resolve, Regarding Legislative Review of Portions of Chapter 1: General Provisions and Chapter 10: Land Use Districts and Standards, Major Substantive Rules of the Maine Land Use Regulation Commission (EMERGENCY)

H.P. 538 L.D. 717

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-120)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-120)**.

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

**READ ONCE**.

Committee Amendment "A" (H-120) **READ** and **ADOPTED**, in concurrence.

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

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**Divided Report**

The Majority of the Committee on **LABOR** on Bill "An Act To Compensate Employees Required To Be 'On-call' by Their Employers"

H.P. 550 L.D. 729

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

Signed:

Senators:

STRIMLING of Cumberland  
SULLIVAN of York  
DOW of Lincoln



Representatives:

TUTTLE of Sanford  
CLARK of Millinocket  
THOMAS of Ripley  
HASKELL of Portland  
DUPREY of Hampden  
JACKSON of Allagash  
SYKES of Harrison  
DRISCOLL of Westbrook

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-135)**.

Signed:

Representative:

BURNS of Berwick

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

Reports **READ**.

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

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**Divided Report**

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Resolve Differences in the Laws Regarding Public Shade Trees"

H.P. 892 L.D. 1264

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

Signed:

Senators:

SCHNEIDER of Penobscot  
BRANNIGAN of Cumberland  
BENOIT of Sagadahoc

Representatives:

BARSTOW of Gorham  
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 as Amended by Committee Amendment "A" (H-136)**.

Signed:

Representatives:

BOLAND of Sanford  
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.

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**Divided Report**

The Majority of the Committee on **TRANSPORTATION** on Bill "An Act To Amend the Temporary Registration Plate Law"  
H.P. 220 L.D. 264

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

Signed:

Senators:

DAMON of Hancock  
DIAMOND of Cumberland  
SAVAGE of Knox

Representatives:

BROWNE of Vassalboro  
FISHER of Brewer  
MAZUREK of Rockland  
HOGAN of Old Orchard Beach

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-127)**.

Signed:

Representatives:

MARLEY of Portland  
THOMAS of Ripley  
CEBRA of Naples  
ROSEN of Bucksport  
THERIAULT of Madawaska  
PEOPLES of Westbrook

Comes from the House with the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-127)**.

Reports **READ**.

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

**Senate**

**Ought to Pass As Amended**

Senator HOBBS for the Committee on **JUDICIARY** on Bill "An Act To Change the Membership of the Maine Indian Tribal-State Commission To Add Seats for the Houlton Band of Maliseet Indians and the State"

S.P. 117 L.D. 373

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-77)**.

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

**READ ONCE**.

Committee Amendment "A" (S-77) **READ** and **ADOPTED**.

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

---

Senator HOBBS for the Committee on **JUDICIARY** on Bill "An Act To Amend the Bond Requirements for Estates of Decedents"

S.P. 134 L.D. 433

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-76)**.

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

**READ ONCE**.

Committee Amendment "A" (S-76) **READ** and **ADOPTED**.

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

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**Divided Report**

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Protect Children's Health on School Grounds"

S.P. 67 L.D. 184

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-73)**.

Signed:

Senators:

BOWMAN of York  
MITCHELL of Kennebec  
MILLS of Somerset

Representatives:

NORTON of Bangor  
MAKAS of Lewiston  
FARRINGTON of Gorham  
HARLOW of Portland  
McFADDEN of Dennysville  
MUSE of Fryeburg  
STRANG BURGESS of Cumberland

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "B" (S-74)**.

Signed:

Representatives:

FINCH of Fairfield  
SUTHERLAND of Chapman  
EDGEComb of Caribou

Reports **READ**.

On motion by Senator **BOWMAN** of York, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-73)** Report **ACCEPTED**.

**READ ONCE**.

Committee Amendment "A" (S-73) **READ** and **ADOPTED**.

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

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**Divided Report**

The Majority of the Committee on **TAXATION** on Bill "An Act To Reduce the Sales Tax on Business Energy"  
S.P. 305 L.D. 954

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

Signed:

Senators:

PERRY of Penobscot  
STRIMLING of Cumberland

Representatives:

PIOTTI of Unity  
RAND of Portland  
KNIGHT of Livermore Falls  
CLARK of Millinocket  
WOODBURY of Yarmouth  
HOTHAM of Dixfield  
WATSON of Bath  
CHASE of Wells  
PILON of Saco  
LANSLEY of Sabattus

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-75)**.

Signed:

Senator:  
NASS of York

Reports **READ**.

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

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**SECOND READERS**

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

**House**

Resolve, Regarding Legislative Review of Portions of Chapter 11.15: Scallop Conservation Areas, Beals-Jonesport, a Major Substantive Rule of the Department of Marine Resources (EMERGENCY)

H.P. 1235 L.D. 1769

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

On motion by Senator **WESTON** of Waldo, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED**, in concurrence.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending **PASSAGE TO BE ENGROSSED**, in concurrence.

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**House As Amended**

Bill "An Act To Ban Salvia Divinorum"  
H.P. 64 L.D. 66  
(C "A" H-117)

Bill "An Act To Provide a Reward for Information Regarding the Murder of a Law Enforcement Officer"  
H.P. 66 L.D. 68  
(C "A" H-123)

Bill "An Act To Protect Children from Dangerous Drugs, Harmful Chemicals and Drug-related Violence"  
H.P. 340 L.D. 424  
(C "A" H-124)

Bill "An Act To Clarify Certain Equipment Provisions for Motor Vehicles"  
H.P. 492 L.D. 643  
(C "A" H-128)

Bill "An Act To Amend the Laws Relating to Department of Corrections Facilities"  
H.P. 528 L.D. 697  
(C "A" H-125)

Bill "An Act To Update the Authority of the Maine Employers' Mutual Insurance Company To Better Serve the Needs of Maine Employers"  
H.P. 639 L.D. 840  
(C "A" H-129)

Bill "An Act To Extend Health Insurance Coverage for Dependent Children up to 25 Years of Age"  
H.P. 640 L.D. 841  
(C "A" H-130)

Bill "An Act To Streamline the Review of Minor Tariff Filings of Consumer-owned Water Utilities"  
H.P. 844 L.D. 1151  
(C "A" H-119)

Bill "An Act To Facilitate Reporting by Maine Financial Institutions of Elder Financial Exploitation"  
H.P. 1002 L.D. 1428  
(C "A" H-131)

Bill "An Act To Require Veterinarians To Notify Municipalities of Rabies Vaccinations of Dogs"  
H.P. 1210 L.D. 1727  
(C "A" H-121)

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

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RESOLUTION, Proposing an Amendment to the Constitution of Maine To Require a 2/3 Vote of Each House of the Legislature To Enact or Increase a Tax or License Fee  
H.P. 283 L.D. 353  
(C "A" H-34)

**READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in **NON-CONCURRENCE**.

Sent down for concurrence.

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**Senate**

Bill "An Act To Amend the Laws Regarding Adult Education"  
S.P. 563 L.D. 1619

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

Sent down for concurrence.

---

**Senate As Amended**

Bill "An Act To Protect the Solemnity and Dignity of a Funeral or Memorial Service in Maine"

S.P. 83 L.D. 246  
(C "A" S-54)

Bill "An Act To Change Snowmobile Registration Requirements"

S.P. 87 L.D. 250  
(C "A" S-70)

Bill "An Act To Amend the Laws Governing Compulsory School Attendance"

S.P. 155 L.D. 468  
(C "A" S-63)

Bill "An Act To Limit the Eminent Domain Authority of a Transmission and Distribution Utility"

S.P. 215 L.D. 678  
(C "A" S-62)

Bill "An Act To Extend the Solar Energy Rebate Program"

S.P. 244 L.D. 795  
(C "A" S-67)

Bill "An Act To Amend the Maine Health Data Organization Laws"

S.P. 290 L.D. 902  
(C "A" S-59)

Bill "An Act To Improve Employment Opportunities for Persons with Disabilities in Maine"

S.P. 349 L.D. 1032  
(C "A" S-71)

Bill "An Act To Amend the Composition of the Maine Port Authority"

S.P. 435 L.D. 1249  
(C "A" S-68)

Bill "An Act To Implement the Recommendations of the Allagash Wilderness Waterway Working Group" (EMERGENCY)

S.P. 497 L.D. 1419  
(C "A" S-60)

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

Sent down for concurrence.

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Bill "An Act To Fund Youth Conservation Education"

S.P. 57 L.D. 175  
(C "A" S-61)

**READ A SECOND TIME.**

On motion by Senator **BRYANT** of Oxford, **TABLED** until Later in Today's Session, pending **PASSAGE TO BE ENGROSSED AS AMENDED.**

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

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**ENACTORS**

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

**Emergency Measure**

An Act To Clarify Recent Changes to the Laws Regulating Land Use Ordinances

H.P. 275 L.D. 345  
(C "A" H-60)

This being an Emergency Measure and having received the affirmative vote of 30 Members of the Senate, with no Senators having voted in the negative, and 30 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.

---

**Emergency Measure**

An Act To Effect the Seizure and Disposal of Contraband Fireworks

H.P. 292 L.D. 362

This being an Emergency Measure and having received the affirmative vote of 29 Members of the Senate, with no Senators having voted in the negative, and 29 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

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**Emergency Measure**

An Act To Restructure the Board of Commissioners of the Maine State Housing Authority To Closely Match Local Authorities

S.P. 142 L.D. 441  
(C "A" S-33)

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On motion by Senator **MITCHELL** of Kennebec, **TABLED** until Later in Today's Session, pending **ENACTMENT**, in concurrence.

**Emergency Resolve**

Resolve, To Review the Procedures by Which a Municipality Assesses Property

H.P. 217 L.D. 261  
(C "A" H-75)

On motion by Senator **MARTIN** of Aroostook, placed on the **SPECIAL STUDY TABLE**, pending **FINAL PASSAGE**, in concurrence.

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**Emergency Resolve**

Resolve, Regarding Legislative Review of Portions of MaineCare Benefits Manual, Chapter III, Section 97, Private Non-medical Institution Services, a Major Substantive Rule of the Department of Health and Human Services

H.P. 535 L.D. 704

This being an Emergency Measure and having received the affirmative vote of 29 Members of the Senate, with no Senators having voted in the negative, and 29 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

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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 Assess Childhood Obesity Trends in Maine"  
H.P. 1320 L.D. 1886

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

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

---

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

**PAPERS FROM THE HOUSE**

**Pursuant to Joint Order  
Joint Standing Committee on State and Local Government**

The **Joint Standing Committee on State and Local Government**, pursuant to Joint Order 2006, H.P. 1255 asked leave to report that the accompanying Bill "An Act To Repeal Inactive Boards and Commissions"

H.P. 1319 L.D. 1885

Be **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** 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 **STATE AND LOCAL GOVERNMENT** and ordered printed pursuant to Joint Rule 218.

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

On motion by Senator **SCHNEIDER** of Penobscot, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed pursuant to Joint Rule 218, in 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:

**COMMUNICATIONS**

The Following Communication: S.C. 257

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

April 30, 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. 79 An Act To Repeal the Excise Tax on New Motor Vehicles BY REQUEST
- L.D. 459 An Act To Reduce the Excise Tax on New Vehicles
- L.D. 460 An Act To Amend the Municipal Excise Tax Reimbursement Fund Law

- L.D. 558 An Act To Create Fairness in the Motor Vehicle Excise Tax by Implementing the Recommendations of the Secretary of State's Task Force on Registration Fees
- L.D. 760 An Act To Reduce the Excise Tax on Certain Commercial Vehicles
- L.D. 1235 An Act Regarding Recreational Vehicle Excise Taxes
- L.D. 1342 An Act To Enhance Energy Security by Requiring Greater Fuel Efficiency
- L.D. 1460 An Act To Allow Maine Residents To More Fully Depreciate Their Motor Vehicles
- L.D. 1483 An Act To Exempt a Portion of Rental Income from Taxation

- L.D. 939 An Act To Permit Front-wheel Drive Vehicles To Have Front Studded Snow Tires Only
- L.D. 1226 An Act To Protect Young Passengers of Transportation Providers

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

Sincerely,

S/Sen. Dennis S. Damon  
Senate Chair

S/Rep. Boyd P. Marley  
House Chair

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

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. 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:

#### COMMUNICATIONS

The Following Communication: S.C. 258

#### STATE OF MAINE ONE HUNDRED AND TWENTY-THIRD LEGISLATURE COMMITTEE ON TRANSPORTATION

April 30, 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 Transportation has voted unanimously to report the following bills out "Ought Not to Pass":

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Senate at Ease.

Senate called to order by the President.

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Senator **DOW** of Lincoln was granted unanimous consent to address the Senate off the Record.

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Off Record Remarks

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Senate at Ease.

Senate called to order by the President.

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#### ORDERS OF THE DAY

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

NOMINATION - of Richard L. Kelso of Gardiner, for reappointment to the Maine Rural Development Authority

Tabled - May 2, 2007, by Senator **MITCHELL** of Kennebec

Pending - **CONSIDERATION**

(In Senate, May 2, 2007, Communication (S.C. 254) from the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT**, **READ** and **ORDERED PLACED ON FILE.**)

The President laid before the Senate the following: "Shall the recommendation of the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 123<sup>rd</sup> Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#59)**

YEAS: Senators: None

NAYS: Senators: BARTLETT, BOWMAN, BRANNIGAN, BROMLEY, BRYANT, COURTNEY, DAMON, DIAMOND, DOW, GOOLEY, HASTINGS, HOBBS, MARRACHE, MARTIN, MCCORMICK, MILLS, MITCHELL, NASS, NUTTING, PERRY, PLOWMAN, RAYE, ROSEN, ROTUNDO, SAVAGE, SCHNEIDER, SHERMAN, SMITH, SNOWE-MELLO, STRIMLING, SULLIVAN, TURNER, WESTON, THE PRESIDENT - BETH G. EDMONDS

ABSENT: Senator: BENOIT

No Senator having voted in the affirmative and 34 Senators having voted in the negative, with 1 Senator being absent, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Richard L. Kelso** of Gardiner, for reappointment to the Maine Rural Development Authority was **CONFIRMED**.

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

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

NOMINATION - of the Honorable James O. Donnelly of Brewer, for reappointment to the Maine Rural Development Authority

Tabled - May 2, 2007, by Senator **MITCHELL** of Kennebec

Pending - **CONSIDERATION**

(In Senate, May 2, 2007, Communication (S.C. 255) from the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT, READ and ORDERED PLACED ON FILE.**)

The President laid before the Senate the following: "Shall the recommendation of the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 123<sup>rd</sup> Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#60)**

YEAS: Senators: None

NAYS: Senators: BARTLETT, BOWMAN, BRANNIGAN, BROMLEY, BRYANT, COURTNEY, DAMON, DIAMOND, DOW, GOOLEY, HASTINGS, HOBBS, MARRACHE, MARTIN, MCCORMICK, MILLS, MITCHELL, NASS, NUTTING, PERRY, PLOWMAN, RAYE, ROSEN, ROTUNDO, SAVAGE, SCHNEIDER, SHERMAN, SMITH, SNOWE-MELLO, STRIMLING, SULLIVAN, TURNER, WESTON, THE PRESIDENT - BETH G. EDMONDS

ABSENT: Senator: BENOIT

No Senator having voted in the affirmative and 34 Senators having voted in the negative, with 1 Senator being absent, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of the Honorable **James O. Donnelly** of Brewer, for reappointment to the Maine Rural Development Authority was **CONFIRMED**.

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

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The Chair laid before the Senate the following Tabled and Later (5/1/07) Assigned matter:

Bill "An Act To Preserve Maine's Quality Places"  
H.P. 1305 L.D. 1872

Tabled - May 1, 2007, by Senator **SCHNEIDER** of Penobscot

Pending - **REFERENCE**

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

(In House, April 25, 2007, **REFERRED** to the Committees on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT AND TAXATION.**)

On motion by Senator **BROMLEY** of Cumberland, **REFERRED** to the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed, in **NON-CONCURRENCE**.

Sent down for concurrence.

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

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Off Record Remarks

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

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On motion by Senator **MITCHELL** of Kennebec, **ADJOURNED**, to Thursday, May 3, 2007, at 10:00 in the morning.