

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

In Senate Chamber
Friday
June 1, 2007

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

Prayer by Reverend Dr. Bruce Young of First United Methodist Church in Lincoln.

REVEREND YOUNG: I'd like to thank President Edmonds and Senator Schneider for inviting me to be with you this morning and to evoke God's blessing upon your proceedings. Shall we pray.

Oh God of wisdom, I pray that You would send Your holy spirit on these elected officials who have gathered in this place today. Grant that they may be guided in their decision making process, that they may find strength and courage in You to face the doubts and uncertainties that may come, and the grace to ask in prayer for what You would have them do, that they may walk not by their own understanding but in the light of Your holy countenance. Most gracious and loving God, You have blessed the great State of Maine and I pray that You will be with these elected leaders as they talk together about how best to use the gifts that we, as the people of this state and as Your children, have been given. I call on You to hear this prayer, to be present to their deliberations and to guide their hearts that they may make their decisions with an understanding of words You spoke to Israel through the prophet Micah, as you said, 'For behold, I have told you, oh mortal, what is good; and what does the Lord require of you, but to seek justice, love kindness, and walk humbly with you God?' These things we pray in Your holy name, oh Lord. Amen.

Reading of the Journal of Thursday, May 31, 2007.

Off Record Remarks

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

On motion by Senator **MARTIN** of Aroostook, the following Joint Order:

S.P. 719

Ordered, the House concurring, that when the House and Senate adjourn, the House do so until Monday, June 4, 2007 at 9:00 and the Senate do so until Tuesday, June 5, 2007 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 Adjust the State Valuation of Boothbay Harbor"
H.P. 1350 L.D. 1917

In House, May 30, 2007, **REFERRED** to the Committee on **TAXATION** and ordered printed.

In Senate, May 30, 2007, on motion by Senator **STRIMLING** of Cumberland, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**, in **NON-CONCURRENCE**.

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

On motion by Senator **SCHNEIDER** of Penobscot, the Senate **ADHERED**.

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

COMMUNICATIONS

The Following Communication: S.C. 367

**STATE OF MAINE
ONE HUNDRED AND TWENTY-THIRD LEGISLATURE
COMMITTEE ON AGRICULTURE, CONSERVATION AND
FORESTRY**

May 31, 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 Agriculture, Conservation and Forestry has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 548 An Act To Prevent Abuse of Pet Ownership Rights

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

Sincerely,

S/Sen. John M. Nutting
Senate Chair

S/Rep. Wendy Pieh
House Chair

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

The Following Communication: S.C. 368

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

May 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 Legal and Veterans Affairs has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 1121 An Act To Provide That Lottery Proceeds Be Devoted to Public or Charitable Uses

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

Sincerely,

S/Sen. Lisa T. Marraché
Senate Chair

S/Rep. John L. Patrick
House Chair

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

The Following Communication: S.C. 369

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

May 31, 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 bill out "Ought Not to Pass":

L.D. 395 An Act To Use National Standards To Determine Maine's Relative Tax Burden for Purposes of Budget Caps

We have also notified the sponsor and cosponsors 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.**

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act To Establish a Fund to Provide American Flags at Veterans' Graves"

H.P. 1129 L.D. 1607

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-319).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-319) AS AMENDED BY HOUSE AMENDMENT "A" (H-361)** thereto.

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

READ ONCE.

Committee Amendment "A" (H-319) **READ.**

House Amendment "A" (H-361) to Committee Amendment "A" (H-319) **READ** and **ADOPTED**, in concurrence.

Committee Amendment "A" (H-319) as Amended by House Amendment "A" (H-361) thereto, **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act To Fund Pesticide Education in the State"

H.P. 1252 L.D. 1798

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

Signed:

Senator:
SHERMAN of Aroostook

Representatives:
GIFFORD of Lincoln
MAREAN of Hollis
LUNDEEN of Mars Hill
CRAY of Palmyra
EDGEComb of Caribou
PINEAU of Jay

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-324).**

Signed:

Senators:
NUTTING of Androscoggin
ROTUNDO of Androscoggin

Representatives:
PIEH of Bremen
CARTER of Bethel
PRATT of Eddington
PIOTTI of Unity

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-324).**

Reports **READ.**

Senator **NUTTING** of Androscoggin moved the Senate **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report, in concurrence.

On motion by Senator **WESTON** of Waldo, **TABLED** until Later in Today's Session, pending the motion by Senator **NUTTING** of Androscoggin to **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report, in concurrence.

Divided Report

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act Regarding the Sharing of Educational Costs in School Administrative Units of Multiple Municipalities" H.P. 1204 L.D. 1721

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

Signed:

Senators:
BOWMAN of York
MITCHELL of Kennebec
MILLS of Somerset

Representatives:
NORTON of Bangor
MAKAS of Lewiston
FARRINGTON of Gorham
SUTHERLAND of Chapman
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 "A" (H-327).**

Signed:

Representatives:
FINCH of Fairfield
HARLOW of Portland
EDGEComb of Caribou
McFADDEN of Dennysville

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

Reports **READ.**

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

Divided Report

The Majority of the Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act To Reimburse Philip Wolley for Litigation Expenses Incurred in Connection with His Termination and Reinstatement as a State Employee" H.P. 11 L.D. 10

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

Signed:

Senators:
MARRACHÉ of Kennebec
PLOWMAN of Penobscot
BRYANT of Oxford

Representatives:

PINKHAM of Lexington Township
TRINWARD of Waterville
PATRICK of Rumford
BLANCHETTE of Bangor

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-378).**

Signed:

Representatives:

MOORE of Standish
WEDDELL of Frankfort
TUTTLE of Sanford
NASS of Acton
GOULD of South Berwick
FITTS of Pittsfield

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

Reports **READ**.

Senator **MARRACHÉ** of Kennebec 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.

Divided Report

The Majority of the Committee on **TRANSPORTATION** on Resolve, To Investigate Cellular Telephone Use and Driver Safety
H.P. 443 L.D. 576

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-349).**

Signed:

Senators:

DAMON of Hancock
DIAMOND of Cumberland
SAVAGE of Knox

Representatives:

MARLEY of Portland
MAZUREK of Rockland
HOGAN of Old Orchard Beach
THOMAS of Ripley
CEBRA of Naples
ROSEN of Bucksport
THERIAULT of Madawaska
PEOPLES of Westbrook

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

Signed:

Representatives:

BROWNE of Vassalboro
FISHER of Brewer

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-349).**

Reports **READ**.

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

READ ONCE.

Committee Amendment "A" (H-349) **READ** and **ADOPTED**, in concurrence

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senate

Ought to Pass As Amended

Senator STRIMLING for the Committee on **LABOR** on Bill "An Act To Enhance the Workers' Compensation Board Advocate Program"

S.P. 506 L.D. 1439

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-179).**

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

READ ONCE.

Committee Amendment "A" (S-179) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator PERRY for the Committee on **TAXATION** on Bill "An Act To Amend the Tax Credit for Biofuel Production"

S.P. 320 L.D. 1003

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-182).**

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

READ ONCE.

Committee Amendment "A" (S-182) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator PERRY for the Committee on **TAXATION** on Bill "An Act Relating to Uncollectible Cigarette and Tobacco Taxes"
S.P. 417 L.D. 1169

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-183)**.

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

READ ONCE.

Committee Amendment "A" (S-183) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act Relating to the Wells-Ogunquit Community School District"

S.P. 375 L.D. 1123

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-175)**.

Signed:

Senator:
BOWMAN of York

Representatives:
FINCH of Fairfield
FARRINGTON of Gorham
HARLOW of Portland
SUTHERLAND of Chapman
EDGECOMB of Caribou
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 Not To Pass**.

Signed:

Senators:
MITCHELL of Kennebec
MILLS of Somerset

Representatives:
NORTON of Bangor
MAKAS of Lewiston

Reports **READ**.

Senator **BOWMAN** of York moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** the Majority **OUGHT TO PASS** Report.

Divided Report

The Majority of the Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act Regarding All-terrain Vehicle Registration"

S.P. 712 L.D. 1912

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-186)**.

Signed:

Senators:
BRYANT of Oxford
PERRY of Penobscot
GOOLEY of Franklin

Representatives:
JACKSON of Allagash
RICHARDSON of Carmel
SAVIELLO of Wilton
McLEOD of Lee
WHEELER of Kittery
LUNDEEN of Mars Hill
FINCH of Fairfield
BRYANT of Windham

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

Signed:

Representative:
EBERLE of South Portland

Reports **READ**.

On motion by Senator **BRYANT** of Oxford, the Majority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**.

READ ONCE.

Committee Amendment "A" (S-186) **READ**.

On motion by Senator **WESTON** of Waldo, **TABLED** until Later in Today's Session, pending **ADOPTION** of Committee Amendment "A" (S-186).

Divided Report

The Majority of the Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act To Allow the Use of Credit Cards To Purchase Wine, Beer and Spirits from Distributors"
S.P. 595 L.D. 1688

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

Signed:

Senators:

MARRACHÉ of Kennebec
BRYANT of Oxford

Representatives:

WEDDELL of Frankfort
PINKHAM of Lexington Township
PATRICK of Rumford
TUTTLE of Sanford
BLANCHETTE of Bangor

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-185)**.

Signed:

Senator:

PLOWMAN of Penobscot

Representatives:

MOORE of Standish
TRINWARD of Waterville
NASS of Acton
GOULD of South Berwick
FITTS of Pittsfield

Reports **READ**.

Senator **MARRACHÉ** of Kennebec moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

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.

SECOND READERS

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

House

Bill "An Act To Amend the Laws Relating to the Maine State Retirement System"

H.P. 1221 L.D. 1738

Resolve, Regarding Legislative Review of Portions of Chapter 3: Maine Clean Election Act and Related Provisions, a Major Substantive Rule of the Commission on Governmental Ethics and Election Practices (EMERGENCY)

H.P. 1309 L.D. 1877

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

House As Amended

Bill "An Act To Amend the Laws Governing Welfare"

H.P. 31 L.D. 29
(C "A" H-351)

Bill "An Act To Require Cigarettes Sold in Maine To Be Fire-safe"

H.P. 68 L.D. 70
(C "A" H-338)

Bill "An Act To Prohibit the Use of Cellular Telephones by Minors while Driving"

H.P. 143 L.D. 161
(C "A" H-348)

Bill "An Act To Provide Additional Background Information to the Probate Court"

H.P. 171 L.D. 200
(C "A" H-339)

Bill "An Act To Allow the District Court To Enter Parental Rights and Responsibilities Orders in Child Protection Proceedings"

H.P. 305 L.D. 389
(C "A" H-340)

Bill "An Act To Allow the District Court To Adjudicate Parentage in Child Protective Custody Cases"

H.P. 306 L.D. 390
(C "A" H-341)

Bill "An Act To Limit Liability for the Performance of Community Service"

H.P. 313 L.D. 397
(C "A" H-342)

Bill "An Act To Establish a Mediation Process for Landlord-tenant Disputes"

H.P. 508 L.D. 659
(C "A" H-343)

Bill "An Act To Require a Commercial Applicator's License To Use Pesticides in Food-handling Establishments"

H.P. 650 L.D. 861
(C "A" H-318)

Bill "An Act To Amend the Wrongful Death Laws"

H.P. 655 L.D. 866
(C "A" H-344)

Bill "An Act To Eliminate the Estate Recovery Delayed Claims Exemption"

H.P. 730 L.D. 970
(C "A" H-325)

Resolve, To Preserve the Saco River (EMERGENCY)

H.P. 752 L.D. 1034
(C "A" H-357)

Bill "An Act To Address Eating Disorders in Maine"

H.P. 762 L.D. 1044
(C "A" H-359)

Resolve, To Study the Promotion, Expansion and Regulation of the Harness Racing Industry (EMERGENCY)

H.P. 791 L.D. 1073
(C "A" H-317)

Bill "An Act To Amend the Commission on Governmental Ethics and Election Practices' Appointment Process"

H.P. 829 L.D. 1136
(C "A" H-336)

Resolve, To Encourage Increased Use of Biodiesel Fuels in Maine

H.P. 852 L.D. 1159
(C "A" H-347)

Bill "An Act Regarding Property and Casualty Insurance Actuarial Opinion of Reserves"

H.P. 890 L.D. 1262
(C "A" H-353)

Bill "An Act To Clarify Restrictions on Accepting Campaign Contributions Laws"

H.P. 950 L.D. 1341
(C "A" H-337)

Bill "An Act To Authorize the Maine Board of Pharmacy To Establish a Pharmacist Health Program" (EMERGENCY)

H.P. 1100 L.D. 1575
(C "A" H-335)

Bill "An Act To Authorize the Use of Parenting Coordinators in Maine"

H.P. 1237 L.D. 1771
(C "A" H-345)

Bill "An Act To Facilitate Collection of Money Owed to the State"

H.P. 1265 L.D. 1813
(C "A" H-346)

Resolve, Regarding Legislative Review of Portions of Chapter 131: The Maine Federal, State and Local Accountability Standards, a Major Substantive Rule of the Department of Education (EMERGENCY)

H.P. 1269 L.D. 1821
(C "A" H-312)

Bill "An Act To Change the Evaluation Criteria for Those with Developmental Disabilities"

H.P. 1300 L.D. 1868
(C "A" H-358)

Bill "An Act To Protect Maine Homeowners from Predatory Lending"

H.P. 1301 L.D. 1869
(C "A" H-354)

Resolve, Regarding Legislative Review of Portions of Chapter 270: Uniform Reporting Systems for Maine Quality Data Sets, a Major Substantive Rule of the Maine Health Data Organization (EMERGENCY)

H.P. 1306 L.D. 1874
(C "A" H-352)

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

Senate

Bill "An Act To Extend the Time Allowed for Outcome-based Forestry" (EMERGENCY)

S.P. 713 L.D. 1914

READ A SECOND TIME and PASSED TO BE ENGROSSED.

Sent down for concurrence.

Senate As Amended

Bill "An Act To Amend Laws Relating to Persons Serving as Permanency Guardians or Receiving Permanency Guardianship Subsidies"

S.P. 170 L.D. 515
(C "A" S-176)

Bill "An Act To Amend Certain Laws Affecting Transportation"

S.P. 270 L.D. 860
(C "A" S-177)

Bill "An Act Concerning Blasting near Residential Areas" (EMERGENCY)

S.P. 283 L.D. 895
(C "A" S-169)

Bill "An Act To Promote Compliance with the Workers' Compensation Laws"

S.P. 359 L.D. 1107
(C "A" S-174)

Bill "An Act To Modernize the Laws Pertaining to the Sport of Skiing and Use of Ski Areas"

S.P. 419 L.D. 1171
(C "A" S-171)

Bill "An Act To Require the Department of Environmental Protection To Exclude Repeat Violators of Environmental Laws from Receiving State Contracts"

S.P. 388 L.D. 1200
(C "A" S-170)

Bill "An Act To Update the Maine Business Corporation Act"

S.P. 608 L.D. 1741
(C "A" S-178)

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.

ENACTORS

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

Emergency Measure

An Act To Promote Efficiency in the Use of the Communications Equipment Fund

H.P. 414 L.D. 536
(C "A" H-294)

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 Amend the Laws Relating to Corporations, Limited Partnerships, Limited Liability Companies and Limited Liability Partnerships

S.P. 642 L.D. 1806

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.

Acts

An Act To Protect the All-terrain Vehicle Trail System
H.P. 354 L.D. 455
(C "A" H-291)

An Act To Amend Laws Pertaining to Entry into the Lobster Fishery

H.P. 392 L.D. 509
(C "A" H-255)

An Act To Protect Children from Lead Exposure by Requiring Sufficient Notice of Renovations

H.P. 433 L.D. 555
(H "A" H-290 to C "A" H-179)

An Act To Promote Transportation Planning, Increase Efficiency and Reduce Sprawl

H.P. 861 L.D. 1180
(C "A" H-296)

An Act To Create Uniformity among Certain Self-insureds
S.P. 396 L.D. 1208
(C "A" S-130)

An Act To Enhance Availability of Emergency Telephone Services

H.P. 975 L.D. 1383
(C "A" H-282)

An Act To Enhance Fairness in Arbitration

S.P. 516 L.D. 1489
(C "A" S-131)

An Act To Amend the Long-term Care Insurance Law

S.P. 678 L.D. 1865

PASSED TO BE ENACTED and having been signed by the President were presented by the Secretary to the Governor for his approval.

An Act Regarding the Long-term Contracting Authority of the Public Utilities Commission

H.P. 224 L.D. 268
(C "A" H-220)

Senator **SMITH** of Piscataquis moved to **INDEFINITELY POSTPONE** the Bill and accompanying papers, in **NON-CONCURRENCE**.

On motion by Senator **MARTIN** of Aroostook, **TABLED** until Later in Today's Session, pending the motion by Senator **SMITH** of Piscataquis to **INDEFINITELY POSTPONE** the Bill and accompanying papers, in **NON-CONCURRENCE**.

An Act To Protect Pregnant Women and Children from Toxic Chemicals Released into the Home

H.P. 1167 L.D. 1658
(C "A" H-231)

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

On motion by Senator **MARTIN** of Aroostook, **TABLED** until Later in Today's Session, pending **ENACTMENT**, in concurrence. (Roll Call Ordered)

Resolves

Resolve, To Achieve Cost Savings of 7% in State Government
H.P. 434 L.D. 556
(C "A" H-37)

FINALLY PASSED and having been signed by the President was presented by the Secretary to the Governor for his approval.

Resolve, To Provide for an Independent Evaluation of the Procedures and Programs of the Department of Health and Human Services for Promoting Permanency and Safety for Children

S.P. 484 L.D. 1396
(C "A" S-119)

On motion by Senator **ROTUNDO** of Androscoggin, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **FINAL PASSAGE**, in concurrence.

HELD MATTER

An Act To Make Lobster Trap Molesting a Civil Offense
H.P. 18 L.D. 16
(C "A" H-74)

(In House, May 30, 2007, **PASSED TO BE ENACTED**.)

(In Senate, May 31, 2007, **FAILED ENACTMENT**, in **NON-CONCURRENCE**.)

On motion by Senator **DAMON** of Hancock, the Senate **RECONSIDERED** whereby the Bill **FAILED ENACTMENT**, in **NON-CONCURRENCE**.

Senate at Ease.

Senate called to order by the President.

Senator **SAVAGE** of Knox requested and received leave of the Senate that members and staff be allowed to remove their jackets for the remainder of this Session.

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

On motion by Senator **MARTIN** of Aroostook, **TABLED** until Later in Today's Session, pending **ENACTMENT**, in concurrence. (Roll Call Ordered)

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

REPORTS OF COMMITTEES

House

Divided Report

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Make Maine Safer by Collecting DNA from Those Convicted of Felonies"
H.P. 334 L.D. 418

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-368)**.

Signed:

Senators:

DIAMOND of Cumberland
McCORMICK of Kennebec
SHERMAN of Aroostook

Representatives:

GERZOFISKY of Brunswick
GREELEY of Levant
HILL of York
HANLEY of Gardiner
PLUMMER of Windham
TIBBETTS of Columbia
KAENRATH of South Portland
HASKELL of Portland
SYKES of Harrison

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

Signed:

Representative:

BLANCHETTE of Bangor

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-368)**.

Reports **READ**.

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

READ ONCE.

Committee Amendment "A" (H-368) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senate at Ease.

Senate called to order by the President.

ORDERS OF THE DAY

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

HOUSE REPORTS - the Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act To Reimburse Philip Wolley for Litigation Expenses Incurred in Connection with His Termination and Reinstatement as a State Employee"
H.P. 11 L.D. 10

Majority - **Ought Not to Pass** (7 members)

Minority - **Ought To Pass as Amended by Committee Amendment "A" (H-378)** (6 members)

Tabled - June 1, 2007, by Senator **MARRACHÉ** of Kennebec

Pending - motion by same Senator to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence

(In House, May 31, 2007, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.)

(In Senate, June 1, 2007, Reports **READ**.)

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

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

Senator **WESTON** of Waldo 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 **BRYANT** of Oxford 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.

Off Record Remarks

On motion by Senator **MARTIN** of Aroostook, **ADJOURNED**, pursuant to the Joint Order, to Tuesday, June 5, 2007, at 10:00 in the morning.

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

Bill "An Act Regarding All-terrain Vehicle Registration"
S.P. 712 L.D. 1912

Tabled - June 1, 2007, by Senator **WESTON** of Waldo

Pending - **ADOPTION OF COMMITTEE AMENDMENT "A" (S-186)**

(In Senate, June 1, 2007, Reports **READ**. The Majority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**. **READ ONCE**. Committee Amendment "A" (S-186) **READ**.)

Committee Amendment "A" (S-186) **ADOPTED**.