

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

In Senate Chamber
Wednesday
January 21, 2009

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

Prayer by Father Louis Phillips, St. Michael's Parish of Augusta.

FATHER PHILLIPS: Let us pray. Heavenly Father, we pray this morning for Your blessings upon this assembled body and that You make us aware of Your presence in this chamber and Your holy presence in one another. Keep us this day in Your hands and give us the assurance of Your walk with us as we go about the business of deliberating the affairs of our beloved state of Maine. Enlighten us with the measure of Your wisdom and love, that we would use the gifts You have given us for the good of all. Where there is confusion, give us clarity of thought. Where there is danger, cause us to walk carefully. Where there is injustice, help us to work to eliminate it. Grant us the strength to withstand criticism, the humility to accept help and guidance when offered, and the courage to do the right thing. At the end of the day let us know that all that is required of us is in the words of Your prophet Micah, 'To love mercy, do justly, and to walk humbly with our God.' Amen.

Pledge of Allegiance led by Senator Kevin L. Raye of Washington County.

Reading of the Journal of Thursday, January 15, 2009.

Doctor of the day, Dr. Andrew J. Candelore, DO of Scarborough.

Off Record Remarks

Out of order and under suspension of the Rules, on motion by Senator **MARRACHÉ** of Kennebec under unanimous consent on behalf of Senator **BARTLETT** of Cumberland, the following Joint Order:

S.P. 68

Ordered, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, January 27, 2009, at 10:00 the morning.

READ and PASSED.

Ordered sent down forthwith for concurrence.

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Provide Notice of Foreclosures to Tenants"
H.P. 127 L.D. 148

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

Comes from the House, **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES**.

On motion by Senator **BLISS** of Cumberland, **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES** and ordered printed, in concurrence.

Bill "An Act To Increase Mileage Reimbursement for Jurors"
H.P. 114 L.D. 135

Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** suggested and ordered printed.

Comes from the House, **REFERRED** to the Committee on **JUDICIARY**.

On motion by Senator **DIAMOND** of Cumberland, **REFERRED** to the Committee on **JUDICIARY** and ordered printed, in concurrence.

COMMUNICATIONS

The Following Communication: S.C. 21

**STATE OF MAINE
124TH MAINE LEGISLATURE**

January 12, 2009

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

Dear Secretary O'Brien:

Pursuant to our authority under Title 12 M.R.S.A., Chapter 419 §4652, we are pleased to reappoint Senator Dennis Damon of Hancock to the Atlantic State Marine Fisheries Commission.

Please let us know if you have any questions regarding this appointment.

Sincerely,

S/Elizabeth Mitchell
President of the Senate

S/Hannah Pingree
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 22

**STATE OF MAINE
124TH MAINE LEGISLATURE**

January 14, 2009

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

Dear Secretary O'Brien:

Pursuant to Joint Rule 501, we are pleased to appoint John Bott of the Senate Republican Office to serve as Partisan Staff Assistant for Nominations.

Please let us know if you have any questions.

Sincerely,

S/Kevin L. Raye
Senate Republican Leader

S/Joshua Tardy
House Republican Leader

S/Jon Courtney
Assistant Senate Republican
Leader

S/Philip Curtis
Assistant House Republican
Leader

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 23

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA, MAINE 04333-0002**

January 15, 2009

Hon. Joy O'Brien
Secretary of the Senate
3 State House Station
Augusta, ME 04333

Dear Secretary O'Brien:

Pursuant to my authority under Joint Order, HP 63, I am pleased to appoint the following members to the Joint Select Committee on Maine's Energy Future:

John L. Martin of Eagle Lake (Co-Chair)
Sharon Anglin Treat of Hallowell
Herbert C. Adams of Portland
Nancy E. Smith of Monmouth
Jane E. Eberle of South Portland
John Hinck of Portland
Michael E. Carey of Lewiston
Kenneth C. Fletcher of Winslow
Stacey Allen Fitts of Pittsfield
Jane Crosby Giles of Belfast
Michael Celli of Brewer
Dianne Tilton of Harrington

If you have any questions regarding these appointments please do not hesitate to contact me.

Sincerely,

S/Hannah M. Pingree
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 24

**STATE OF MAINE
DEPARTMENT OF PROFESSIONAL
AND FINANCIAL REGULATION
BUREAU OF CONSUMER CREDIT PROTECTION
35 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0035**

January 15, 2009

The Honorable Elizabeth H. Mitchell
Maine Senate President
3 State House Station
Augusta, ME 04333-0003

Re: Annual Report to the Legislature; Status of Mortgage Lending in Maine

Dear Senate President Mitchell:

Enclosed please find a report titled the "Status of Mortgage Lending in Maine." It details the nature of mortgage-related consumer complaints, foreclosure statistics and other topics relevant to our agency's regulation of the industry in Maine.

Please feel free to contact me with any questions.

Sincerely,

S/William N. Lund
Superintendent

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

SENATE PAPERS

Bill "An Act To Conform Building Standards in the Unorganized Territories with Federal Emergency Management Agency Requirements"

S.P. 67 L.D. 181

Presented by Senator JACKSON of Aroostook.
Cosponsored by Representative MARTIN of Eagle Lake.
Submitted by the Department of Conservation pursuant to Joint Rule 204.

On motion by Senator **NUTTING** of Androscoggin, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed.

Sent down for concurrence.

Bill "An Act To Ensure the Integrity of Harness Horse Racing Track Conditions"

S.P. 56 L.D. 170

Presented by Senator PLOWMAN of Penobscot.
Cosponsored by Senators: BRYANT of Oxford, SHERMAN of Aroostook, Representatives: CRAY of Palmyra, GIFFORD of Lincoln.

Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** suggested and ordered printed.

On motion by Senator **NUTTING** of Androscoggin, **TABLED** until Later in Today's Session, pending **REFERENCE.**

Bill "An Act To Restore Funding for a Fish Hatchery in Northern Maine"

S.P. 59 L.D. 173

Presented by Senator JACKSON of Aroostook.
Cosponsored by Representative MARTIN of Eagle Lake and Senator: BRYANT of Oxford, Representatives: CLARK of Millinocket, DAVIS of Sangerville, WHEELER of Kittery.

Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** suggested and ordered printed.

On motion by Senator **DIAMOND** of Cumberland, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE.**

Sent down for concurrence.

Bill "An Act To Modify the Maine Seed Capital Tax Credit Program"

S.P. 61 L.D. 175

Presented by Senator RECTOR of Knox.
Cosponsored by Representative CLEARLY of Houlton and Representatives: AUSTIN of Gray, COHEN of Portland, MacDONALD of Boothbay.
Submitted by the Finance Authority of Maine pursuant to Joint Rule 204.

On motion by Senator **MARRACHÉ** of Kennebec, **REFERRED** to the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed.

Sent down for concurrence.

Bill "An Act To Modify the Maine Dental Education Loan Program" (EMERGENCY)

S.P. 63 L.D. 177

Presented by Senator RAYE of Washington.
Cosponsored by Representative PERRY of Calais and Senator: ALFOND of Cumberland, Representatives: LEWIN of Eliot, MILLER of Somerville, STRANG BURGESS of Cumberland, SUTHERLAND of Chapman.
Submitted by the Finance Authority of Maine pursuant to Joint Rule 204.

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

On motion by Senator **MARRACHÉ** of Kennebec, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS.**

Sent down for concurrence.

Bill "An Act To Make Technical Corrections to the Operating Under the Influence Laws"

S.P. 66 L.D. 180

Presented by Senator GERZOFISKY of Cumberland.
Cosponsored by Senators: DAMON of Hancock, JACKSON of Aroostook, NUTTING of Androscoggin, PERRY of Penobscot, Representatives: KNIGHT of Livermore Falls, WATSON of Bath.
Submitted by the Secretary of State pursuant to Joint Rule 204.

On motion by Senator **GERZOFISKY** of Cumberland, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed.

Sent down for concurrence.

Bill "An Act Regarding School Consolidation" (EMERGENCY)
S.P. 60 L.D. 174

Presented by Senator BRYANT of Oxford.
Cosponsored by Representative MARTIN of Eagle Lake and
Senators: JACKSON of Aroostook, SCHNEIDER of Penobscot,
Representatives: CROCKETT of Bethel, DAVIS of Sangerville,
JOHNSON of Greenville, SUTHERLAND of Chapman.

On motion by Senator **ALFOND** of Cumberland, **REFERRED** to
the Committee on **EDUCATION AND CULTURAL AFFAIRS** and
ordered printed.

Sent down for concurrence.

Bill "An Act To Provide Complimentary Hunting and Fishing
Licenses to Resident Disabled Veterans Who Served in Support
Units Outside of Combat Zones"

S.P. 54 L.D. 168

Presented by Senator PLOWMAN of Penobscot.
Cosponsored by Senators: COURTNEY of York, DAVIS of
Cumberland, McCORMICK of Kennebec, NASS of York,
Representatives: CLARK of Millinocket, CROCKETT of Augusta,
SAVIELLO of Wilton, TUTTLE of Sanford.

Bill "An Act To Extend the Season for Training Hunting Dogs"
S.P. 57 L.D. 171

Presented by Senator JACKSON of Aroostook.
Cosponsored by Senator: BRYANT of Oxford, Representatives:
CLARK of Millinocket, DAVIS of Sangerville, WHEELER of
Kittery.

Resolve, Requiring the Department of Inland Fisheries and
Wildlife To Market Youth Fishing Day

S.P. 58 L.D. 172

Presented by Senator TRAHAN of Lincoln.
Cosponsored by Representative SAVIELLO of Wilton and
Senators: BRYANT of Oxford, DIAMOND of Cumberland, RAYE
of Washington, Representatives: BRIGGS of Mexico, CLARK of
Millinocket, DAVIS of Sangerville, SHAW of Standish, WHEELER
of Kittery.

Bill "An Act To Clarify Expenditures and the Use of Department-
generated Revenues within the Department of Inland Fisheries
and Wildlife"

S.P. 65 L.D. 179

Presented by Senator BRYANT of Oxford.
Cosponsored by Representative WHEELER of Kittery and
Senator: GERZOFKY of Cumberland, Representatives:
BRYANT of Windham, SHAW of Standish, THERIAULT of
Madawaska, WILLETTE of Presque Isle.
Submitted by the Department of Inland Fisheries and Wildlife
pursuant to Joint Rule 204.

On motion by Senator **JACKSON** of Aroostook, **REFERRED** to
the Committee on **INLAND FISHERIES AND WILDLIFE** and
ordered printed.

Sent down for concurrence.

Bill "An Act To Equitably Adjust the Workers' Compensation
Board's Assessment"

S.P. 62 L.D. 176

Presented by Senator BARTLETT of Cumberland.
Cosponsored by Representative TUTTLE of Sanford and
Senators: GERZOFKY of Cumberland, JACKSON of Aroostook,
MILLS of Somerset, President MITCHELL of Kennebec,
Representatives: CLARK of Millinocket, DRISCOLL of Westbrook,
WATSON of Bath.
Submitted by the Workers' Compensation Board pursuant to Joint
Rule 204.

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

Sent down for concurrence.

Bill "An Act To Allow a Newly Licensed Driver To Transport a
Foreign Exchange Student Who Lives with That Driver's Family"
S.P. 55 L.D. 169

Presented by Senator PLOWMAN of Penobscot.
Cosponsored by Senator DIAMOND of Cumberland and
Senators: COURTNEY of York, DAMON of Hancock, GOOLEY of
Franklin, MILLS of Somerset, Representative: CUSHING of
Hampden.

Bill "An Act To Create the Support Animal Welfare Registration
Plate"

S.P. 64 L.D. 178

Presented by Senator NUTTING of Androscoggin.
Cosponsored by Representative PIEH of Bremen and Senators:
COURTNEY of York, PERRY of Penobscot, SIMPSON of
Androscoggin, Representatives: BERRY of Bowdoinham,
BROWNE of Vassalboro, PIOTTI of Unity, ROSEN of Bucksport,
WAGNER of Lewiston.
Submitted by the Secretary of State pursuant to Joint Rule 204.

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

Sent down for concurrence.

REPORTS OF COMMITTEES

House

Pursuant to Public Law

The Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act To Require the Teaching of Agricultural Studies in Maine's Schools"

H.P. 112 L.D. 128

Reported that the same be **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS**, pursuant to Public Law 2007, chapter 660, section 18.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committees on **EDUCATION AND CULTURAL AFFAIRS AND AGRICULTURE, CONSERVATION AND FORESTRY**.

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

On motion by Senator **ALFOND** of Cumberland, Bill and accompanying papers **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS**, in **NON-CONCURRENCE**.

Sent down for concurrence.

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

ORDERS OF THE DAY

Unfinished Business

The following matter in the consideration of which the Senate was engaged at the time of Adjournment had preference in the Orders of the Day and continued with such preference until disposed of as provided by Senate Rule 516.

The Chair laid before the Senate the following Tabled and Later (1/15/09) Assigned matter:

HOUSE REPORT - from the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Resolve, To Study the Feasibility of Expanding the Curriculum of the Maine School of Science and Mathematics

H.P. 66 L.D. 76

Report - **REFER** to the Committee on **EDUCATION AND CULTURAL AFFAIRS**

Tabled - January 15, 2009, by Senator **NUTTING** of Androscoggin

Pending - **ACCEPTANCE OF REPORT**, in concurrence

(In House, January 13, 2009, Report from the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY**, **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committees on **EDUCATION AND CULTURAL AFFAIRS AND AGRICULTURE, CONSERVATION AND FORESTRY**.)

(In Senate, January 15, 2009, Report **READ**.)

Report **ACCEPTED**, in concurrence.

On motion by Senator **ALFOND** of Cumberland, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS**, in **NON-CONCURRENCE**.

Sent down for concurrence.

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

Bill "An Act To Ensure the Integrity of Harness Horse Racing Track Conditions"

S.P. 56 L.D. 170

Tabled - January 21, 2009, by Senator **NUTTING** of Androscoggin

Pending - **REFERENCE**

(Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** suggested and ordered printed.)

On motion by Senator **NUTTING** of Androscoggin, **REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS**.

Sent down for concurrence.

Off Record Remarks

RECESSED until the sound of the bell.

After Recess

Senate called to order by the President.

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Amend the Laws Concerning Genetically Engineered Plants and Seeds"

H.P. 148 L.D. 183

Comes from the House, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed.

On motion by Senator **NUTTING** of Androscoggin, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed, in concurrence.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Protect Consumers from the Unlicensed Practice of a Trade or Profession"

H.P. 135 L.D. 156

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

H.P. 149 L.D. 184

Bill "An Act To License Commercial Painters"

H.P. 166 L.D. 201

Bill "An Act Regarding the Practice of Professional Engineering without a License"

H.P. 180 L.D. 215

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

On motion by Senator **SULLIVAN** of York, **REFERRED** to the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed, in concurrence.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Ensure Public Safety during High-speed Chases by Law Enforcement Officers"

H.P. 150 L.D. 185

Bill "An Act Pertaining to the Possession of Animal Fighting Paraphernalia"

H.P. 151 L.D. 186

Bill "An Act To Require a Test for Operating Under the Influence for a Driver Involved in an Accident That Caused Bodily Injury"

H.P. 152 L.D. 187

Resolve, Directing the Department of Corrections To Accept Bank Checks for Inmates

H.P. 167 L.D. 202

Come from the House, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed.

On motion by Senator **GERZOFSKY** of Cumberland, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed, in concurrence.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Allow an Alternative Organizational Structure To Act as a Fiscal Agent for Each Member or Municipality in That Alternative Organizational Structure"

H.P. 137 L.D. 158

Bill "An Act To Provide an Administrative Structure for a School Administrative Unit That Does Not Join a Regional School Unit or an Alternative Organizational Structure"

H.P. 138 L.D. 159

Bill "An Act To Require the Department of Education To Provide an Accounting of School Subsidy Based on Individual Members in a Regional School Unit or Alternative Organizational Structure"

H.P. 139 L.D. 160

Bill "An Act To Amend the Special Education, School Health and School Nutrition Laws Regarding Scoliosis Screening, the School Lunch Program, Transitional Services, Gifted and Talented Education Programs and the Maine Mentoring Partnership Grant Program"

H.P. 140 L.D. 161

Bill "An Act To Establish a Moratorium on School Administrative Regionalization" (EMERGENCY)

H.P. 153 L.D. 188

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

On motion by Senator **ALFOND** of Cumberland, **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

House Papers

Bill "An Act To Exempt School Union No. 60 from the Laws Requiring School Administrative Unit Consolidation" (EMERGENCY)

H.P. 154 L.D. 189

Resolve, Directing the Department of Education To Convene a Stakeholders Group To Analyze the School Funding Formula (EMERGENCY)

H.P. 155 L.D. 190

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

On motion by Senator **ALFOND** of Cumberland, **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

House Papers

Bill "An Act To Ban Smoking on Public Beaches and in Public Parks"

H.P. 134 L.D. 155

Bill "An Act To Require Health Care Practitioners To Distribute Free Samples of Medications in Certain Circumstances"

H.P. 142 L.D. 163

Resolve, To Increase Transparency in the Long-term Care Planning and Delivery Process To Ensure Maine's Elderly Can Make Informed Choices

H.P. 182 L.D. 217

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

On motion by Senator **BRANNIGAN** of Cumberland, **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 Save Lives on Maine Waters"

H.P. 143 L.D. 164

Comes from the House, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed.

On motion by Senator **BRYANT** of Oxford, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed, in concurrence.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Enhance Oversight of Fraternal Benefit Societies" H.P. 136 L.D. 157

Bill "An Act To Supervise and Regulate Escrow Agents in Order To Protect Consumers"

H.P. 144 L.D. 165

Bill "An Act Regarding Insurance Copayments for Short-term Prescriptions"

H.P. 156 L.D. 191

Come from the House, **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES** and ordered printed.

On motion by Senator **BOWMAN** of York, **REFERRED** to the Committee on **INSURANCE AND FINANCIAL 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 Index the State Minimum Wage to Inflation" H.P. 157 L.D. 192

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Amend the Laws Governing Tournament Games" H.P. 158 L.D. 193

Bill "An Act Regarding the Conducting of Games of Chance by Nonprofit Organizations"

H.P. 169 L.D. 204

Bill "An Act To Repeal the Maine Clean Election Act"

H.P. 170 L.D. 205

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act Concerning Regulation of Borrow Pit Excavations"

H.P. 172 L.D. 207

Bill "An Act To Require a Municipality That Abuts a Body of Water To Contribute to the Cost of Upkeep of Municipally Owned Dams on That Body of Water"

H.P. 173 L.D. 208

Come from the House, **REFERRED** to the Committee on **NATURAL RESOURCES** and ordered printed.

On motion by Senator **GOODALL** of Sagadahoc, **REFERRED** to the Committee on **NATURAL RESOURCES** and ordered printed, in concurrence.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Require an Independent Audit of State Government Every 4 Years"

H.P. 159 L.D. 194

Bill "An Act To Abolish the Intergovernmental Advisory Commission"

H.P. 174 L.D. 209

Bill "An Act To Change the Name of Columbus Day to Heritage Day"

H.P. 175 L.D. 210

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Change the Schedule for Redistricting

H.P. 176 L.D. 211

Come from the House, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

On motion by Senator **JACKSON** of Aroostook, **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 Papers

Bill "An Act To Exempt Persons 65 Years of Age or Older with Income below the Poverty Line from Property Taxes on Their Homes"

H.P. 145 L.D. 166

Bill "An Act To Provide a Sales Tax Exemption for Used Goods Sold To Benefit Food Pantries"

H.P. 146 L.D. 167

Bill "An Act To Base the Excise Tax on Vehicles on a Percentage of the Manufacturer's Suggested Retail Price"

H.P. 160 L.D. 195

Bill "An Act To Exempt Military Pensions from Income Tax"

H.P. 161 L.D. 196

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

On motion by Senator **BLISS** of Cumberland, **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 Papers

Bill "An Act To Provide Tax Relief to Workers Who Lose Their Jobs Due to Business Closure"

H.P. 162 L.D. 197

Bill "An Act To Recouple Maine Estate Tax with the Federal Estate Tax"

H.P. 163 L.D. 198

Resolve, To Study and Develop a Tax Increment Financing Program To Fund the Washington County Development Authority

H.P. 177 L.D. 212

Bill "An Act To Exempt the United States Flag from Sales Tax"

H.P. 183 L.D. 218

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

On motion by Senator **BLISS** of Cumberland, **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 Allow Military Reenlistees To Obtain a Veterans Registration Plate"

H.P. 178 L.D. 213

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

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

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

PAPERS FROM THE HOUSE

House Papers

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

H.P. 165 L.D. 200

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

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

Bill "An Act To Facilitate Wind Power Siting"

H.P. 164 L.D. 199

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

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

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

Senator **RAYE** of Washington was granted unanimous consent to address the Senate off the Record.

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

On motion by Senator **MARRACHÉ** of Kennebec, **ADJOURNED**, pursuant to the Joint Order, to Tuesday, January 17, 2009, at 10:00 in the morning.