MAINE STATE LEGISLATURE

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Senate Legislative Record

One Hundred and Twenty-Fourth Legislature

State of Maine

Daily Edition

First Regular Session December 3, 2008 to June 12, 2009

Pages 1 - 1159

ROLL CALL (#110)

YEAS:

Senators: BLISS, BOWMAN, COURTNEY, CRAVEN,

DAVIS, HASTINGS, MARRACHE,

MCCORMICK, MILLS, NASS, NUTTING,

RECTOR, SMITH, TRAHAN

NAYS:

Senators: ALFOND, BARTLETT, BRANNIGAN,

BRYANT, DAMON, DIAMOND, GERZOFSKY, GOODALL, GOOLEY, HOBBINS, JACKSON, PERRY,

PLOWMAN, RAYE, ROSEN, SCHNEIDER, SHERMAN, SIMPSON, SULLIVAN, WESTON, THE PRESIDENT -

ELIZABETH H. MITCHELL

14 Senators having voted in the affirmative and 21 Senators having voted in the negative, **ACCEPTANCE** of the Majority **OUGHT NOT TO PASS** Report, **FAILED**.

On motion by Senator BRYANT of Oxford, the Minority OUGHT TO PASS Report ACCEPTED.

READ ONCE.

Under suspension of the Rules, READ A SECOND TIME.

On motion by Senator **JACKSON** of Aroostook, Senate Amendment "A" (S-194) **READ**.

THE PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator Jackson.

Senator **JACKSON**: Thank you, Madame President. Ladies and gentlemen of the Senate, this amendment clears up a problem we had when I introduced the bill back in January. I wanted the training on it, but the Revisor's Office inadvertently left it out. When we had it in Committee I asked Representative Saviello to reconsider the bill so that I could put the training on it, because at no time did I want to have the bill without training. For some reason, and I can't understand it, the bill came out of committee without the training that should have been on it back in January when I introduced it. This amendment would put the training on. The only way that you can get on the trails at 14 years old is if you had training from ATV Maine.

On further motion by same Senator, Senate Amendment "A" (S-194) ADOPTED.

PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-194).

Sent down for concurrence.

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

Bill "An Act To Clarify the Municipal Jurisdiction of a Portion of Saco Bay"

H.P. 774 L.D. 1119

Tabled - May 28, 2009, by Senator SIMPSON of Androscoggin

Pending - ADOPTION OF COMMITTEE AMENDMENT "A" (H-375), in concurrence

(In House, May 27, 2009, 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-375).)

(In Senate, May 28, 2009, Reports **READ**. On motion by Senator **SIMPSON** of Androscoggin, the Majority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**, in concurrence. **READ ONCE**. Committee Amendment "A" (H-375) **READ**.)

Committee Amendment "A" (H-375) ADOPTED, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

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

Bill "An Act To Establish the Maine Fuel Board"
H.P. 1007 L.D. 1455
(C "A" H-345)

Tabled - May 28, 2009, by Senator BARTLETT of Cumberland

Pending - PASSAGE TO BE ENGROSSED AS AMENDED, in concurrence

(In House, May 26, 2009, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-345).)

(In Senate, May 28, 2009, READ A SECOND TIME.)

On motion by Senator **SCHNEIDER** of Penobscot, Senate Amendment "A" (S-261) **READ**.

THE PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Schneider.

Senator **SCHNEIDER**: Thank you, Madame President. Men and women of the Senate, as you are already aware, we had a unanimous report on this bill to streamline government by merging two of the fuel boards. This amendment was agreed to by both industry and the Commissioner to define some of the members on the Board so they would have a minimum of certain number of years of experience, which would be seven licensed years, prior to their term, as well as a combined license. Thank you very much.

On further motion by same Senator, Senate Amendment "A" (S-261) **ADOPTED**.

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-345) AND SENATE AMENDMENT "A" (S-261), in NON-CONCURRENCE.

Sent down for concurrence.	The Committee on CRIMINAL JUSTICE AND on Bill "An Act To Ensure the Effectiveness of Stress Management Teams" H.P. 964
Off Record Remarks	Reported that the same Ought to Pass .
Out of order and under suspension of the Rules, the Senate considered the following:	Comes from the House with the Report READ and the Bill PASSED TO BE ENGROSSED A AS AMENDED BY HOUSE AMENDMENT "A
	Report READ and ACCEPTED, in concurrence
ENACTORS	READ ONCE.
The Committee on Engrossed Bills reported as truly and strictly engrossed the following:	House Amendment "A" (H-448) READ and Al concurrence.
Act	conduitorios.
An Act To Allow a Court To Award Attorney's Fees in Successful Freedom of Access Appeals S.P. 254 L.D. 679	ASSIGNED FOR SECOND READING NEXT DAY.
(C "A" S-135)	
On motion by Senator DIAMOND of Cumberland, placed on the SPECIAL APPROPRIATIONS TABLE , pending ENACTMENT , in concurrence.	Out of order and under suspension of the Rule considered the following:
	COMMUNICATIONS
	The Following Communication: S.C. 373
Out of order and under suspension of the Rules, the Senate considered the following:	STATE OF MAINE ONE HUNDRED AND TWENTY-FOURTH COMMITTEE ON MARINE RESC
PAPERS FROM THE HOUSE	May 27, 2009
House Paper	Way 27, 2005
Bill "An Act To Stimulate the Maine Economy by Making Funds Available to First-time Home Buyers To Allow Them To Take Advantage of the Federal First-time Home Buyer Tax Credit" (EMERGENCY) H.P. 1036 L.D. 1483	The Honorable Elizabeth H. Mitchell President of the Senate of Maine 124th Maine Legislature State House Augusta, Maine 04333-0003
······································	Dear Madame President:
Comes from the House, REFERRED to the Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS and ordered printed.	In accordance with 3 M.R.S.A., Section 157, a 505 of the 124th Maine Legislature, the Joint S on Marine Resources has had under consider nomination of Vincent Balzano of Saco, for rea
On motion by Senator DIAMOND of Cumberland, REFERRED to the Committee on APPROPRIATIONS AND FINANCIAL	Marine Resources Advisory Council.
AFFAIRS and ordered printed, in concurrence.	After public hearing and discussion on this not Committee proceeded to vote on the motion to Senate that this nomination be confirmed. The called the roll with the following result:
Out of order and under suspension of the Rules, the Senate	•
considered the following:	YEAS Senators 3 Damon of

REPORTS OF COMMITTEES

House

Ought to Pass

PUBLIC SAFETY Critical Incident

L.D. 1374

and ACCEPTED AS AMENDED BY A" (H-448).

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DOPTED, in

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es, the Senate

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and with Joint Rule Standing Committee ration the appointment to the

mination, the o recommend to the e Committee Clerk

Damon of Hancock, Rector of Knox, Sullivan of York