

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

In Senate Chamber
Thursday
February 6, 2003

Senate called to order by President Beverly C. Daggett of Kennebec County.

Prayer by Reverend Calvin Dame, Unitarian Universalist Community Church in Augusta.

REVEREND DAME: Will you join me in a moment of prayer, meditation, or reflection? Spirit of life and of love, known by a thousand names to men and women of all ages in all places, and known in the human heart by no name at all, be present with us this day. Help us to be thankful for the gift of life which is ours, a gift that we did not choose, a gift that we cannot earn, a gift that no money can buy. For life, which is to us a gift, let us be thankful.

May we cultivate those virtues by which we are, maybe, made stronger and through which the world is made more gracious and fair. We would pray for wisdom so that our lives may be guided toward that which is good and true. We would pray for enthusiasm, that we might meet the challenges of this day with energy and with passion. We would pray for a larger vision so that our work this day will be connected to our largest hopes and our widest concerns. We would pray to carry hope in our hearts so that we might live this and every day, not in fear, but in affirmation. We pray for compassion so that we might truly understand that all men and all women are our brothers and our sisters, that all who dwell upon this earth share a common journey and share in one destiny. Finally, we would pray for courage, that we might not only see the right thing to do, but find it in ourselves to act upon our convictions even when those actions are difficult and we are afraid. This we pray in the name of all that is holy. Amen.

Doctor of the day, Amy Costa, M.D. of Portland.

Reading of the Journal of Wednesday, February 5, 2003.

Off Record Remarks

Out of order and under suspension of the Rules, on motion by Senator **TREAT** of Kennebec, the following Joint Order:

S.P. 195

ORDERED, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, February 11, 2003, at 10:00 in the morning.

READ and PASSED.

Sent down forthwith for concurrence.

Off Record Remarks

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Stimulate Economic Recovery and Growth"

H.P. 388 L.D. 503

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

On motion by Senator **CATHCART** of Penobscot, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed, in concurrence.

Bill "An Act To Ensure Supervision and Oversight of the Board of Registration for Professional Engineers"

H.P. 385 L.D. 500

Bill "An Act To Allow Local Plumbing Inspectors To Assist the Plumbers' Examining Board in Establishing the State Plumbing Code"

H.P. 386 L.D. 501

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

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

Bill "An Act To Allow a Parent To Choose Not To Vaccinate a Child against Chicken Pox for School Attendance"

H.P. 384 L.D. 499

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

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

Bill "An Act To Expand the Education Tax Credit"

H.P. 387 L.D. 502

Bill "An Act To Strengthen the Taxpayer Bill of Rights"

H.P. 389 L.D. 504

Bill "An Act To Promote Maine Farm and Dairy Products in Place of Soft Drinks in Public Schools and To Create a Maine Residency Program for New Dentists"

H.P. 390 L.D. 505

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

On motion by Senator **STANLEY** of Penobscot, **REFERRED** to the Committee on **TAXATION** and ordered printed, in concurrence.

COMMUNICATIONS

The Following Communication:

S.C. 35

**121ST LEGISLATURE
JOINT STANDING COMMITTEE ON MARINE RESOURCES**

February 5, 2003

The Honorable Beverly C. Daggett
President of the Senate of Maine
121st 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 121st Maine Legislature, the Joint Standing Committee on Marine Resources has had under consideration the nomination of George Lapointe of Hallowell, for appointment as the Commissioner of the Department of Marine Resources.

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 | Damon of Hancock, Bennett of Oxford |
| | Representatives | 9 | Bull of Freeport, Ash of Belfast, Bierman of Sorrento, Bowen of Rockport, Dugay of Cherryfield, Kaelin of Winterport, McNeil of Rockland, Muse of Fryeburg, Sullivan of Biddeford |
| NAYS | | 0 | |
| ABSENT | | 2 | Sen. Pendleton of Cumberland, Rep. Percy of Phippsburg |

Eleven 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 George Lapointe of Hallowell, for appointment as the Commissioner of the Department of Marine Resources be confirmed.

Signed,

S/Dennis Damon
Senate Chair

S/Thomas Bull
House Chair

READ and ORDERED PLACED ON FILE.

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

SENATE PAPERS

Bill "An Act to Reroute the Katahdin Trail"

S.P. 178 L.D. 538

Sponsored by Senator STANLEY of Penobscot.
Cosponsored by Representative CLARK of Millinocket and Representatives: DUPREY of Medway, JOY of Crystal.

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

Sent down for concurrence.

Bill "An Act To Authorize a General Fund Bond Issue in the Amount of \$4,000,000 To Construct the Gulf of Maine Research Laboratory"

S.P. 174 L.D. 534

Sponsored by Senator TURNER of Cumberland.

Cosponsored by Representative DUDLEY of Portland and Senators: BENNETT of Oxford, BRENNAN of Cumberland, DAMON of Hancock, LEMONT of York, Representative: GOODWIN of Pembroke.

Bill "An Act To Restore Assistance to Low-income Families with Children Faced with High Housing Costs"

S.P. 189 L.D. 549

Sponsored by Senator TREAT of Kennebec.

Cosponsored by Representative ADAMS of Portland and Senators: President DAGGETT of Kennebec, DOUGLASS of Androscoggin, GAGNON of Kennebec, MARTIN of Aroostook, STRIMLING of Cumberland, Representatives: CUMMINGS of Portland, DUPLESSIE of Westbrook.

On motion by Senator CATHCART of Penobscot, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed.

Sent down for concurrence.

Bill "An Act To Study Maine-Canada Issues"

S.P. 179 L.D. 539

Sponsored by Senator STANLEY of Penobscot.

Cosponsored by Representative SHERMAN of Hodgdon and Senator: ROTUNDO of Androscoggin, Representatives: CARR of Lincoln, CLARK of Millinocket, GOODWIN of Pembroke, CHURCHILL of Washburn, DUPREY of Medway, JACKSON of Fort Kent, JOY of Crystal.

Bill "An Act To Promote Corporate Ethics"

S.P. 183 L.D. 543

Sponsored by Senator BENNETT of Oxford.

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

Sent down for concurrence.

Bill "An Act To Ensure Timely Responses to Requests for School Administrative District Reapportionments"

S.P. 181 L.D. 541

Sponsored by Senator MITCHELL of Penobscot.

Cosponsored by Representative LEDWIN of Holden and Senators: BRENNAN of Cumberland, WESTON of Waldo, Representatives: CUMMINGS of Portland, DAVIS of Falmouth, FINCH of Fairfield, NORTON of Bangor, TARDY of Newport.

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

Sent down for concurrence.

Bill "An Act To Strengthen Health Data Information and Health Planning"

S.P. 175 L.D. 535

Sponsored by Senator TURNER of Cumberland.
Cosponsored by Representative DUDLEY of Portland and Senator: WESTON of Waldo,
Representatives: MARLEY of Portland, O'BRIEN of Augusta.

Resolve, To Study the Needs of Deaf and Hard-of-hearing Children and Adolescents
(EMERGENCY)

S.P. 193 L.D. 553

Sponsored by Senator EDMONDS of Cumberland.
Cosponsored by Representative SMITH of Van Buren and Senators: BRENNAN of Cumberland,
HALL of Lincoln, HATCH of Somerset, TREAT of Kennebec.

Bill "An Act To Protect Against Unfair Prescription Drug Practices"

S.P. 194 L.D. 554

Sponsored by Senator TREAT of Kennebec.
Cosponsored by Representative LEMOINE of Old Orchard Beach and Senators: HALL of Lincoln,
HATCH of Somerset, LaFOUNTAIN of York, MAYO of Sagadahoc, STANLEY of Penobscot,
Representatives: CANAVAN of Waterville, KANE of Saco, O'NEIL of Saco.

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

Sent down for concurrence.

Bill "An Act To Ensure Access to Expert Testimony"

S.P. 177 L.D. 537

Sponsored by Senator DOUGLASS of Androscoggin.
Cosponsored by Representative NORBERT of Portland and Senators: DAMON of Hancock,
PENDLETON of Cumberland, Representatives: BULL of Freeport, MILLS of Farmington, SMITH
of Van Buren.

Committee on **INSURANCE AND FINANCIAL SERVICES** suggested and ordered printed.

On motion by Senator **LAFOUNTAIN** of York, **REFERRED** to the Committee on **JUDICIARY**.

Sent down for concurrence.

Bill "An Act Regarding Employment of Workers' Compensation Board Hearing Officers and
Mediators"

S.P. 190 L.D. 550

Sponsored by Senator EDMONDS of Cumberland.
Cosponsored by Representative SMITH of Van Buren and Representatives: HATCH of
Skowhegan, HUTTON of Bowdoinham, PATRICK of Rumford.

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

Sent down for concurrence.

Bill "An Act To Hold a Sales Agent Harmless for the Theft of Lottery Tickets if It Reports the
Crime Immediately"

S.P. 176 L.D. 536

Sponsored by Senator DOUGLASS of Androscoggin.

Cosponsored by Representative THOMAS of Orono and Representative: FISCHER of Presque Isle.

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

Sent down for concurrence.

Bill "An Act To Improve Rights to Marine Resources"

S.P. 184 L.D. 544

Sponsored by Senator BENNETT of Oxford.

Committee on **MARINE RESOURCES** suggested and ordered printed.

On motion by Senator **DAMON** of Hancock, **REFERRED** to the Committee on **JUDICIARY**.

Sent down for concurrence.

Bill "An Act To Establish Cleaning Stations for Boats Entering Maine" (EMERGENCY)

S.P. 192 L.D. 552

Sponsored by Senator BLAIS of Kennebec.

Cosponsored by Representative RECTOR of Thomaston and Representative: BERUBE of Lisbon.

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

Sent down for concurrence.

Resolve, To Reduce the State Valuation for the Town of Hermon

S.P. 182 L.D. 542

Sponsored by Senator MITCHELL of Penobscot.

Cosponsored by Representative TREADWELL of Carmel and Senators: DAVIS of Piscataquis, SAWYER of Penobscot, YOUNGBLOOD of Penobscot, Representatives: LEDWIN of Holden, PEAVEY-HASKELL of Greenbush, TARDY of Newport.

Bill "An Act To Provide Federal Civil Service Retirees the Same State Income Tax Protection as Federal Military Service Retirees"

S.P. 185 L.D. 545

Sponsored by Senator EDMONDS of Cumberland.

Cosponsored by Representative SMITH of Van Buren and Representatives: HATCH of Skowhegan, HUTTON of Bowdoinham, PATRICK of Rumford.

Bill "An Act To Suspend Property Tax Abatement Appeals When the Taxpayer Fails To Pay Taxes" (EMERGENCY)

S.P. 191 L.D. 551

Sponsored by Senator STANLEY of Penobscot.

Cosponsored by Representative CLARK of Millinocket and Senator: BRYANT of Oxford, Representatives: GERZOFKY of Brunswick, HATCH of Skowhegan, PINEAU of Jay.

On motion by Senator **STANLEY** of Penobscot, **REFERRED** to the Committee on **TAXATION** and ordered printed.

Sent down for concurrence.

Bill "An Act To Add a Sign on Interstate 95 Indicating the Town of Bingham"
S.P. 173 L.D. 533

Sponsored by Senator HATCH of Somerset. (BY REQUEST)
Cosponsored by Representative McGLOCKLIN of Embden.

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

Sent down for concurrence.

Resolve, To Ensure Optimal Energy Efficiency in State-funded Construction
S.P. 180 L.D. 540

Sponsored by Senator HALL of Lincoln.
Cosponsored by Representative BLISS of South Portland and Senator: BROMLEY of Cumberland,
Representatives: ADAMS of Portland, GOODWIN of Pembroke, RICHARDSON of Skowhegan.

Bill "An Act To Ensure Consideration of Accurate Long-term Customer Power Alternatives"
S.P. 186 L.D. 546

Sponsored by Senator HALL of Lincoln.

Bill "An Act To Increase Bill Reductions for Electricity Customers in Maine"
S.P. 187 L.D. 547

Sponsored by Senator HALL of Lincoln.
Cosponsored by Representative: ADAMS of Portland.

Bill "An Act To Require Fair Treatment of Ratepayers When Electric Utilities Are Sold"
S.P. 188 L.D. 548

Sponsored by Senator TREAT of Kennebec.
Cosponsored by Senators: BROMLEY of Cumberland, GAGNON of Kennebec, STRIMLING of
Cumberland, Representatives: ADAMS of Portland, COWGER of Hallowell.

On motion by Senator **HALL** of Lincoln, **REFERRED** to the Committee on **UTILITIES AND ENERGY** and ordered printed.

Sent down for concurrence.

Off Record Remarks

ORDERS

Joint Orders

Expressions of Legislative Sentiment recognizing:

Christopher Sherman, of Litchfield, a member of Boy Scout Troop #698 of Litchfield, who has attained the high rank and distinction of Eagle Scout. We extend our congratulations and best wishes;

SLS 38

Sponsored by Senator BLAIS of Kennebec.

Cosponsored by Representative: McCORMICK of West Gardiner.

READ.

THE PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Blais.

Senator **BLAIS:** Thank you very much, Madame President and men and women of the Senate. I am very proud today to welcome my neighbors from Litchfield, Helen and James Sherman and their son, Christopher Sherman. I would ask you to all please rise and give them a hand.

PASSED.

Sent down for concurrence.

THE PRESIDENT: The Chair is pleased to recognize in the rear of the chamber Christopher Sherman and his parents, James and Helen Sherman.

Coastal Enterprises, Incorporated, of Wiscasset, on the occasion of its 25th Anniversary. CEI is a community development corporation and community development financial institution whose mission is to provide business financing, technical assistance and affordable housing for the benefit of people and communities, especially those with low incomes. With 9 community-based offices throughout the State, CEI has built partnerships with private foundations, businesses, banks, religious institutions and individual investors and has mobilized 500 million in private and public funds to fund 1,300 small businesses and affordable housing projects, which in turn have created or sustained 15,000 jobs. We recognize the contribution CEI has made to the people, communities and economy of Maine and we extend our congratulations and best wishes to their corporation;

SLS 41

Sponsored by Senator HALL of Lincoln.

Cosponsored by Representatives: HONEY of Boothbay, PIOTTI of Unity, RINES of Wiscasset, TRAHAN of Waldoboro.

READ.

Senator **HALL** of Lincoln requested and received leave of the Senate to withdraw the Joint Order.

ORDERS OF THE DAY

Unfinished Business

The following matters 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 (1/23/03) Assigned matter:

Bill "An Act to Require Disclosure of Retail Prescription Drug Prices"

H.P. 111 L.D. 102

Tabled - January 23, 2003, by Senator **BRENNAN** of Cumberland

Pending - **REFERENCE**

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

(In House, January 21, 2003, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**.)

On motion by Senator **BROMLEY** of Cumberland, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed, in concurrence.

The Chair laid before the Senate the following Tabled and Later (2/5/03) Assigned matter:

JOINT ORDER - Directing the Joint Standing Committee on Utilities and Energy To Review Necessary Changes to the Electric Restructuring Law of 1997

H.P. 335

Tabled - February 5, 2003, by Senator **GAGNON** of Kennebec

Pending - **PASSAGE**, in concurrence

(In House, February 4, 2003, **READ** and **PASSED**.)

(In Senate, February 5, 2003, **READ**.)

On motion by Senator **GAGNON** of Kennebec, **INDEFINITELY POSTPONED**, in **NON-CONCURRENCE**.

Sent down for concurrence.

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

NOMINATION - of George Lapointe of Hallowell, for appointment as the Commissioner of the Department of Marine Resources

Tabled - February 6, 2003, by Senator **DAVIS** of Piscataquis

Pending - **CONSIDERATION**

(In Senate, February 6, 2003, Communication (S.C. 35) from the Committee on **MARINE RESOURCES**, **READ** and **ORDERED PLACED ON FILE**.)

The President laid before the Senate the following: "Shall the recommendation of the Committee on **MARINE RESOURCES** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 121st Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

The Chair noted the absence of the Senator from Penobscot, Senator **SAWYER** and further excused the same Senator from today's Roll Call votes.

ROLL CALL (#15)

YEAS: Senators: None

NAYS: Senators: BENNETT, BLAIS, BRENNAN, BROMLEY, BRYANT, CARPENTER, CATHCART, DAMON, DAVIS, DOUGLASS, EDMONDS, GAGNON, GILMAN, HALL, HATCH, KNEELAND, LAFOUNTAIN, LEMONT, MARTIN, MAYO, MITCHELL, NASS, PENDLETON, ROTUNDO, SAVAGE, STANLEY, STRIMLING,

TREAT, TURNER, WESTON, WOODCOCK, YOUNGBLOOD,
THE PRESIDENT - BEVERLY C. DAGGETT

ABSENT: Senator: SHOREY

EXCUSED: Senator: SAWYER

No Senator having voted in the affirmative and 33 Senators having voted in the negative, with 1 Senator being absent and 1 Senator being excused, 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 **George Lapointe** of Hallowell, for appointment as the Commissioner of the Department of Marine Resources was **CONFIRMED**.

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

Senate at Ease.

Senate called to order by the President.

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

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

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

Senator **DAVIS** of Piscataquis was granted unanimous consent to address the Senate off the Record.

Senator **MAYO** of Sagadahoc was granted unanimous consent to address the Senate off the Record.

Off Record Remarks

RECESSED until the sound of the bell.

After Recess

Senate called to order by the President.

Off Record Remarks

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

PAPERS FROM THE HOUSE

House Papers

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Provide That the State Fund 100 Percent of Education for Students from Kindergarten to Postsecondary School
H.P. 394 L.D. 509

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

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

On motion by Senator **CATHCART** of Penobscot, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed, in **NON-CONCURRENCE**.

Sent down for concurrence.

Bill "An Act To Promote Economic Development in Rural Maine"

H.P. 397 L.D. 512

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

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

Bill "An Act To Clearly Define the State Fire Marshal's Powers"

H.P. 414 L.D. 529

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

On motion by Senator **STRIMLING** 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 Improve the Method of Reapportionment of School Boards" (EMERGENCY)

H.P. 412 L.D. 527

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

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

Bill "An Act To Regulate Assessments of the Maine Health Data Organization"

H.P. 417 L.D. 532

Resolve, To Increase the Amount of Emergency Assistance Available to Families

H.P. 420 L.D. 557

Resolve, To Enhance Services to Children and Families (EMERGENCY)

H.P. 421 L.D. 558

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

On motion by Senator **BRENNAN** of Cumberland, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed, in concurrence.

Bill "An Act To Provide Testing for a Public Safety or Health Care Employee Exposed to Body Fluids in the Course of Employment"

H.P. 404 L.D. 519

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

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

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

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

House Papers

Bill "An Act To Establish New Standards for Credit Reporting"

H.P. 419 L.D. 556

Bill "An Act To Allow a Mortgagor To Select a Land Title Company To Perform a Title Search"

H.P. 423 L.D. 560

Bill "An Act To Require That Mental Health Workers with LCPC Licenses Are Recognized as Licensed Professionals for Purposes of Insurance Reimbursement"

H.P. 426 L.D. 563

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

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

Bill "An Act To Require Litigation Bonding"

H.P. 400 L.D. 515

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

On motion by Senator **PENDLETON** of Cumberland, **REFERRED** to the Committee on **JUDICIARY** 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 Reimburse Employees for Attorney's Fees and Costs When Forced To Pursue Petitions for Payment of Medical Services"

H.P. 395 L.D. 510

Bill "An Act To Increase the Number of Members of the Board of Trustees of the Maine State Retirement System"

H.P. 413 L.D. 528

Bill "An Act To Improve Standards for Public Assistance to Employers in the State"

H.P. 424 L.D. 561

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

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

Bill "An Act To Hold Supervisors Personally Liable for Discrimination in the Workplace"

H.P. 408 L.D. 523

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

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

On motion by Senator **EDMONDS** of Cumberland, **REFERRED** to the Committee on **JUDICIARY** 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

Resolve, To Allow the Town of Dennysville To Sue the State and the Atlantic Salmon Commission for Breach of Contract

H.P. 392 L.D. 507

Bill "An Act To Legalize Gambling if Casinos Are Allowed in the State"

H.P. 398 L.D. 513

Bill "An Act To Share Revenue from Sales of Lottery Tickets and To Permit Additional Ticket Sales Locations"

H.P. 401 L.D. 516

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

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

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 Legislative Oversight of Major Environmental Policy Proposals"

H.P. 402 L.D. 517

Bill "An Act To Clarify the Responsibilities of the Department of Environmental Protection"
H.P. 427 L.D. 564

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

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

Bill "An Act To Encourage Open Space Preservation"

H.P. 410 L.D. 525

Committee on **NATURAL RESOURCES** suggested and ordered printed.

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

On motion by Senator **MARTIN** of Aroostook, **REFERRED** to the Committee on **NATURAL RESOURCES** and ordered printed, in **NON-CONCURRENCE**.

Sent down for concurrence.

Off Record Remarks

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

PAPERS FROM THE HOUSE

House Papers

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Elect 2 Senators from Each County

H.P. 425 L.D. 562

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

On motion by Senator **ROTUNDO** of Androscoggin, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed, in concurrence.

Bill "An Act To Expand the Duties of the Community Preservation Advisory Committee"
H.P. 407 L.D. 522

Committee on **STATE AND LOCAL GOVERNMENT** suggested and ordered printed.

Comes from the House, **REFERRED** to the Committee on **NATURAL RESOURCES**.

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

Bill "An Act To Clarify the Use of Municipal Rate of Growth Ordinances"

H.P. 416 L.D. 531

Committee on **STATE AND LOCAL GOVERNMENT** suggested and ordered printed.

Comes from the House, **REFERRED** to the Committee on **NATURAL RESOURCES**.

On motion by Senator **ROTUNDO** of Androscoggin, **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 Increase the Personal Income Tax Exemption"

H.P. 399 L.D. 514

Bill "An Act To Clarify That the Application Process for the Homestead Property Tax Exemption Is a One-time Process"

H.P. 406 L.D. 521

Bill "An Act To Bring Equity to the Vehicle Excise Tax"

H.P. 415 L.D. 530

Bill "An Act To Increase the Maine Income Tax Deduction for Benefits Received Under the Maine State Retirement System"

H.P. 418 L.D. 555

Bill "An Act To Increase the Value of a Parsonage That is Exempt from the Property Tax"

H.P. 422 L.D. 559

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

On motion by Senator **STANLEY** of Penobscot, **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 Permit Municipalities To Erect Pedestrian Crossing Stop Signs in the Middle of the Road"

H.P. 391 L.D. 506

Resolve, To Rescind Legislative Authorization for Highway Driveway and Entrance Rules

H.P. 396 L.D. 511

Resolve, To Provide a Traffic Light in Naples

H.P. 403 L.D. 518

Bill "An Act To Improve Motor Vehicle Safety"

H.P. 405 L.D. 520

Resolve, To Have Signs Erected at the Town of Newburgh in Recognition of Ricky Craven

H.P. 409 L.D. 524

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

On motion by Senator **HATCH** of Somerset, **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 Transfer Regulation of Towers and Transmitters to Municipalities"
H.P. 393 L.D. 508

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

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

Senate at Ease.

Senate called to order by the President.

Senator **BRYANT** of Oxford was granted unanimous consent to address the Senate off the Record.

Senator **WOODCOCK** of Franklin was granted unanimous consent to address the Senate off the Record.

On motion by Senator **TREAT** of Kennebec, **ADJOURNED**, pursuant to the Joint Order, to Tuesday, February 11, 2003, at 10:00 in the morning.