

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

In Senate Chamber
Thursday
March 6, 2003

Senate called to order by President Pro Tempore Kenneth T. Gagnon of Kennebec County.

Prayer by Reverend Elizabeth J. Bachelder, United Methodist Church in Gardiner.

REVEREND BACHELDER: Thank you for the privilege of being with you this morning. Please join me in the spirit of prayer.

Oh merciful God, creator of each new day, as we gather on this morning, full of promise, we give You thanks for Your holy presence among us. We ask for Your blessing upon the members of the Senate today as they work to represent the people of the State of Maine. We pray for Governor Baldacci and all who govern, that they may have hearts full of wisdom and compassion in these times that test our fortitude. Be with our business leaders and working families and especially with those who cannot advocate for themselves, particularly the children and elderly among us.

We look beyond our state to pray for the world leaders in these conflicted days. Let us look as well in this holy season of Lent for that peace which comes, oh God, from You alone, who is our guide and our strength. Amen.

Doctor of the day, Paul Liebow, M.D. of Bucksport.

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

Off Record Remarks

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

S.P. 395

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

READ and PASSED.

Sent down forthwith for concurrence.

PAPERS FROM THE HOUSE

House Paper

Resolve, Directing Certain State Agencies To Renegotiate an Agreement Regarding Dams on the Sebasticook River (EMERGENCY)

H.P. 737 L.D. 1016

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

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

COMMUNICATIONS

The Following Communication:

S.C. 71

**121ST LEGISLATURE
JOINT STANDING COMMITTEE ON
BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT**

February 26, 2003

Honorable Beverly C. Daggett, President of the Senate
Honorable Patrick Colwell, Speaker of the House
121st Maine Legislature
State House
Augusta, Maine 04333

Dear President Daggett and Speaker Colwell:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Business, Research and Economic Development has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 229 An Act to Enact the Uniform Athlete Agents Act

L.D. 296 An Act Regarding the Licensing of Foresters

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

Sincerely,

S/Sen. Lynn Bromley
Senate Chair

S/Rep. Nancy B. Sullivan
House Chair

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

The Following Communication:

S.C. 72

**121ST LEGISLATURE
JOINT STANDING COMMITTEE ON
EDUCATION AND CULTURAL AFFAIRS**

February 26, 2003

Honorable Beverly C. Daggett, President of the Senate
Honorable Patrick Colwell, Speaker of the House
121st Maine Legislature
State House
Augusta, Maine 04333

Dear President Daggett and Speaker Colwell:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Education and Cultural Affairs has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 301 An Act To Allow Access to State Postsecondary Educational Institutions to Maine Seniors
- L.D. 358 An Act To Promote Participation of Retired Professionals in the State's Classrooms
- L.D. 442 Resolve, Directing the President of Each University Campus To Meet With Local Municipal Officers To Negotiate Reasonable and Appropriate Financial Support for Municipal Services Provided
- L.D. 499 An Act To Allow a Parent To Choose Not To Vaccinate a Child against Chicken Pox for School Attendance

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

Sincerely,

S/Sen. Neria R. Douglass
Senate Chair

S/Rep. Glenn Cummings
House Chair

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

The Following Communication:

S.C. 73

**121ST LEGISLATURE
JOINT STANDING COMMITTEE ON JUDICIARY**

February 26, 2003

Honorable Beverly C. Daggett, President of the Senate
Honorable Patrick Colwell, Speaker of the House
121st Maine Legislature
State House
Augusta, Maine 04333

Dear President Daggett and Speaker Colwell:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Judiciary has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 74 An Act to Provide a Method of Compensation for Personal Injuries Caused by Sidestream Tobacco Smoke
- L.D. 76 An Act To Ease Congestion in the Courts
- L.D. 349 An Act Regarding Implied Warranties

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

Sincerely,

S/Sen. Peggy A. Pendleton
Senate Chair

S/Rep. William S. Norbert
House Chair

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

The Following Communication:

S.C. 74

**121ST LEGISLATURE
JOINT STANDING COMMITTEE ON LABOR**

February 26, 2003

Honorable Beverly C. Daggett, President of the Senate
Honorable Patrick Colwell, Speaker of the House
121st Maine Legislature
State House
Augusta, Maine 04333

Dear President Daggett and Speaker Colwell:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Labor has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 148 An Act To Clarify Employment Status of Owner-operators in the Trucking Industry

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

Sincerely,

S/Sen. Betheda G. Edmonds
Senate Chair

S/Rep. William J. Smith
House Chair

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

The Following Communication:

S.C. 75

**121ST LEGISLATURE
JOINT STANDING COMMITTEE ON
LEGAL AND VETERANS' AFFAIRS**

February 26, 2003

Honorable Beverly C. Daggett, President of the Senate
Honorable Patrick Colwell, Speaker of the House
121st Maine Legislature
State House
Augusta, Maine 04333

Dear President Daggett and Speaker Colwell:

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. 140 An Act to Authorize Use of Beano Proceeds to Compensate Persons who Transport Disabled Veterans

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

Sincerely,

S/Sen. Kenneth T. Gagnon
Senate Chair

S/Rep. Joseph E. Clark
House Chair

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

The Following Communication:

S.C. 76

121ST LEGISLATURE

**JOINT STANDING COMMITTEE ON
STATE AND LOCAL GOVERNMENT**

February 26, 2003

Honorable Beverly C. Daggett, President of the Senate
Honorable Patrick Colwell, Speaker of the House
121st Maine Legislature
State House
Augusta, Maine 04333

Dear President Daggett and Speaker Colwell:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on State and Local Government has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 110 An Act to Clarify Rights of Retainage in Public Construction Contracts

- L.D. 280 An Act to Clarify the Jurisdiction of the Department of Inland Fisheries and
Wildlife and the Department of Marine Resources

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

Sincerely,

S/Sen. Margaret Rotundo
Senate Chair

S/Rep. Janet L. McLaughlin
House Chair

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

The Following Communication:

S.C. 77

**121ST LEGISLATURE
JOINT STANDING COMMITTEE ON TRANSPORTATION**

February 26, 2003

Honorable Beverly C. Daggett, President of the Senate
Honorable Patrick Colwell, Speaker of the House
121st Maine Legislature
State House
Augusta, Maine 04333

Dear President Daggett and Speaker Colwell:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Transportation has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 28 Resolve, to Rename the Mud Pond Inlet Bridge

- L.D. 108 RESOLUTION, Proposing an Amendment to the Constitution of Maine to
Allow Transportation Revenues to Fund a Flexible and Modern Transportation
Policy

- L.D. 244 Resolve, Directing the Department of Transportation To Conduct a Feasibility
Study as Required by the Federal Government To Increase the Weight Limits on
Interstate 95 from Augusta to Houlton, Making the Weight Limits Equivalent to
Restrictions South of Augusta

- L.D. 293 An Act To Require Additional Driving Time and a 30-day Waiting Period for
Retesting Minors Who Fail Their Driver's Exams

- L.D. 313 An Act to Rename the Gasoline Tax the "Road Services Fee"
- L.D. 318 Resolve, To Direct the Department of Transportation To Develop Rules To Control Wheel Spray from Large Commercial Vehicles
- L.D. 322 An Act To Set Limits on Fines That May Be Assessed for Nonhabitual Offenders under Maine's Truck Weight Laws
- L.D. 374 An Act To Create Animal Shelter Special Registration Plates
- L.D. 379 Resolve, Directing the Commissioner of Transportation To Examine Which Aspects of the Department of Transportation's Operations Could be Privatized

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

Sincerely,

S/Sen. Pamela H. Hatch
Senate Chair

S/Rep. Ronald E. Usher
House Chair

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

The Following Communication:

S.C. 78

121ST LEGISLATURE
JOINT STANDING COMMITTEE ON UTILITIES AND ENERGY

February 26, 2003

Honorable Beverly C. Daggett, President of the Senate
Honorable Patrick Colwell, Speaker of the House
121st Maine Legislature
State House
Augusta, Maine 04333

Dear President Daggett and Speaker Colwell:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Utilities and Energy has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 87 An Act to Ensure That all State Residential and Commercial Customers are Able to Purchase Electricity Through the Competitive Market
- L.D. 214 An Act to Streamline Utility Consumer Advocacy
- L.D. 306 An Act To Ensure Recovery of Extraordinary, Terrorism-related Security Costs for Public Utilities

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

Sincerely,

S/Sen. Christopher Hall
Senate Chair

S/Rep. Lawrence Bliss
House Chair

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

SENATE PAPERS

Bill "An Act To Improve Services of Animal Shelters"

S.P. 400 L.D. 1194

Sponsored by Senator SAWYER of Penobscot.

Cosponsored by Senator: ROTUNDO of Androscoggin, Representative: CROSTHWAITE of Ellsworth.

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 Change the Definition of Family or Household Members for Purposes of Criminal Statutes"

S.P. 386 L.D. 1182

Sponsored by Senator LaFOUNTAIN of York.

Cosponsored by Representative O'NEIL of Saco and Senator: MAYO of Sagadahoc.

Bill "An Act to Revise the Reimbursement by the County Jail Prisoner Support and Community Corrections Fund and To Provide Additional Support to County Jails"

S.P. 390 L.D. 1186

Sponsored by Senator STRIMLING of Cumberland.

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

Sent down for concurrence.

Bill "An Act Regarding the Criminal History Record Check of School Employees"
(EMERGENCY)

S.P. 404 L.D. 1198

Sponsored by Senator MAYO of Sagadahoc.

Cosponsored by Representative MURPHY of Kennebunk and Senators: DAVIS of Piscataquis, DOUGLASS of Androscoggin, EDMONDS of Cumberland, Representatives: COWGER of Hallowell, CUMMINGS of Portland, DAVIS of Falmouth, HUTTON of Bowdoinham, TRAHAN of Waldoboro.

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 Preserve the Role of Assisted Living"

S.P. 403 L.D. 1197

Sponsored by Senator MAYO of Sagadahoc.

Cosponsored by Representative KANE of Saco and Senator: BRENNAN of Cumberland, Representatives: CAMPBELL of Newfield, EARLE of Damariscotta, LEWIN of Eliot, PERRY of Calais.

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 Require a Resident To Purchase a Hunting License Before Entering Any Hunting Lottery"

S.P. 396 L.D. 1191

Sponsored by Senator BRYANT of Oxford.

Cosponsored by Representative DUNLAP of Old Town and Senators: BENNETT of Oxford, YOUNGBLOOD of Penobscot, Representatives: JACKSON of Fort Kent, McGLOCKLIN of Embden, PINEAU of Jay, RICHARDSON of Greenville, SIMPSON of Auburn, TOBIN of Dexter.

Bill "An Act To Allow the Transfer of Certain Permits"

S.P. 401 L.D. 1195

Sponsored by Senator BRYANT of Oxford.

Cosponsored by Representative DUNLAP of Old Town and Senator: BENNETT of Oxford, Representatives: JACKSON of Fort Kent, McGLOCKLIN of Embden, PINEAU of Jay, RICHARDSON of Greenville, TOBIN of Dexter.

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

Sent down for concurrence.

Bill "An Act To Create the Comprehensive Health Insurance Risk Pool Association" (EMERGENCY)

S.P. 394 L.D. 1190

Sponsored by Senator LaFOUNTAIN of York.

Cosponsored by Representative SNOWE-MELLO of Poland, Representative O'NEIL of Saco and Senators: MAYO of Sagadahoc, TURNER of Cumberland, Representatives: GLYNN of South Portland, YOUNG of Limestone.

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

Sent down for concurrence.

Bill "An Act To Enhance Juvenile Rehabilitation"

S.P. 397 L.D. 1192

Sponsored by Senator EDMONDS of Cumberland.

Cosponsored by Senators: LaFOUNTAIN of York, MARTIN of Aroostook, PENDLETON of Cumberland.

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

On motion by Senator **PENDLETON** of Cumberland, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY**.

Sent down for concurrence.

Bill "An Act To Provide Paid Family and Medical Leave"

S.P. 389 L.D. 1185

Sponsored by Senator STRIMLING of Cumberland.

Bill "An Act To Strengthen the Family Medical Leave Laws"

S.P. 399 L.D. 1193

Sponsored by Senator EDMONDS of Cumberland.

Cosponsored by Representative SMITH of Van Buren and Senator: LaFOUNTAIN of York,
Representatives: HATCH of Skowhegan, HUTTON of Bowdoinham.

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

Sent down for concurrence.

Bill "An Act To Clarify the Definition of Independent Expenditures Under the Election Laws"
S.P. 402 L.D. 1196

Sponsored by Senator EDMONDS of Cumberland.

Cosponsored by Representative CLARK of Millinocket and Senators: GAGNON of Kennebec,
MAYO of Sagadahoc, ROTUNDO of Androscoggin, TREAT of Kennebec, Representatives:
CANAVAN of Waterville, KOFFMAN of Bar Harbor, PATRICK of Rumford, RICHARDSON of
Brunswick.

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

Sent down for concurrence.

Bill "An Act To Establish the Commission for the Blind"

S.P. 393 L.D. 1189

Sponsored by Senator GILMAN of Cumberland.

Cosponsored by Representative McLAUGHLIN of Cape Elizabeth and Senator: NASS of York,
Representatives: McKENNEY of Cumberland, MOORE of Standish.

Bill "An Act To Establish the Lincoln and Sagadahoc Multicounty Jail Authority" (EMERGENCY)
S.P. 405 L.D. 1199

Sponsored by Senator MAYO of Sagadahoc.

Cosponsored by Representative WATSON of Bath and Senator: HALL of Lincoln, Representatives:
EARLE of Damariscotta, GROSE of Woolwich, HUTTON of Bowdoinham, LESSARD of
Topsham, PERCY of Phippsburg, RINES of Wiscasset, TRAHAN of Waldoboro.

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

Sent down for concurrence.

Bill "An Act Regarding Abandoned Rights-of-way"

S.P. 387 L.D. 1183

Sponsored by Senator HALL of Lincoln.

Cosponsored by Senator: STRIMLING of Cumberland, Representative: PINGREE of North Haven.

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

On motion by Senator **ROTUNDO** of Androscoggin, **REFERRED** to the Committee on
JUDICIARY.

Sent down for concurrence.

Bill "An Act To Provide for Fairer Income Taxation"

S.P. 398 L.D. 1204

Sponsored by Senator STRIMLING of Cumberland.

Cosponsored by Senator GILMAN of Cumberland, Representative CRESSEY of Baldwin.

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

Sent down for concurrence.

Resolve, To Encourage Use of Alternative Energy Sources

S.P. 388 L.D. 1184

Sponsored by Senator HALL of Lincoln.

Cosponsored by Representatives: BUNKER of Kossuth Township, EARLE of Damariscotta, GROSE of Woolwich, SAMPSON of Auburn, SUSLOVIC of Portland.

Bill "An Act To Establish Minimum Energy Efficiency Standards for Products Sold in the State"

S.P. 391 L.D. 1187

Sponsored by Senator HALL of Lincoln.

Cosponsored by Representative O'NEIL of Saco and Representatives: BLISS of South Portland, PELLON of Machias, RICHARDSON of Brunswick, THOMPSON of China.

Bill "An Act To Control Unsolicited Commercial E-mail"

S.P. 392 L.D. 1188

Sponsored by Senator SHOREY of Washington.

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

Sent down for concurrence.

REPORTS OF COMMITTEES

House

Ought to Pass

The Committee on **JUDICIARY** on Bill "An Act to Amend the Maine Probate Code Regarding the Fee for a Copy of a Will Provided to a Beneficiary"

H.P. 125 L.D. 166

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

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Off Record Remarks

The Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Eliminate the Restriction on Municipal Investment of Trust Funds"

H.P. 221 L.D. 278

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

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **TAXATION** on 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

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

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **UTILITIES AND ENERGY** on Bill "An Act To Ensure Lower Electricity Costs in Maine"

H.P. 142 L.D. 183

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

Signed:

Senators:

HALL of Lincoln
BROMLEY of Cumberland
YOUNGBLOOD of Penobscot

Representatives:

RINES of Wiscasset
FLETCHER of Winslow
LUNDEEN of Mars Hill
MOODY of Manchester
ADAMS of Portland
BERRY of Belmont
BLISS of South Portland
RICHARDSON of Skowhegan

The Minority of the same Committee on the same subject reported that the same **Ought To Pass**.

Signed:

Representatives:

CRESSEY of Baldwin
GOODWIN of Pembroke

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

Reports **READ**.

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

Divided Report

The Majority of the Committee on **UTILITIES AND ENERGY** on Bill "An Act To Prohibit Use of Computerized Calls by Telemarketers"

H.P. 312 L.D. 392

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

Signed:

Senators:

HALL of Lincoln
BROMLEY of Cumberland
YOUNGBLOOD of Penobscot

Representatives:

RINES of Wiscasset
FLETCHER of Winslow
LUNDEEN of Mars Hill
MOODY of Manchester
BLISS of South Portland
BERRY of Belmont
GOODWIN of Pembroke
CRESSEY of Baldwin
RICHARDSON of Skowhegan

The Minority of the same Committee on the same subject reported that the same **Ought To Pass**.

Signed:

Representative:

ADAMS of Portland

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

Reports **READ**.

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

SECOND READERS

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

House

Bill "An Act To Amend the Requirements for a Journeyman Oil Burner Technician License"
H.P. 184 L.D. 225

Bill "An Act to Change the Reporting Requirements for the Mercury Switch Removal Program"
H.P. 305 L.D. 385

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

Senate

Bill "An Act Concerning Full-time Law Enforcement and Corrections Officers"
S.P. 74 L.D. 151

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

Sent down for concurrence.

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

SENATE PAPERS

Bill "An Act To Improve MaineCare Cost-of-care Procedures Affecting Nursing Facility Residents and to Establish Clearer Duties for Powers of Attorney"
S.P. 406 L.D. 1260

Sponsored by Senator MARTIN of Aroostook.

Cosponsored by Senators: BRENNAN of Cumberland, TURNER of Cumberland, WESTON of Waldo, Representatives: CURLEY of Scarborough, DUGAY of Cherryfield, LEWIN of Eliot.

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 Support Clean and Efficient Energy for the Future of Maine's Economy and Environment"

S.P. 407 L.D. 1261

Sponsored by Senator TREAT of Kennebec.

Cosponsored by Representative BLISS of South Portland and Senators: BRENNAN of Cumberland, BROMLEY of Cumberland, DAMON of Hancock, HALL of Lincoln, STRIMLING of Cumberland, Representatives: BERRY of Belmont, LUNDEEN of Mars Hill, MILLS of Cornville.

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

Sent down for 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 Animal Welfare Laws and Improve Funding"
H.P. 889 L.D. 1215

Bill "An Act To Establish a Moratorium on Genetically Engineered Plants"
H.P. 893 L.D. 1219

Bill "An Act To Regulate the Breeding and Sale of Guinea Pigs"
H.P. 902 L.D. 1228

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

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

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Increase the State Bonding Limit under Certain Circumstances

H.P. 906 L.D. 1232

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.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Restrict Excessive Rental Fees for Self-service Storage Facilities"
H.P. 905 L.D. 1231

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

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

Bill "An Act To Increase Requirements for Notification of Release to Victims of Stalkers"
H.P. 898 L.D. 1224

Bill "An Act To Provide Mandatory Minimum Penalties for Vandalizing a Street Sign or Traffic Control Sign"

H.P. 904 L.D. 1230

Come 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 Require Consistency in the School Budget Process"

H.P. 877 L.D. 1202

Resolve, Regarding the Effect of the Income Factor on General Purpose Aid for Local Schools

H.P. 879 L.D. 1205

Bill "An Act To Provide School Vouchers to Students in Overcrowded Schools"

H.P. 903 L.D. 1229

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

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

Bill "An Act To Amend the Dates for Implementation of the Maine Rx Program and the Prescription Drug Price Reduction Act"

H.P. 894 L.D. 1220

Comes 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 Regulate the Delivery Sales of Cigarettes and To Prevent the Sale of Cigarettes to Minors"

H.P. 910 L.D. 1236

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

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

On motion by Senator **BRENNAN** 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 Extend the Firearm Deer Hunting Season"

H.P. 901 L.D. 1227

Bill "An Act To Encourage Hunting by Improving Hunting Laws"

H.P. 912 L.D. 1238

Come 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.

Bill "An Act To Allow an Appeal for Cancellation of Commercial Insurance"
H.P. 875 L.D. 1200

Bill "An Act Concerning Universal Health Insurance"
H.P. 913 L.D. 1239

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

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

All matters thus acted upon were ordered sent down forthwith for 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 Executive Sessions of Public Bodies"
H.P. 878 L.D. 1203

Bill "An Act To Amend the Laws Relating to Medical Certification of the Cause of Death and the Medical Examiner Act"
H.P. 885 L.D. 1211

Bill "An Act Regarding Confidentiality and Mental Health"
H.P. 888 L.D. 1214

Bill "An Act To Enact the Revised Uniform Arbitration Act"
H.P. 892 L.D. 1218

Come 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.

Bill "An Act To Promote Justice for Those Not Guilty of Crimes Due to Mental Disease or Defect"
H.P. 911 L.D. 1237

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

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

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

Senate at Ease.

Senate called to order by President Pro Tem **KENNETH T. GAGNON** of Kennebec County.

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 Moderate-value and High-value Bird Habitats"

H.P. 908 L.D. 1234

Comes 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 Responsible Employment Practices"

H.P. 880 L.D. 1206

Resolve, To Establish the Intergovernmental Advisory Commission

H.P. 884 L.D. 1210

Bill "An Act To Amend the Laws Regarding County Government"

H.P. 890 L.D. 1216

Bill "An Act To Clarify the Division of the Positions of Town Assessor and Selectman"

H.P. 900 L.D. 1226

Come 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.

ORDERS OF THE DAY

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

Resolve, Directing Certain State Agencies To Renegotiate an Agreement Regarding Dams on the Sebasticook River (EMERGENCY)

H.P. 737 L.D. 1016

Tabled - March 6, 2003, by Senator **MARTIN** of Aroostook

Pending - **REFERENCE**

(In House, March 5, 2003, **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.

Off Record Remarks

RECESSED until the sound of the bell.

After Recess

Senate called to order by President Pro Tem **KENNETH T. GAGNON** of Kennebec County.

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 Sales and Use Tax Law Regarding the Food Service and Lodging Industries"

H.P. 881 L.D. 1207

Bill "An Act To Provide Property Tax Relief to Maine Citizens Who Meet Certain Guidelines"

H.P. 882 L.D. 1208

Bill "An Act To Conform the State Compromise of Tax Liability Procedure with Federal Procedures"

H.P. 883 L.D. 1209

Bill "An Act To Enhance the Collection of Tax Arrearages"

H.P. 891 L.D. 1217

Bill "An Act To Provide Property Tax Relief to Maine Resident Homeowners"

H.P. 909 L.D. 1235

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.

Bill "An Act To Establish a Modern Transportation Policy"

H.P. 887 L.D. 1213

Bill "An Act To Prohibit Skateboarding on State Highways"

H.P. 895 L.D. 1221

Bill "An Act To Penalize Timberland Owners rather than Truckers for Hauling Weight Violations"

H.P. 896 L.D. 1222

Bill "An Act To Amend the Motor Vehicle Laws"

H.P. 907 L.D. 1233

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.

Bill "An Act To Create the Bayside Utilities District"

H.P. 886 L.D. 1212

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.

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act Relating to Retirement Qualifications for Hazardous Materials Workers"
H.P. 897 L.D. 1223

Resolve, To Assist Retired Teachers by Establishing a Health Insurance Payment Program
H.P. 899 L.D. 1225

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 Require the Owner or Operator of a Casino To Improve or Replace Utilities and Infrastructure in the Vicinity of the Casino"

H.P. 876 L.D. 1201

Committee on **LEGAL AND VETERANS AFFAIRS** suggested and ordered printed.

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

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

On motion by Senator **CATHCART** of Penobscot, **ADJOURNED**, pursuant to the Joint Order, to Tuesday, March 11, 2003, at 10:00 in the morning.