

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

In Senate Chamber
Monday
March 31, 2003

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

Prayer by Father Joseph Khoury, Our Lady of Wisdom and St. Mary's Parishes in Orono.

FATHER KHOURY: Creator, God, we gather here, aware of the tasks which are ours and the concerns of our people, our state, and our nation. May we, who are entrusted with the work of law making, be always attentive to the values by which we live and which have shaped our nation, the rights to life, liberty, and the pursuit of happiness. In our deliberations, let us be respectful. In our decisions, let us be wise. In our legislating, let it be always for the common good. Grant, Lord God, that we be always mindful of Your grace at work in us. Let our hearts be grateful for the many gifts that you bestow upon us each day. Lord, God, hold gently in Your loving hands all who are in harms way. Listen to these, our prayers, as we offer You thanks and grant us always Your blessing. Amen.

Pledge of Allegiance led by Senator Paul T. Davis of Piscataquis County.

Doctor of the day, William Atlee, Jr., M.D. of Augusta.

Reading of the Journal of Thursday, March 27, 2003.

Off Record Remarks

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Allow Municipalities To Establish Areas within Which Engine Brakes Are Prohibited"

H.P. 1047 L.D. 1428

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

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

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

COMMUNICATIONS

The Following Communication:

S.C. 119

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

March 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. 913 An Act To Increase Community Development Block Grants
- L.D. 994 Resolve, Directing the Department of Economic and Community Development To Inventory Maine Business Excellence

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. 120

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

March 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. 848 An Act To Establish a Circuit Breaker Program for Fuel Assistance
- L.D. 1033 An Act To Require the Maine State Housing Authority To Guarantee Security Deposits for Low-income Renters
- L.D. 1085 An Act To Provide Security Deposit Assistance to Renters Receiving Federal Rent Assistance

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. 121

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

March 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. 344 An Act To Amend the School Finance Act
- L.D. 597 An Act To Establish a Community College System in Maine
- L.D. 715 An Act to Assist Visual Care Providers in the State
- L.D. 744 An Act To Ensure Improved Stability in School Funding Distributions
- L.D. 763 Resolve, Directing the Department of Professional and Financial Regulation To Establish a Degree Program for Denturism
- L.D. 765 An Act To Prevent Truancy
- L.D. 825 An Act To Establish a Special Education Secondary School Diploma
- L.D. 828 An Act To Phase In General Purpose Aid for Local Schools Funding Losses Over Time
- L.D. 850 An Act To Establish a New School Funding Formula
- L.D. 1036 An Act To Clarify Curriculum Requirements for Gifted and Talented High School Students
- L.D. 1041 An Act To Protect Schools That Are Completing Health and Safety Improvements from Losing Points as Part of Their Major Capital Project Applications
- L.D. 1046 An Act To Expand Waiver of Tuition Payments to All Active Duty Military Personnel Who Are Maine Residents

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

Sincerely,

S/Sen. Neria R. Douglass

S/Rep. Glenn Cummings

Senate Chair

House Chair

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

The Following Communication:

S.C. 122

**121ST LEGISLATURE
COMMITTEE ON HEALTH AND HUMAN SERVICES**

March 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 Health and Human Services has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 89 An Act to Prohibit the Use of Juveniles in the Enforcement of the Laws Governing the Sale of Tobacco
- L.D. 96 Resolve, Regarding the Regulation of Home Day Care and Summer Camps
- L.D. 241 Resolve, To Require Electronic Transmission of Prior Authorization Requests in the MaineCare Program
- L.D. 285 An Act Directing the Department of Human Services to Adjust Dental Reimbursement Rates under the Medicaid Program
- L.D. 295 An Act To Revise the Laws Regulating Boarding Homes
- L.D. 332 Resolve, Affecting the MaineCare Reimbursement Formula
- L.D. 440 Resolve, To Provide Equitable Treatment of Graduate Students
- L.D. 622 Resolve, To Establish a Committee To Examine the Cost- effectiveness of the State Long-term Care Assessment System

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

Sincerely,

S/Sen. Michael Brennan
Senate Chair

S/Rep. Thomas J. Kane
House Chair

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

The Following Communication:

S.C. 123

**121ST LEGISLATURE
COMMITTEE ON INLAND FISHERIES AND WILDLIFE**

March 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 Inland Fisheries and Wildlife has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 127 An Act Regarding the Publication of Trapping Rules
- L.D. 136 An Act to Limit the Articles of Hunter Orange Clothing Required to a Hunter Orange Hat
- L.D. 455 An Act To Ban the Use of Snares
- L.D. 932 An Act To Amend the Season for Laying Bait for Bear
- L.D. 963 Resolve, To Establish the Commission To Study the Department of Inland Fisheries and Wildlife's Fish Stocking Procedures and Management and the Enforcement of Fishing Laws in Northwestern Aroostook County
- L.D. 1000 An Act To Establish a Policy for Inland Fishing Rules

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

Sincerely,

S/Sen. Bruce Bryant
Senate Chair

S/Rep. Matthew Dunlap
House Chair

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

The Following Communication:

S.C. 124

121ST LEGISLATURE
COMMITTEE ON INSURANCE AND FINANCIAL SERVICES

March 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 Insurance and Financial Services has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 488 An Act To Reduce Administrative Expenses in Health Insurance
- L.D. 615 An Act To Protect Citizen Privacy
- L.D. 821 An Act To Clarify the Assignment of Provider Identification Numbers to Nurse Practitioners
- L.D. 1007 An Act To Promote Clarity and Uniformity in Health Insurance Contracts

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

Sincerely,

S/Sen. Lloyd P. LaFountain III
Senate Chair

S/Rep. Christopher P. O'Neil
House Chair

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

The Following Communication:

S.C. 125

**121ST LEGISLATURE
COMMITTEE ON LABOR**

March 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 bills out "Ought Not to Pass":

- L.D. 56 An Act to Discourage Unfounded Workers' Compensation Disputes
- L.D. 797 Resolve, To Provide Health Insurance to Unemployed Workers
- L.D. 809 An Act To Provide Health Insurance Contributions to All Retired Teachers

We have also notified the sponsors and cosponsors of each 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. 126

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

March 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 bills out "Ought Not to Pass":

- L.D. 186 An Act to Prohibit the Sale of Liquor by Retail Licensees for Less than the Actual Price Paid
- L.D. 516 An Act To Share Revenue from Sales of Lottery Tickets and To Permit Additional Ticket Sales Locations
- L.D. 536 An Act To Hold a Sales Agent Harmless for the Theft of Lottery Tickets if It Reports the Crime Immediately
- L.D. 915 An Act Regarding Gaming Conducted by Nonprofit Organizations

We have also notified the sponsors and cosponsors of each 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. 127

**121ST LEGISLATURE
COMMITTEE ON MARINE RESOURCES**

March 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 Marine Resources has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 70 Resolve, to Provide for the Effective Implementation of Anadromous Fish Restoration on the Upper Kennebec River System
- L.D. 598 An Act To Protect the Public from Paralytic Shellfish Poisoning
- L.D. 871 An Act To Amend the Shellfish Harvesting Laws Regarding Closed Areas for Clam Digging
- L.D. 1003 An Act To Protect the Public from Floodwater Contamination in Shellfish

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

Sincerely,

S/Sen. Dennis Damon
Senate Chair

S/Rep. Thomas Bull
House Chair

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

The Following Communication:

S.C. 128

**121ST LEGISLATURE
COMMITTEE ON NATURAL RESOURCES**

March 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 Natural Resources has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 651 An Act To Address Reporting of Certain Low-quantity Oil Releases
- L.D. 927 An Act To Require an Impact Statement on Legislation Relating to the Department of Environmental Protection and the Executive Department, State Planning Office
- L.D. 1011 An Act To Establish Minimum Environmental Compliance Standards for Subsidized Employers
- L.D. 1034 An Act To Require Certain Agencies To Track Votes of Board and Commission Members

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

Sincerely,

S/Sen. John L. Martin
Senate Chair

S/Rep. Theodore Koffman
House Chair

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

The Following Communication:

S.C. 129

**121ST LEGISLATURE
COMMITTEE ON TAXATION**

March 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 Taxation has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 109 An Act to Exempt from Tax State-mandated Fish Passage Facilities
- L.D. 911 An Act To Exempt All Casual Sales from Taxation
- L.D. 914 An Act To Provide Certain Veterans an Excise Tax Deduction in Lieu of the Homestead Exemption

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

Sincerely,

S/Sen. Stephen Stanley
Senate Chair

S/Rep. David G. Lemoine
House Chair

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

The Following Communication:

S.C. 130

**121ST LEGISLATURE
COMMITTEE ON UTILITIES AND ENERGY**

March 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. 90 An Act to Create Broadband Internet Access in Rural Areas of the State
- L.D. 437 An Act To Ensure Opportunity for Public Comment at Meetings of Sanitary Districts
- L.D. 481 An Act To Preserve Competition in the Long-distance Telephone Market
- L.D. 569 An Act To Allow the Public Utilities Commission To Exempt Certain Telephone Utilities from the Requirement To Obtain Approval for Special Contracts
- L.D. 577 An Act To Facilitate Access to Dial-up Internet Service for Telephone Customers throughout the State
- L.D. 1148 Resolve, To Establish the Maine Networked Services Task Force

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 Access by the Department of Corrections to Federal Funds under Title IV-E of the federal Social Security Act"

S.P. 498 L.D. 1498

Sponsored by Senator STRIMLING of Cumberland.

Cosponsored by Representative GERZOFKY of Brunswick and Representatives: BUNKER of Kossuth Township, CHURCHILL of Washburn, LESSARD of Topsham, MAIETTA of South Portland.

Submitted by the Department of Corrections pursuant to Joint Rule 204.

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 To Amend the School Construction Program"

S.P. 490 L.D. 1484

Sponsored by Senator BRENNAN of Cumberland.

Cosponsored by Senators: BROMLEY of Cumberland, STRIMLING of Cumberland, Representative: CUMMINGS of Portland.

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 Extend Licensing Periods for Agencies Providing Mental Health Services"

S.P. 494 L.D. 1488

Sponsored by Senator BRENNAN of Cumberland.

Cosponsored by Representative CRAVEN of Lewiston and Senator: WESTON of Waldo, Representatives: DUGAY of Cherryfield, FAIRCLOTH of Bangor, KANE of Saco, LAVERRIERE-BOUCHER of Biddeford, LERMAN of Augusta, MILLETT of Waterford, WALCOTT of Lewiston.

Submitted by the Department of Behavioral and Developmental Services pursuant to Joint Rule 204.

Bill "An Act To Delay the Repeal of Laws Governing the State's Response to an Extreme Public Health Emergency"

S.P. 497 L.D. 1491

Sponsored by Senator PENDLETON of Cumberland.

Cosponsored by Representative NORBERT of Portland and Senators: BRENNAN of Cumberland, TURNER of Cumberland, WESTON of Waldo, WOODCOCK of Franklin, Representatives: CURLEY of Scarborough, KANE of Saco, SHIELDS of Auburn.

Submitted by the Department of Human Services pursuant to Joint Rule 204.

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 Update and Amend the Revised Maine Securities Act"

S.P. 495 L.D. 1489

Sponsored by Senator LaFOUNTAIN of York.

Cosponsored by Representative O'NEIL of Saco and Representative: WOODBURY of Yarmouth. Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.

Bill "An Act To Update and Clarify the Law Regarding the Conversion of a Nonprofit Hospital and Medical Service Organization to a Domestic Stock Insurer"

S.P. 496 L.D. 1490

Sponsored by Senator DOUGLASS of Androscoggin.
Cosponsored by Representative O'NEIL of Saco.
Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.

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

Sent down for concurrence.

Bill "An Act To Allow Judges' Faxed Signatures in Involuntary Psychiatric Commitment Proceedings"

S.P. 493 L.D. 1487

Sponsored by Senator WESTON of Waldo.
Cosponsored by Representatives: CRAVEN of Lewiston, DUGAY of Cherryfield, FAIRCLOTH of Bangor, KANE of Saco, LERMAN of Augusta, MILLETT of Waterford, WALCOTT of Lewiston.
Submitted by the Department of Behavioral and Developmental Services pursuant to Joint Rule 204.

On motion by Senator **TREAT** of Kennebec, **REFERRED** to the Committee on **JUDICIARY** and ordered printed.

Sent down for concurrence.

Bill "An Act To Comply with Federal Election Laws Including the Help America Vote Act of 2002"

S.P. 492 L.D. 1486

Sponsored by Senator GAGNON of Kennebec.
Submitted by the Secretary of State pursuant to Joint Rule 204.

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

Sent down for concurrence.

Bill "An Act To Update Water Quality Criteria"

S.P. 491 L.D. 1485

Sponsored by Senator MARTIN of Aroostook.
Cosponsored by Representative KOFFMAN of Bar Harbor and Senator: SAWYER of Penobscot.
Submitted by the Department of Environmental Protection pursuant to Joint Rule 204.

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

Sent down for concurrence.

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

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act to Extend the Time to Pay a Premium to the Insured"

H.P. 9 L.D. 2

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-29)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-29)**.

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

READ ONCE.

Committee Amendment "A" (H-29) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act to Require the Superintendent of Financial Institutions to Adopt Rules Regarding a Conversion of a Field of Membership by a Credit Union"

H.P. 130 L.D. 171

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-31)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-31)**.

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

READ ONCE.

Committee Amendment "A" (H-31) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act to Reduce Workers' Compensation Costs for Self-insured Public Utilities"

H.P. 72 L.D. 64

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-30)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-30)**.

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

READ ONCE.

Committee Amendment "A" (H-30) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **TRANSPORTATION** on Resolve, Authorizing the Department of Transportation To Erect Signs Identifying the Vietnam Memorial in Bangor

H.P. 277 L.D. 357

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-26)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-26)**.

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

READ ONCE.

Committee Amendment "A" (H-26) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Off Record Remarks

Divided Report

The Majority of the Committee on **MARINE RESOURCES** on Bill "An Act To Provide Funding for the Downeast Institute for Applied Marine Research and Education"

H.P. 284 L.D. 364

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-33)**.

Signed:

Senators:

DAMON of Hancock
PENDLETON of Cumberland
BENNETT of Oxford

Representatives:

ASH of Belfast
DUGAY of Cherryfield
PERCY of Phippsburg
KAELIN of Winterport
BIERMAN of Sorrento

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

Signed:

Representative:

BULL of Freeport

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-33)**.

Reports **READ**.

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

READ ONCE.

Committee Amendment "A" (H-33) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senate

Ought to Pass

Senator ROTUNDO for the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Amend the Laws Governing Registers of Deeds"

S.P. 325 L.D. 984

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator YOUNGBLOOD for the Committee on **UTILITIES AND ENERGY** on Resolve, Regarding the Reduction of Barriers to the Transmission of Electricity

S.P. 232 L.D. 668

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Ought to Pass As Amended

Senator ROTUNDO for the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act to Rename the Town of Westport"

S.P. 23 L.D. 37

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-18)**.

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

READ ONCE.

Committee Amendment "A" (S-18) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator ROTUNDO for the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Increase Civil Process Fees"

S.P. 136 L.D. 399

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-17)**.

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

READ ONCE.

Committee Amendment "A" (S-17) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator ROTUNDO for the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Revise the Boundary between the Town of Harrison and the Town of Bridgton"
S.P. 272 L.D. 793

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-16).**

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

READ ONCE.

Committee Amendment "A" (S-16) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **UTILITIES AND ENERGY** on Bill "An Act Restricting Telemarketers from Blocking Their Telephone Numbers When Making Solicitation Calls"
S.P. 113 L.D. 331

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-15).**

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
GOODWIN of Pembroke

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

Signed:

Representatives:

CRESSEY of Baldwin
RICHARDSON of Skowhegan

Reports **READ**.

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

READ ONCE.

Committee Amendment "A" (S-15) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

SECOND READERS

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

House As Amended

Resolve, Requiring that the Waldo-Hancock Bridge be Replaced (EMERGENCY)
H.P. 58 L.D. 50
(C "A" H-23)

Bill "An Act To Make Transportation More Affordable for Low-income Families"
H.P. 357 L.D. 465
(C "A" H-22)

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

Senate As Amended

Bill "An Act to Protect the Privacy of Maine Nurses"
S.P. 22 L.D. 36
(C "A" S-9)

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

Sent down for concurrence.

Senate at Ease.

Senate called to order by the President.

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

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

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:

REPORTS OF COMMITTEES

House

Divided Report

The Majority of the Committee on **TRANSPORTATION** on Bill "An Act Making Unified Appropriations and Allocations for the Expenditures of State Government and Highway Funds and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2004 and June 30, 2005" (EMERGENCY)

H.P. 978 L.D. 1324

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-67)**.

Signed:

Senators:

HATCH of Somerset
DAMON of Hancock
SAVAGE of Knox

Representatives:

USHER of Westbrook
MARLEY of Portland
PARADIS of Frenchville
MARRACHÉ of Waterville
SAMPSON of Auburn
McKENNEY of Cumberland
COLLINS of Wells
JODREY of Bethel
BROWNE of Vassalboro

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

Signed:

Representative:

McNEIL of Rockland

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-67)**.

Reports **READ**.

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

READ ONCE.

Committee Amendment "A" (H-67) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-67)**, in concurrence.

Ordered sent forthwith to the Engrossing Division.

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

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **TRANSPORTATION** on Bill "An Act To Improve the Safety of Public Roads"
H.P. 434 L.D. 571

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-74)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-74)**.

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

READ ONCE.

Committee Amendment "A" (H-74) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-74)**, in concurrence.

Ordered sent forthwith to the Engrossing Division.

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

REPORTS OF COMMITTEES

Senate

Ought to Pass As Amended

Senator GAGNON for the Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act Regarding the Sampling of Products"

S.P. 45 L.D. 122

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-19)**.

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

READ ONCE.

Committee Amendment "A" (S-19) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

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 Maine Juvenile Code"

H.P. 1093 L.D. 1496

Bill "An Act To Amend the Laws Pertaining to the Department of Corrections"

H.P. 1094 L.D. 1497

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 Amend the Laws with Regard to Legislative Reports on Children's Mental Health Services"

H.P. 1082 L.D. 1477

Bill "An Act To Change the Membership of the Review Team for Aversive Behavior Modifications for Persons with Mental Retardation or Autism"

H.P. 1083 L.D. 1478

Bill "An Act To Change the Time Requirement for Mental Retardation Evaluations"

H.P. 1085 L.D. 1480

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.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act Concerning Public Boat Launch Sites"

H.P. 1079 L.D. 1474

Bill "An Act To Revise Certain Provisions of Maine's Fish and Wildlife Laws" (EMERGENCY)

H.P. 1087 L.D. 1482

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

On motion by Senator **TREAT** of Kennebec, **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 Paper

Bill "An Act To Clarify Provisions Governing Corporate-owned Life Insurance Policies"

H.P. 1086 L.D. 1481

Comes 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.

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Protect Maine Consumers from Hidden Fees and Charges"
H.P. 1084 L.D. 1479

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

On motion by Senator **TREAT** of Kennebec, **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 Paper

Bill "An Act To Improve Timeliness of Unemployment Trust Fund Deposits"
H.P. 1081 L.D. 1476

Comes 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.

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Correct Certain Errors and Inconsistencies in Laws Relating to Marine Resources"
H.P. 1076 L.D. 1471

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

On motion by Senator **DAMON** of Hancock, **REFERRED** to the Committee on **MARINE 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 Protect Maine's Water as a Natural Resource"
H.P. 1077 L.D. 1472

Bill "An Act To Expedite the Removal of Overboard Discharge"
H.P. 1090 L.D. 1493

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.

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Promote the Production and Use of Fuels Derived from Agricultural and Forest Products"

H.P. 1089 L.D. 1492

Comes 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 Paper

Bill "An Act To Amend the Laws Governing School Bus Headlights"

H.P. 1080 L.D. 1475

Comes 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 Paper

Bill "An Act To Improve the Ability of the Public Utilities Commission To Enforce State Laws, Rules and Requirements"

H.P. 1088 L.D. 1483

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.

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

PAPERS FROM THE HOUSE

**Pursuant to Statutes
Public Utilities Commission**

The **Public Utilities Commission**, pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Chapter 306: Information Disclosure Rule Amendment, a Major Substantive Rule of the Public Utilities Commission (EMERGENCY)

H.P. 1091 L.D. 1494

Be **REFERRED** to the Committee on **UTILITIES AND ENERGY** and ordered printed pursuant to Joint Rule 218.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **UTILITIES AND ENERGY** and ordered printed pursuant to Joint Rule 218.

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

On motion by Senator **HALL** of Lincoln, **REFERRED** to the Committee on **UTILITIES AND ENERGY** and ordered printed pursuant to Joint Rule 218, in concurrence.

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

PAPERS FROM THE HOUSE

**Pursuant to Statutes
Public Utilities Commission**

The **Public Utilities Commission**, pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Chapter 311: Eligible Resource Portfolio Requirements Rule Amendment, a Major Substantive Rule of the Public Utilities Commission (EMERGENCY)

H.P. 1092 L.D. 1495

Be **REFERRED** to the Committee on **UTILITIES AND ENERGY** and ordered printed pursuant to Joint Rule 218.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **UTILITIES AND ENERGY** and ordered printed pursuant to Joint Rule 218.

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

On motion by Senator **HALL** of Lincoln, **REFERRED** to the Committee on **UTILITIES AND ENERGY** and ordered printed pursuant to Joint Rule 218, in concurrence.

Senate at Ease.

Senate called to order by the President.

On motion by Senator **TREAT** of Kennebec, **ADJOURNED** to Tuesday, April 1, 2003, at 10:00 in the morning.