

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

In Senate Chamber
Wednesday
April 2, 2003

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

Prayer by Reverend Gerald Gabriele, Retired, of Camden.

REVEREND GABRIELE: I've never prayed to a gavel like that before. What we are doing is something that has very deep roots in the history of our great country. I would like to read a statement made by Benjamin Franklin when they were convening the Constitutional Convention in 1787. This was given to me by Dan Ziegler, who is a teacher in our adult Sunday school class at Chestnut Street Baptist Church in Camden. Mr. Franklin says this, 'in the beginning of the contest with Britain, when we were sensible of danger, we had daily prayers in this room for the divine protection. Our prayers, sir, were heard and they were graciously answered. All of us who were engaged in the struggle must have observed frequent instances of a superintending Providence in our favor. To that kind Providence, we owe this happy opportunity of consulting in peace on the means of establishing our future nation facility. Have we now forgotten this powerful Friend or do we imagine that we no longer need His assistance? I have lived a long time and the longer I live the more convincing proof I see of this truth that God governs in the affairs of men. If a sparrow cannot fall to the ground without His notice, is it possible that an empire can rise without His aid? We have been assured, sir, in the sacred writings, that 'except the Lord build a house, they labor in vein those that built it.'

I firmly believe this and I also believe that without His concurring aid, we shall proceed in this political building no better than the builders of Babel. We shall be divided by our little, partial, and local interests; our prospects will be confounded; and we, ourselves, shall become a reproach and a by-word down to future ages. What is worse? Mankind may hereafter, from this unfortunate incidence, despair of establishing government by human wisdom and leave it to chance or conquest. I, therefore, beg leave to move that henceforth prayers imploring the assistance of heaven and its blessings on our deliberations be held in this assembly every morning before we proceed to business and that one or more of the clergy of this city be requested to officiate in that service.' It is in that great tradition that we pray.

Our Father, thank You for those who, in years passed, founded this great country on You and Your word. Thank You for our Governor and these law makers, who endeavor to continue that noble form of government. I thank You for the men and women of our armed forces who are willing to sacrifice their lives to preserve that government and spread it to other nations. We pray for them. Give them courage, wisdom, truth, hope, strength, and bless our state and our country. In Thy holy name we pray. Amen.

Doctor of the day, Steven Weisberger, D.O. of Jonesport.

Reading of the Journal of Tuesday, April 1, 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. 509

ORDERED, the House concurring, that when the House and Senate adjourn, they do so until Monday, April 7, 2003, at 10:00 in the morning.

READ and PASSED.

Ordered sent down forthwith for concurrence.

COMMUNICATIONS

The Following Communication: S.C. 135

**121ST LEGISLATURE
COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY**

March 27, 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 Criminal Justice and Public Safety has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 807 An Act To Permit the Use of Videoconferencing for the Purpose of Jail Visitation

L.D. 863 An Act To Require State Reimbursement to Counties for Health Expenses Incurred For Prisoners in County Jails

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

Sincerely,

S/Sen. Ethan Strimling
Senate Chair

S/Rep. George H. Bunker Jr.
House Chair

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

The Following Communication: S.C. 136

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

March 27, 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. 143 Resolve, to Improve Access to Breast and Cervical Cancer Treatment
- L.D. 220 Resolve, to Expand Community-based Options for Elderly and Disabled Persons
- L.D. 429 Resolve, To Increase Allowance Levels for Nursing Home Residents
- L.D. 609 An Act To Offset the United States Citizenship Test Fee for Low-income Residents

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. 137

**121ST LEGISLATURE
COMMITTEE ON INSURANCE AND FINANCIAL SERVICES**

March 27, 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 bill out "Ought Not to Pass":

- L.D. 879 An Act To Require Insurance Companies To Pay up to \$200 for Wigs for Individuals Who Have Lost Hair Due to Medical Reasons

We have also notified the sponsor and cosponsors 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. 138

**121ST LEGISLATURE
COMMITTEE ON NATURAL RESOURCES**

March 31, 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 bill out "Ought Not to Pass":

L.D. 1016 Resolve, Directing Certain State Agencies To Renegotiate an Agreement
 Regarding Dams on the Sebasticook River

We have also notified the sponsor and cosponsors 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. 139

**121ST LEGISLATURE
COMMITTEE ON JUDICIARY**

March 27, 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. 959 An Act To Require the Chief Medical Examiner To Perform Tests When Public
 Safety or Health Care Personnel Are Exposed

L.D. 1136 An Act To Amend the Maine Business Corporation Act

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. 140

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

March 31, 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. 754 An Act To Allow Public Office Candidates To Campaign in State-funded University Dormitories
- L.D. 757 An Act To Provide Voting Rights to Nonresident Taxpayers
- L.D. 844 An Act To Provide the Option To Nominate Presidential Candidates by Caucus

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. 141

**121ST LEGISLATURE
COMMITTEE ON TAXATION**

March 31, 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. 256 An Act to Establish and Permit Medical Savings Accounts
- L.D. 505 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
- L.D. 567 An Act To Prohibit Government-subsidized Competition with Lodging Establishments
- L.D. 579 An Act To Provide a Property Tax Exemption for Parents Whose Children Attend a Private Elementary or Secondary School
- L.D. 600 An Act To Change the Filing Dates on Real Estate Liens
- L.D. 601 An Act To Encourage Earlier Tax Refunds
- L.D. 706 An Act To Create an Income Tax Credit for Premiums Paid for Health Insurance

L.D. 721 An Act to Encourage More Dentists to Practice in the State

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. 142

**121ST LEGISLATURE
COMMITTEE ON TRANSPORTATION**

March 31, 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. 739 An Act To Clarify Handicapped Parking Status for Disabled Veterans

L.D. 1017 An Act To Broaden the Scope of Driving to Endanger

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.**

SENATE PAPERS

Bill "An Act To Prevent Certain Deliveries of Tobacco Products"

S.P. 508 L.D. 1516

Sponsored by Senator MARTIN of Aroostook.

Submitted by the Department of the Attorney General 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 Promote and Monitor Competition in the Solid Waste Industry"

S.P. 507 L.D. 1515

Sponsored by Senator MARTIN of Aroostook.
Cosponsored by Representative KOFFMAN of Bar Harbor.
Submitted by the Department of the Attorney General 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.

REPORTS OF COMMITTEES

House

Ought to Pass

The Committee on **UTILITIES AND ENERGY** on Bill "An Act To Eliminate Potential Restrictions to the Establishment of an Alternative Form of Regulation for Some Telephone Utilities" (EMERGENCY)

H.P. 575 L.D. 776

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.

Ought to Pass As Amended

The Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act to Allow Experimentation in the Cultivation of Agricultural Hemp"

H.P. 61 L.D. 53

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-61)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-61)**.

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

READ ONCE.

Committee Amendment "A" (H-61) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act To Strengthen the Animal Control Laws"

H.P. 280 L.D. 360

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-60)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-60)**.

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

READ ONCE.

Committee Amendment "A" (H-60) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Clarify the Standard for Review of Preconviction Bail"

H.P. 535 L.D. 729

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-71).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-71).**

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

READ ONCE.

Committee Amendment "A" (H-71) **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 That Mental Health Workers with LCPC Licenses Are Recognized as Licensed Professionals for Purposes of Insurance Reimbursement"

H.P. 426 L.D. 563

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-72).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-72) AND HOUSE AMENDMENT "A" (H-84).**

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

READ ONCE.

Committee Amendment "A" (H-72) **READ** and **ADOPTED**, in concurrence.

House Amendment "A" (H-84) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **LABOR** on Bill "An Act to Amend the Laws Governing the Extension of Benefits for Partial Incapacity Under the Maine Workers' Compensation Act of 1992"

H.P. 17 L.D. 10

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-62).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-62).**

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

READ ONCE.

Committee Amendment "A" (H-62) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **LABOR** on Bill "An Act to Establish the Administrative Operating Budget for the Maine State Retirement System for the Fiscal Year Ending June 30, 2004" (EMERGENCY)
H.P. 18 L.D. 11

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-63)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-63)**.

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

READ ONCE.

Committee Amendment "A" (H-63) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **LABOR** on Bill "An Act To Improve the Health and Safety of Young Workers"
H.P. 129 L.D. 170

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-64)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-64)**.

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

READ ONCE.

Committee Amendment "A" (H-64) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **MARINE RESOURCES** on Bill "An Act to Increase the Minimum Ring Size of Legal Scallops"
H.P. 90 L.D. 81

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-58)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-58)**.

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

READ ONCE.

Committee Amendment "A" (H-58) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Allow Free Clinics To Purchase Medications and Supplies through State Contracts"

H.P. 54 L.D. 46

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-73)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-73)**.

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

READ ONCE.

Committee Amendment "A" (H-73) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **TRANSPORTATION** on Bill "An Act To Honor Purple Heart Award Recipients"

H.P. 330 L.D. 422

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-68)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-68)**.

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

READ ONCE.

Committee Amendment "A" (H-68) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **TRANSPORTATION** on Bill "An Act To Make Additional Allocations From the Highway Fund and Other Funds for the Expenditures of State Government and To Change Certain Provisions of State Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2003" (EMERGENCY)

H.P. 1014 L.D. 1379

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-69)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-69)**.

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

READ ONCE.

Committee Amendment "A" (H-69) **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-69)**, in concurrence.

Ordered sent forthwith to the Engrossing Division.

Divided Report

The Majority of the Committee on **UTILITIES AND ENERGY** on Bill "An Act to Control Internet 'Spam'"

H.P. 210 L.D. 255

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-70)**.

Signed:

Senators:

HALL of Lincoln
BROMLEY of Cumberland

Representatives:

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

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

Signed:

Senator:

YOUNGBLOOD of Penobscot

Representatives:

MOODY of Manchester
CRESSEY of Baldwin

Comes from the House with Reports **READ** and the Bill and accompanying papers **COMMITTED** to the Committee on **UTILITIES AND ENERGY**.

Reports **READ**.

On motion by Senator **BROMLEY** of Cumberland, Bill and accompanying papers **COMMITTED** to the Committee on **UTILITIES AND ENERGY**, in concurrence.

Senate

Ought to Pass As Amended

Senator YOUNGBLOOD for the Committee on **UTILITIES AND ENERGY** on Bill "An Act To Promote Affordable Telephone Service for Business and Residential Customers in Rural Maine" (EMERGENCY)

S.P. 99 L.D. 265

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-21)**.

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

READ ONCE.

Committee Amendment "A" (S-21) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

SECOND READERS

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

House

Bill "An Act To Allow Fire and Emergency Medical Services Response Vehicles To Display One Blue Light at the Rear of the Vehicle"

H.P. 356 L.D. 464

Bill "An Act To Establish the Maine Week of Heroes"

H.P. 369 L.D. 477

Bill "An Act To Improve the Method of Reapportionment of School Boards" (EMERGENCY)

H.P. 412 L.D. 527

Bill "An Act To Increase the Debt Limit of the Rockland Port District"

H.P. 451 L.D. 621

Bill "An Act Regarding the Sale of Hard Cider"

H.P. 455 L.D. 625

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

House As Amended

Bill "An Act to Amend the Child Labor Laws"

H.P. 13 L.D. 6
(C "A" H-56)

Resolve, Regarding Legislative Review of Portions of Chapter 130: Implementation of the State Purchasing Code of Conduct for Suppliers of Apparel, Footwear and Textiles, a Major Substantive Rule of the Department of Administrative and Financial Services (EMERGENCY)

H.P. 26 L.D. 19
(C "A" H-50)

Bill "An Act to Provide a 5% Increase in the State's Contribution for Insurance for Retired Teachers"

H.P. 39 L.D. 32
(C "A" H-55)

Bill "An Act to Reduce Jail Overcrowding"

H.P. 56 L.D. 48
(C "A" H-52)

Bill "An Act to Repeal the Presidential Preference Primary Elections Process" (EMERGENCY)

H.P. 109 L.D. 100
(C "A" H-34)

Bill "An Act To Provide Employees Fair Access to Personnel Files"

H.P. 319 L.D. 411
(C "A" H-54)

Bill "An Act To Encourage Dog Tracking of Wounded Big Game Animals"

H.P. 352 L.D. 460
(C "A" H-39)

Bill "An Act To Enhance Consumer Protections in Relation to Certain Mortgages"

H.P. 383 L.D. 494
(C "A" H-53)

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

Senate

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

S.P. 191 L.D. 551

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

Sent down for concurrence.

ENACTORS

The Committee on **Engrossed Bills** reported as truly and strictly engrossed the following:

Emergency Measure

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

H.P. 978 L.D. 1324

(C "A" H-67)

On motion by Senator **HATCH** of Somerset, **TABLED** until Later in Today's Session, pending **ENACTMENT**, in concurrence.

ORDERS OF THE DAY

Unfinished Business

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

The Chair laid before the Senate the following Tabled and Later (4/1/03) Assigned matter:

SENATE REPORTS - from the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act to Amend the Membership of the Propane and Natural Gas Board"

S.P. 49 L.D. 126

Majority - **Ought Not to Pass** (8 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (S-20)** (5 members)

Tabled - April 1, 2003, by Senator **BROMLEY** of Cumberland

Pending - **ACCEPTANCE OF EITHER REPORT**

(In Senate, April 1, 2003, Reports **READ**.)

On motion by Senator **BROMLEY** of Cumberland, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**.

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 **CATHCART** of Penobscot 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.

Off Record Remarks

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

ENACTORS

The Committee on **Engrossed Bills** reported as truly and strictly engrossed the following:

Emergency Measure

An Act To Make Additional Allocations From the Highway Fund and Other Funds for the Expenditures of State Government and To Change Certain Provisions of State Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2003

H.P. 1014 L.D. 1379
(C "A" H-69)

On motion by Senator **DAVIS** of Piscataquis, **TABLED** until Later in Today's Session, pending **ENACTMENT**, 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 Harvest Standards for Lands Purchased and Harvested within an 8-year Period"

H.P. 1110 L.D. 1518

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Improve Access to the Victims' Compensation Fund"
H.P. 1103 L.D. 1510

Bill "An Act To Amend the Sex Offender Registration and Notification Laws"
H.P. 1107 L.D. 1514

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 Paper

Bill "An Act To Make Technical Changes to the Laws Concerning Tobacco Manufacturers"
H.P. 1104 L.D. 1511

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 Paper

Bill "An Act To Update the Department of Defense, Veterans and Emergency Management Laws"
H.P. 1106 L.D. 1513

Comes 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 Paper

Resolve, Authorizing the Commissioner of Administrative and Financial Services To Sell Up to 15 Acres of Land and Other Interests of the State at the Long Creek Youth Development Center, in South Portland

H.P. 1105 L.D. 1512

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.

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Allow the Early Submission of an Application To Become Licensed as a Motor Vehicle Inspector"

H.P. 1102 L.D. 1509

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

**Pursuant to Public Law
Joint Standing Committee on Judiciary**

The **Joint Standing Committee on Judiciary**, pursuant to Public Law 2001, chapter 640, Part B, section 6 asked leave to report that the accompanying Bill "An Act To Make Necessary Technical Changes Relating to the Maine Business Corporation Act and the Maine Professional Service Corporation Act" (EMERGENCY)

H.P. 1109 L.D. 1517

Be **REFERRED** to the Committee on **JUDICIARY** and ordered printed pursuant to Joint Rule 218.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **JUDICIARY** and ordered printed pursuant to Joint Rule 218.

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

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

Joint Resolution

The following Joint Resolution:

**JOINT RESOLUTION RECOGNIZING DOROTHEA LYNDE DIX,
PIONEER AND ADVOCATE FOR PERSONS WITH MENTAL
ILLNESS, ON THE OCCASION OF THE 201ST ANNIVERSARY
OF HER BIRTH IN HAMPDEN, MAINE**

WHEREAS, April 4, 2003, is the 201st anniversary of the birth in the Town of Hampden of the first nationwide pioneer and advocate for the just treatment of persons with mental illness; and

WHEREAS, Dorothea Lynde Dix worked tirelessly to ensure that the treatment of people with mental illness was fair and humane; and

WHEREAS, prior to her efforts, people with mental illness were housed in jails and poorhouses where they were chained and beaten, and the prevailing understanding was that their condition meant they could not feel pain; and

WHEREAS, Dorothea Dix concluded that many of the women in her Sunday school class in the East Cambridge Jail in Cambridge, Massachusetts were guilty only of mental illness and pleaded their case before a court of law; and

WHEREAS, although the court rejected her argument, the living conditions improved for the inmates; and

WHEREAS, Dorothea Dix undertook an exhaustive survey of the conditions for the mentally ill in jails and prisons and addressed major legislative bodies regarding the inhumane treatment of persons with mental illness; and

WHEREAS, Dorothea Dix almost single-handedly changed public policy about the treatment of people with mental illness in this country and Europe; and

WHEREAS, her efforts resulted in the construction of the first asylum for the mentally ill and in the founding of 32 mental hospitals, removing people with mental illness from jails and prisons and providing them with care and treatment; and

WHEREAS, Dorothea Dix was also instrumental in establishing libraries in prisons, mental hospitals and other institutions; and

WHEREAS, 201 years after Dorothea Dix's birthday the struggle to end discrimination against persons with mental illness has achieved another milestone in the State with the passage of a comprehensive mental health parity bill intended to improve access to mental health services for many children and families of this State; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-first Legislature, now assembled in the First Regular Session, on behalf of the people of the State of Maine declare April 4, 2003 as Dorothea Lynde Dix Day in the State of Maine; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to Governor John Elias Baldacci and the Department of Behavioral and Developmental Services.

Comes from the House, **READ** and **ADOPTED**.

READ and **ADOPTED**, in concurrence.

Off Record Remarks

On motion by Senator **GAGNON** of Kennebec, **ADJOURNED**, pursuant to the Joint Order, to Monday, April 7, 2003, at 10:00 in the morning.