

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

In Senate Chamber

Tuesday

April 13, 2004

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

Prayer by Senator Betheda G. Edmonds of Cumberland County.

SENATOR EDMONDS: Good morning. I bring you a prayer from the Micmac People.

Creator, open our hearts to peace and healing between all people. Creator, open our hearts to provide and protect all the children of the earth. Creator, open our hearts to respect the earth and all the gifts of the earth. Creator, open our hearts to end exclusion, violence, and fear among us. Thank You for the gifts of this day and every day. Amen.

Pledge of Allegiance led by Senator Carolyn M. Gilman of Cumberland County.

Reading of the Journal of Thursday, April 8, 2004.

Off Record Remarks

PAPERS FROM THE HOUSE

Non-Concurrent Matter

Bill "An Act To Require the Videotaping of Police Interrogations"

S.P. 286 L.D. 891

(S "B" S-490 to C "A" S-405)

In Senate, April 5, 2005, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-405) AS AMENDED BY SENATE AMENDMENT "B" (S-490)** thereto.

Comes from the House, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-405) AS AMENDED BY HOUSE AMENDMENT "A" (H-880)** thereto, in **NON-CONCURRENCE**.

On motion by Senator **STRIMLING** of Cumberland, **TABLED** until Later in Today's Session, pending **FURTHER CONSIDERATION**.

Joint Resolutions

The following Joint Resolution:

H.P. 1460

**JOINT RESOLUTION IN RECOGNITION AND SUPPORT
OF MAINE'S DIRECT SUPPORT PROFESSIONAL WORKFORCE**

WHEREAS, there are more than 19,300 people in the State who have mental retardation or some other developmental disability as defined by the Federal Government. More than 5,000 of these people are receiving support through the Department of Behavioral and Developmental Services; and

WHEREAS, people with mental retardation or other developmental disabilities have substantial limitations on their functional capacities, including limitations in 2 or more of the following areas: self-care, receptive and expressive language, learning, mobility, self-direction, independent living and economic self-sufficiency; and

WHEREAS, for the last 20 years, people in the State with mental retardation or other developmental disabilities have expressed a desire to live and work within their communities; and

WHEREAS, the State continues to uphold the United States Supreme Court's integration mandate of the federal Americans with Disabilities Act of 1990 in Olmstead v. L. C. and E. W. and affirms the right of people with mental retardation or other developmental disabilities to receive community-based services instead of institutional care; and

WHEREAS, our Nation's long-term care delivery system is dependent upon an array of disparate public and private funding sources and is not a conventional industry, but rather is financed primarily through 3rd-party insurers; and

WHEREAS, the demand for direct support professionals will continue to increase as family caregivers age, people with mental retardation or other developmental disabilities live longer, waiting lists for services grow and types of services expand; and

WHEREAS, direct support professionals provide a wide range of support services to people with mental retardation or other developmental disabilities on a day-to-day basis, including habilitation, health needs, personal care and hygiene, employment needs, transportation, recreation and housekeeping and other home management-related supports and services, so that these people can live and work in their communities; and

WHEREAS, direct support professionals assist individuals with mental retardation or other developmental disabilities in leading self-directed family, community and social lives; and

WHEREAS, private providers and the people for whom they provide supports and services are in jeopardy as a result of the growing crisis in recruiting and retaining a direct support professional workforce; and

WHEREAS, private providers who employ direct support professionals typically draw from a labor market that offers other entry-level jobs that provide less physically and emotionally demanding work and higher pay and other benefits; and

WHEREAS, high rates of employee vacancies and turnover threaten the ability of private providers to achieve their goal to provide safe and high-quality supports to people with mental retardation or other developmental disabilities; and

WHEREAS, this workforce shortage is the most significant barrier to fully implementing the United States Supreme Court Olmstead decision, undermines the expansion of community integration as called for by President Bush's New Freedom Initiative and places community support and the community support infrastructure at risk; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-first Legislature of the State of Maine now assembled in the Second Special Session, on behalf of the people we represent, acknowledge that building a stable and well-trained direct support workforce to provide supports and services to people with mental retardation or other developmental disabilities is important to advancing the State's commitment to community integration for those people and to the personal security for them and their families; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to Governor John E. Baldacci and Sabra Burdick, Acting Commissioner of Behavioral and Developmental Services and for appropriate distribution throughout the State.

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

READ and **ADOPTED**, in concurrence.

COMMUNICATIONS

The Following Communication:

S.C. 572

121ST LEGISLATURE

COMMITTEE ON INLAND FISHERIES AND WILDLIFE

April 8, 2004

The Honorable Beverly C. Daggett

President of the Senate of Maine

121st Maine Legislature

State House

Augusta, Maine 04333-0003

Dear Madame President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 121st Maine Legislature, the Joint Standing Committee on Inland Fisheries and Wildlife has had under consideration the nomination of the Honorable R. Leo Kieffer of Caribou, for appointment to the Inland Fisheries and Wildlife Advisory Council.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	3	Bryant of Oxford, Carpenter of York, Kneeland of Aroostook
	Representatives	9	Dunlap of Old Town, Honey of Boothbay, McGlocklin of Embden, Moody of Manchester, Richardson of Greenville, Tobin of Dexter, Trahan of Waldoboro, Watson of Bath, Wotton of Littleton
NAYS		0	
ABSENT		1	Rep. Wheeler of Kittery

Twelve members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of the Honorable R. Leo Kieffer of Caribou, for appointment to the Inland Fisheries and Wildlife Advisory Council be confirmed.

Signed,

S/Bruce S. Bryant

Senate Chair

S/Matthew Dunlap

House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **INLAND FISHERIES AND WILDLIFE** be overridden?"

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#339)

YEAS: Senators: None

NAYS: Senators: BENNETT, BLAIS, BRENNAN, BROMLEY, BRYANT, CARPENTER, CATHCART, DAMON, DAVIS, DOUGLASS, EDMONDS, GAGNON, GILMAN, HALL, HATCH, KNEELAND, LAFOUNTAIN, LEMONT, MARTIN, MAYO, MITCHELL, PENDLETON, ROTUNDO, SAVAGE, SAWYER, SHOREY, STANLEY, STRIMLING, TREAT, TURNER, WESTON, WOODCOCK, YOUNGBLOOD, THE PRESIDENT - BEVERLY C. DAGGETT

ABSENT: Senator: NASS

No Senator having voted in the affirmative and 34 Senators having voted in the negative, with 1 Senator being absent, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of the Honorable **R. Leo Kieffer** of Caribou, for appointment to the Inland Fisheries and Wildlife Advisory Council was **CONFIRMED**.

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

The Following Communication: S.C. 573

121ST LEGISLATURE

COMMITTEE ON INLAND FISHERIES AND WILDLIFE

April 8, 2004

The Honorable Beverly C. Daggett
President of the Senate of Maine
121st Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Madame President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 121st Maine Legislature, the Joint Standing Committee on Inland Fisheries and Wildlife has had under consideration the nomination of John Law of Mexico, for appointment to the Inland Fisheries and Wildlife Advisory Council.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	3	Bryant of Oxford, Carpenter of York, Kneeland of Aroostook
	Representatives	9	Dunlap of Old Town, Honey of Boothbay, McGlocklin of Embden, Moody of Manchester, Richardson of Greenville, Tobin of Dexter, Trahan of Waldoboro, Watson of Bath, Wotton of Littleton
NAYS		0	
ABSENT		1	Rep. Wheeler of Kittery

Twelve members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of John Law of Mexico, for appointment to the Inland Fisheries and Wildlife Advisory Council be confirmed.

Signed,

S/Bruce S. Bryant
Senate Chair

S/Matthew Dunlap
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **INLAND FISHERIES AND WILDLIFE** be overridden?"

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#340)

YEAS: Senators: None

NAYS: Senators: BENNETT, BLAIS, BRENNAN, BROMLEY, BRYANT, CARPENTER, CATHCART, DAMON, DAVIS, DOUGLASS, EDMONDS, GAGNON, GILMAN, HALL, HATCH, KNEELAND, LAFOUNTAIN, LEMONT, MARTIN, MAYO, MITCHELL, NASS, PENDLETON, ROTUNDO, SAVAGE, SAWYER, SHOREY, STANLEY, STRIMLING, TREAT, TURNER, WESTON, WOODCOCK, YOUNGBLOOD, THE PRESIDENT - BEVERLY C. DAGGETT

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **John Law** of Mexico, for appointment to the Inland Fisheries and Wildlife Advisory Council was **CONFIRMED**.

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

The Following Communication:

S.C. 576

121ST LEGISLATURE

COMMITTEE ON LEGAL AND VETERANS AFFAIRS

April 8, 2004

The Honorable Beverly C. Daggett

President of the Senate of Maine

121st Maine Legislature

State House

Augusta, Maine 04333-0003

Dear Madame President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 121st Maine Legislature, the Joint Standing Committee on Legal and Veterans Affairs has had under consideration the nomination of James N. Dearman of Orono, for appointment to the State Liquor and Lottery Commission.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	3	Gagnon of Kennebec, Lemont of York, Mayo of Sagadahoc
	Representatives	7	Clark of Millinocket, Blanchette of Bangor, Canavan of Waterville, Jennings of Leeds, Landry of Sanford, Moore of Standish, Patrick of Rumford
NAYS		0	
ABSENT		3	Rep. Brown of South Berwick, Rep. Glynn of South Portland, Rep. Hotham of Dixfield

Ten members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of James N. Dearman of Orono, for appointment to the State Liquor and Lottery Commission be confirmed.

Signed,

S/Kenneth T. Gagnon

Senate Chair

S/Joseph E. Clark

House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **LEGAL AND VETERANS AFFAIRS** be overridden?"

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#341)

YEAS: Senators: None

NAYS: Senators: BENNETT, BLAIS, BRENNAN, BROMLEY, BRYANT, CARPENTER, CATHCART, DAMON, DAVIS, DOUGLASS, EDMONDS, GAGNON, GILMAN, HALL, HATCH, KNEELAND, LAFOUNTAIN, LEMONT, MARTIN, MAYO, MITCHELL, NASS, PENDLETON, ROTUNDO, SAVAGE, SAWYER, SHOREY, STANLEY, STRIMLING, TREAT, TURNER, WESTON, WOODCOCK, YOUNGBLOOD, THE PRESIDENT - BEVERLY C. DAGGETT

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **James N. Dearman** of Orono, for appointment to the State Liquor and Lottery Commission was **CONFIRMED**.

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

The Following Communication:

S.C. 577

121ST LEGISLATURE

COMMITTEE ON LEGAL AND VETERANS AFFAIRS

April 8, 2004

The Honorable Beverly C. Daggett

President of the Senate of Maine

121st Maine Legislature

State House

Augusta, Maine 04333-0003

Dear Madame President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 121st Maine Legislature, the Joint Standing Committee on Legal and Veterans Affairs has had under consideration the nomination of the Honorable Andrew Ketterer of Madison, for reappointment to the Commission on Governmental Ethics and Election Practices.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	3	Gagnon of Kennebec, Lemont of York, Mayo of Sagadahoc
	Representatives	7	Clark of Millinocket, Blanchette of Bangor, Canavan of Waterville, Jennings of Leeds, Landry of Sanford, Moore of Standish, Patrick of Rumford
NAYS		0	
ABSENT		3	Rep. Brown of South Berwick, Rep. Glynn of South Portland, Rep. Hotham of Dixfield

Ten members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of the Honorable Andrew Ketterer of Madison, for reappointment to the Commission on Governmental Ethics and Election Practices be confirmed.

Signed,

S/Kenneth T. Gagnon

Senate Chair

S/Joseph E. Clark

House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **LEGAL AND VETERANS AFFAIRS** be overridden?"

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#342)

YEAS: Senators: None

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

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

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of the Honorable **Andrew Ketterer** of Madison, for reappointment to the Commission on Governmental Ethics and Election Practices was **CONFIRMED**.

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

The Following Communication:

S.C. 578

121ST LEGISLATURE

COMMITTEE ON LEGAL AND VETERANS AFFAIRS

April 8, 2004

The Honorable Beverly C. Daggett

President of the Senate of Maine

121st Maine Legislature

State House

Augusta, Maine 04333-0003

Dear Madame President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 121st Maine Legislature, the Joint Standing Committee on Legal and Veterans Affairs has had under consideration the nomination of A. Mavourneen Thompson of Peaks Island, for appointment to the Commission on Governmental Ethics and Election Practices.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	3	Gagnon of Kennebec, Lemont of York, Mayo of Sagadahoc
	Representatives	7	Clark of Millinocket, Blanchette of Bangor, Canavan of Waterville, Jennings of Leeds, Landry of Sanford, Moore of Standish, Patrick of Rumford
NAYS		0	
ABSENT		3	Rep. Brown of South Berwick, Rep. Glynn of South Portland, Rep. Hotham of Dixfield

Ten members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of A. Mavourneen Thompson of Peaks Island, for appointment to the Commission on Governmental Ethics and Election Practices be confirmed.

Signed,

S/Kenneth T. Gagnon

Senate Chair

S/Joseph E. Clark

House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **LEGAL AND VETERANS AFFAIRS** be overridden?"

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#343)

YEAS: Senators: None

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

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

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **A. Mavourneen Thompson** of Peaks Island, for appointment to the Commission on Governmental Ethics and Election Practices was **CONFIRMED**.

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

The Following Communication:

S.C. 579

121ST LEGISLATURE

COMMITTEE ON NATURAL RESOURCES

April 8, 2004

The Honorable Beverly C. Daggett

President of the Senate of Maine

121st Maine Legislature

State House

Augusta, Maine 04333-0003

Dear Madame President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 121st Maine Legislature, the Joint Standing Committee on Natural Resources has had under consideration the nomination of Richard B. Anderson of Freeport, for appointment to the Maine Outdoor Heritage Fund Board.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	3	Martin of Aroostook, Edmonds of Cumberland, Sawyer of Penobscot
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Representatives	10	Koffman of Bar Harbor, Annis of Dover-Foxcroft, Daigle of Arundel, Hutton of Bowdoinham, Joy of Crystal, Makas of Lewiston, Saviello of Wilton, Thompson of South China, Tobin of Windham, Twomey of Biddeford
NAYS	0	
ABSENT	0	

Thirteen members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Richard B. Anderson of Freeport, for appointment to the Maine Outdoor Heritage Fund Board be confirmed.

Signed,

S/John L. Martin

Senate Chair

S/Theodore Koffman

House Chair

READ and ORDERED PLACED ON FILE.

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#344)

YEAS: Senators: None

NAYS: Senators: BENNETT, BLAIS, BRENNAN, BROMLEY, BRYANT, CARPENTER, CATHCART, DAMON, DAVIS, DOUGLASS, EDMONDS, GAGNON, GILMAN, HALL, HATCH, KNEELAND, LAFOUNTAIN, LEMONT, MARTIN, MAYO, MITCHELL, NASS, PENDLETON, ROTUNDO, SAVAGE, SAWYER, SHOREY, STANLEY, STRIMLING, TREAT, TURNER, WESTON, WOODCOCK, YOUNGBLOOD, THE PRESIDENT - BEVERLY C. DAGGETT

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Richard B. Anderson** of Freeport, for appointment to the Maine Outdoor Heritage Fund Board was **CONFIRMED**.

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

The Following Communication:

S.C. 580

121ST LEGISLATURE

COMMITTEE ON NATURAL RESOURCES

April 8, 2004

The Honorable Beverly C. Daggett

President of the Senate of Maine

121st Maine Legislature

State House

Augusta, Maine 04333-0003

Dear Madame President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 121st Maine Legislature, the Joint Standing Committee on Natural Resources has had under consideration the nomination of Charles F. Beck of Presque Isle, for appointment to the Maine Outdoor Heritage Fund Board.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	3	Martin of Aroostook, Edmonds of Cumberland, Sawyer of Penobscot
	Representatives	10	Koffman of Bar Harbor, Annis of Dover-Foxcroft, Daigle of Arundel, Hutton of Bowdoinham, Joy of Crystal, Makas of Lewiston, Saviello of Wilton, Thompson of South China, Tobin of Windham, Twomey of Biddeford

NAYS 0
ABSENT 0

Thirteen members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Charles F. Beck of Presque Isle, for appointment to the Maine Outdoor Heritage Fund Board be confirmed.

Signed,

S/John L. Martin
Senate Chair

S/Theodore Koffman
House Chair

READ and ORDERED PLACED ON FILE.

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#345)

YEAS: Senators: None

NAYS: Senators: BENNETT, BLAIS, BRENNAN, BROMLEY, BRYANT, CARPENTER, CATHCART, DAMON, DAVIS, DOUGLASS, EDMONDS, GAGNON, GILMAN, HALL, HATCH, KNEELAND, LAFOUNTAIN, LEMONT, MARTIN, MAYO, MITCHELL, NASS, PENDLETON, ROTUNDO, SAVAGE, SAWYER, SHOREY, STANLEY, STRIMLING, TREAT, TURNER, WESTON, WOODCOCK, YOUNGBLOOD, THE PRESIDENT - BEVERLY C. DAGGETT

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Charles F. Beck** of Presque Isle, for appointment to the Maine Outdoor Heritage Fund Board was **CONFIRMED**.

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

The Following Communication:

S.C. 581

121ST LEGISLATURE

COMMITTEE ON NATURAL RESOURCES

April 8, 2004

The Honorable Beverly C. Daggett

President of the Senate of Maine

121st Maine Legislature

State House

Augusta, Maine 04333-0003

Dear Madame President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 121st Maine Legislature, the Joint Standing Committee on Natural Resources has had under consideration the nomination of Donald Guimond of Fort Kent, for appointment to the Board of Environmental Protection.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	3	Martin of Aroostook, Edmonds of Cumberland, Sawyer of Penobscot
	Representatives	10	Koffman of Bar Harbor, Annis of Dover-Foxcroft, Daigle of Arundel, Hutton of Bowdoinham, Joy of Crystal, Makas of Lewiston, Saviello of Wilton, Thompson of South China, Tobin of Windham, Twomey of Biddeford
NAYS		0	
ABSENT		0	

Thirteen members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Donald Guimond of Fort Kent, for appointment to the Board of Environmental Protection be confirmed.

Signed,

S/John L. Martin

S/Theodore Koffman

Senate Chair

House Chair

READ and ORDERED PLACED ON FILE.

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#346)

YEAS: Senators: None

NAYS: Senators: BENNETT, BLAIS, BRENNAN, BROMLEY, BRYANT, CARPENTER, CATHCART, DAMON, DAVIS, DOUGLASS, EDMONDS, GAGNON, GILMAN, HALL, HATCH, KNEELAND, LAFOUNTAIN, LEMONT, MARTIN, MAYO, MITCHELL, NASS, PENDLETON, ROTUNDO, SAVAGE, SAWYER, SHOREY, STANLEY, STRIMLING, TREAT, TURNER, WESTON, WOODCOCK, YOUNGBLOOD, THE PRESIDENT - BEVERLY C. DAGGETT

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Donald Guimond** of Fort Kent, for appointment to the Board of Environmental Protection was **CONFIRMED**.

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

The Following Communication:

S.C. 582

121ST LEGISLATURE

COMMITTEE ON NATURAL RESOURCES

April 8, 2004

The Honorable Beverly C. Daggett

President of the Senate of Maine

121st Maine Legislature

State House

Augusta, Maine 04333-0003

Dear Madame President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 121st Maine Legislature, the Joint Standing Committee on Natural Resources has had under consideration the nomination of Sally Stockwell of Cumberland, for reappointment to the Maine Outdoor Heritage Fund Board.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	3	Martin of Aroostook, Edmonds of Cumberland, Sawyer of Penobscot
	Representatives	10	Koffman of Bar Harbor, Annis of Dover-Foxcroft, Daigle of Arundel, Hutton of Bowdoinham, Joy of Crystal, Makas of Lewiston, Saviello of Wilton, Thompson of South China, Tobin of Windham, Twomey of Biddeford
NAYS		0	
ABSENT		0	

Thirteen members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Sally Stockwell of Cumberland, for reappointment to the Maine Outdoor Heritage Fund Board be confirmed.

Signed,

S/John L. Martin

Senate Chair

S/Theodore Koffman

House Chair

READ and ORDERED PLACED ON FILE.

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#347)

YEAS: Senators: None

NAYS: Senators: BENNETT, BLAIS, BRENNAN, BROMLEY, BRYANT, CARPENTER, CATHCART, DAMON, DAVIS, DOUGLASS, EDMONDS, GAGNON, GILMAN, HALL, HATCH, KNEELAND, LAFOUNTAIN, LEMONT, MARTIN, MAYO, MITCHELL, NASS, PENDLETON, ROTUNDO, SAVAGE, SAWYER, SHOREY, STANLEY, STRIMLING, TREAT, TURNER, WESTON, WOODCOCK, YOUNGBLOOD, THE PRESIDENT - BEVERLY C. DAGGETT

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of Sally Stockwell of Cumberland, for reappointment to the Maine Outdoor Heritage Fund Board was **CONFIRMED**.

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

Off Record Remarks

The Following Communication:

S.C. 574

**121ST LEGISLATURE
COMMITTEE ON
AGRICULTURE, CONSERVATION AND FORESTRY**

April 5, 2004

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 Agriculture, Conservation and Forestry has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 338 An Act to Stabilize the Maine Dairy Industry

L.D. 738 An Act To Save Maine Dairy Farms

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. Linda Rogers McKee

House Chair

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

The Following Communication:

S.C. 575

121ST LEGISLATURE
COMMITTEE ON
CRIMINAL JUSTICE AND PUBLIC SAFETY

April 5, 2004

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. 617 An Act Amending the Time by Which a Sex Offender or Sexually Violent Predator Must Register

L.D. 1855 An Act To Implement the Recommendations of the Commission To Improve Community Safety and Sex Offender Accountability

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. Patricia A. Blanchette

House Chair

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

ORDERS

Joint Resolutions

On motion by Senator **EDMONDS** of Cumberland (Cosponsored by Representative **PERCY** of Phippsburg and Senator: **MAYO** of Sagadahoc, Representatives: **ASH** of Belfast, **BULL** of Freeport, **GERZOFKY** of Brunswick, **HUTTON** of Bowdoinham, **LORING** of the Penobscot Nation, **RICHARDSON** of Brunswick, **WATSON** of Bath) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 214.), the following Joint Resolution:

S.P. 804

**JOINT RESOLUTION MEMORIALIZING THE PRESIDENT OF THE
UNITED STATES, THE SECRETARY OF THE NAVY AND THE
CONGRESS OF THE UNITED STATES TO RETAIN THE SEARCH AND
RESCUE TEAM HELICOPTERS CURRENTLY STATIONED AT THE
UNITED STATES NAVAL AIR STATION BRUNSWICK**

WE, your Memorialists, the Members of the One Hundred and Twenty-first Legislature of the State of Maine now assembled in the Second Special Session, most respectfully present and petition the President of the United States, the Secretary of the Navy and the Congress of the United States as follows:

WHEREAS, the United States Navy is redeploying the 2 search and rescue helicopters from the United States Naval Air Station Brunswick in a cost-cutting move with very little warning to the State of Maine; and

WHEREAS, this decision to remove this valuable asset from the coast of Maine comes without notice that would allow the State's search and rescue agencies to fill the major void that this loss would bring; and

WHEREAS, commercial fishing is one of the most dangerous occupations in the Nation, and the State of Maine is a major commercial fishing state with over 20,000 licensed harvesters that make a living from the sea. Maine also has thousands of recreational fishermen and boaters; and

WHEREAS, this 2-helicopter Search and Rescue Team is the only unit of its kind for the 7,200 miles of Maine coastline and for the northern New England seaboard, and the next nearest unit is based on Cape Cod, Massachusetts; and

WHEREAS, the Search and Rescue Team is considered one of the most effective means in the State for saving lives and has responded to hundreds of calls for both civilians and United States Navy personnel over the years; and

WHEREAS, the loss of this team puts the lives of Maine citizens and the personnel of the United States Navy stationed in Maine at risk, as the survival time in the waters of the Gulf of Maine is limited; now, therefore, be it

RESOLVED: That We, your Memorialists, respectfully ask that the President of the United States, the Secretary of the Navy and the Congress of the United States work together to keep the 2 Navy helicopters at the United States Naval Air Station Brunswick until the State of Maine is able to establish its own plan to replace these valuable resources; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable George W. Bush, President of the United States, the Honorable Gordon R. England, Secretary of the Navy, the President of the United States Senate and the Speaker of the United States House of Representatives and to each Member of the Maine Congressional Delegation.

READ and ADOPTED.

Sent down for concurrence.

On motion by Senator **ROTUNDO** of Androscoggin (Under suspension of the rules, cosponsored by Representative MAILHOT of Lewiston and Senators: BENNETT of Oxford, BLAIS of Kennebec, DOUGLASS of Androscoggin, Representatives: BERUBE of Lisbon, BRYANT-DESCHENES of Turner, CRAVEN of Lewiston, HEIDRICH of Oxford, JENNINGS of Leeds, MAKAS of Lewiston, O'BRIEN of Lewiston, SAMPSON of Auburn, SHIELDS of Auburn, SIMPSON of Auburn, SMITH of Monmouth, SNOWE-MELLO of Poland, VAUGHAN of Durham, WALCOTT of Lewiston), the following Joint Resolution:

S.P. 805

**JOINT RESOLUTION ON THE OCCASION OF THE 150TH
ANNIVERSARY OF ANDROSCOGGIN COUNTY**

WHEREAS, incorporated in 1854 as the State's 14th county, Androscoggin County has long been recognized for its unique character and for the perseverance and fortitude of its citizens; and

WHEREAS, according to historical accounts, the earliest inhabitants in the region were the Abenaki people, who were drawn to the river for its great fishing and its fertile banks that provided rich soil for growing crops; and

WHEREAS, it was the Androscoggin River with its powerful falls that later become a major source of power for saw and grist mills operated by early settlers and eventually helped to usher in the Industrial Revolution in Maine. The river's mighty falls provided the necessary energy for the many textile mills under way in the 1840s. Along with the mills came a population explosion that led to the incorporation of Androscoggin County; and

WHEREAS, in more recent years, Androscoggin County has transformed itself from a textile and shoe center to a progressive health care, tourism, education, retail and high-precision manufacturing powerhouse; and

WHEREAS, dotted with crystal-clear lakes, ponds, rivers and brooks, Androscoggin County also offers the kind of fishing, boating and outdoor recreation for which Maine is famous. Outdoor activities include staying at one of the county's scenic camping areas, swimming at a public beach or pool facility and enjoying acres of lush greens at the area's scenic golf courses and country clubs. In the winter season, Androscoggin County offers cross-country skiers perfect terrain and scenery for hours of enjoyment. Ice fishing and skating are also popular activities on area ponds and lakes; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-first Legislature now assembled in the Second Special Session, on behalf of the people we represent, take this opportunity to send our congratulations to the good citizens of Androscoggin County as they celebrate their county's long and rich history during the county's sesquicentennial; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to officials of this proud county in honor of this occasion.

READ and ADOPTED.

Sent down for concurrence.

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

REPORTS OF COMMITTEES

Senate

Ought to Pass As Amended

Senator BRYANT for the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Resolve, Authorizing Certain Land Transactions by the Department of Conservation, Bureau of Parks and Lands

S.P. 775 L.D. 1942

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-508)**.

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

READ ONCE.

Committee Amendment "A" (S-508) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**.

Sent down for concurrence.

SECOND READERS

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

House

Resolve, Authorizing Professional and Occupational Licensing Authorities in State Government To Defer or Waive Continuing Education Requirements for Military Personnel (EMERGENCY)

H.P. 1459 L.D. 1959

READ A SECOND TIME and **PASSED TO BE ENGROSSED**, without reference to a Committee, in **NON-CONCURRENCE**.

Sent down for concurrence.

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

ENACTORS

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

Emergency Measure

An Act to Require that Patients in Private Mental Hospitals Be Afforded the Same Rights As Patients in State Mental Institutions

S.P. 79 L.D. 156
(C "A" S-482)

This being an Emergency Measure and having received the affirmative vote of 33 Members of the Senate, with no Senators having voted in the negative, and 33 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Emergency Measure

An Act To Amend the Motor Vehicle Laws

S.P. 632 L.D. 1700
(H "C" H-865 to C "A" S-473)

This being an Emergency Measure and having received the affirmative vote of 35 Members of the Senate, with no Senators having voted in the negative, and 35 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Emergency Measure

An Act To Implement the Recommendations of the Commission To Improve the Sentencing, Supervision, Management and Incarceration of Prisoners

H.P. 1382 L.D. 1856
(C "A" H-833)

On motion by Senator **GAGNON** of Kennebec, placed on the **SPECIAL STUDY TABLE**, pending **ENACTMENT**, in concurrence.

Emergency Measure

An Act To Establish Family Fishing Days

S.P. 768 L.D. 1932
(C "A" S-485)

This being an Emergency Measure and having received the affirmative vote of 35 Members of the Senate, with no Senators having voted in the negative, and 35 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Emergency Measure

An Act To Create the Starboard Water District

S.P. 770 L.D. 1935
(C "A" S-484)

This being an Emergency Measure and having received the affirmative vote of 35 Members of the Senate, with no Senators having voted in the negative, and 35 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Emergency Measure

An Act To Allow Upgrading of Educational Technicians

S.P. 781 L.D. 1944
(C "A" S-500)

This being an Emergency Measure and having received the affirmative vote of 35 Members of the Senate, with no Senators having voted in the negative, and 35 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Emergency Resolve

Resolve, Regarding Legislative Review of Portions of Chapter 299: Highway Driveway and Entrance Rules, a Major Substantive Rule of the Department of Transportation

H.P. 1443 L.D. 1943

This being an Emergency Measure and having received the affirmative vote of 35 Members of the Senate, with no Senators having voted in the negative, and 35 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Mandate

An Act To Change the Names of Certain Townships in the Unorganized Territory

H.P. 1425 L.D. 1925
(C "A" H-812; S "A" S-492)

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

Mandate

An Act To Implement the Recommendations of the Commission To Improve Community Safety and Sex Offender Accountability Regarding Public Notification by Law Enforcement

H.P. 1373 L.D. 1847
(C "A" H-852)

This being a Mandate, in accordance with the provisions of Section 21 of Article IX of the Constitution, having received the affirmative vote of 35 Members of the Senate, with no Senators having voted in the negative, and 35 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Acts

An Act To Protect Maine's Coastal Water

S.P. 378 L.D. 1158
(S "A" S-497 to C "A" S-429)

An Act To Ensure the Accurate Counting of Votes

H.P. 1281 L.D. 1759
(C "A" H-842)

An Act To Amend the Maine Criminal Code and Motor Vehicle Laws as Recommended by the Criminal Law Advisory Commission

H.P. 1370 L.D. 1844
(C "A" H-853)

An Act To Strengthen the Enforcement Provisions of the Maine Health Data Organization

S.P. 730 L.D. 1884
(C "A" S-475)

An Act To Amend the Dissolved Oxygen Standard for Class C Waters

S.P. 743 L.D. 1899
(C "A" S-467)

An Act To Implement the Recommendations of the Committee To Study the Revenue Sources of the Office of Consumer Credit Regulation

S.P. 751 L.D. 1910
(C "A" S-488)

PASSED TO BE ENACTED and having been signed by the President were presented by the Secretary to the Governor for his approval.

An Act To Increase Maine's Minimum Wage

S.P. 237 L.D. 673
(C "A" S-359; S "A" S-491)

On motion by Senator **CATHCART** of Penobscot, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **ENACTMENT**, in concurrence.

An Act To Encourage and Support Maine Small Businesses

S.P. 427 L.D. 1325
(C "A" S-486)

On motion by Senator **CATHCART** of Penobscot, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **ENACTMENT**, in concurrence.

An Act To Promote the Financial Security of Maine's Families and Children

H.P. 1152 L.D. 1579
(H "B" H-871 to C "A" H-774)

On motion by Senator **CATHCART** of Penobscot, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **ENACTMENT**, in concurrence.

An Act To Implement the Recommendations of the Task Force on the Planning and Development of Marine Aquaculture in Maine

H.P. 1383 L.D. 1857
(H "A" H-847 to C "A" H-844)

On motion by Senator **BENNETT** of Oxford, supported by a Division of at least one-fifth of the members present and voting, a Roll Call was ordered.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#348)

YEAS: Senators: BENNETT, BLAIS, BRENNAN, BROMLEY, BRYANT, CARPENTER, CATHCART, DAMON, DAVIS, DOUGLASS, EDMONDS, GAGNON, GILMAN, HALL, HATCH, KNEELAND, LAFOUNTAIN, LEMONT, MARTIN, MAYO, MITCHELL, NASS, PENDLETON, ROTUNDO, SAVAGE, SAWYER, SHOREY, STANLEY, STRIMLING, TREAT, TURNER, WESTON, WOODCOCK, YOUNGBLOOD, THE PRESIDENT - BEVERLY C. DAGGETT

NAYS: Senators: None

35 Senators having voted in the affirmative and no Senators having voted in the negative, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

An Act To Implement the Recommendations of the Legislative Youth Advisory Council

H.P. 1419 L.D. 1917
(C "A" H-856)

On motion by Senator **CATHCART** of Penobscot, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **ENACTMENT**, in concurrence.

An Act To Implement the Recommendations of the Committee To Study Compliance with Maine's Freedom of Access Laws

H.P. 1456 L.D. 1957
(H "A" H-866; S "A" S-502)

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

Act

An Act To Reclassify Certain Downeast Waters

H.P. 1401 L.D. 1891
(C "A" H-791)

Comes from the House, the Bill and accompanying papers **COMMITTED** to the Committee on **NATURAL RESOURCES**.

PASSED TO BE ENACTED and signed by the President, in **NON-CONCURRENCE**.

Sent down for concurrence.

Resolves

Resolve, Regarding Legislative Review of Portions of Chapter 16: Foster Home Licensing Rule Regarding Smoking by Foster Parents, a Major Substantive Rule of the Department of Human Services

H.P. 1353 L.D. 1830
(C "A" H-798; S "A" S-493)

Resolve, Directing the Commissioner of Marine Resources To Review the Licensing Requirements for the Harvest of Certain Marine Resources

H.P. 1455 L.D. 1955
(S "A" S-494)

FINALLY PASSED and having been signed by the President were presented by the Secretary to the Governor for his approval.

ORDERS OF THE DAY

Unfinished Business

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

The Chair laid before the Senate the following Tabled and Later (3/30/04) Assigned matter:

SENATE REPORTS - from the Committee on **LABOR** on Resolve, To Increase Eligibility for Consumer-directed Personal Care Assistance Services To Promote Independence for Maine Citizens (EMERGENCY)

S.P. 748 L.D. 1904

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-465)** (8 members)

Minority - **Ought Not to Pass** (5 members)

Tabled - March 30, 2004, by Senator **EDMONDS** of Cumberland

Pending - motion by same Senator to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report

(In Senate, March 30, 2004, Reports **READ**.)

On motion by Senator **EDMONDS** of Cumberland, Bill and accompanying papers **INDEFINITELY POSTPONED**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (3/31/04) Assigned matter:

SENATE REPORTS - from the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Encourage the Proper Disposal of Expired Pharmaceuticals" (EMERGENCY)

S.P. 671 L.D. 1826

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-474)** (7 members)

Minority - **Ought Not to Pass** (3 members)

Tabled - March 31, 2004, by Senator **BRENNAN** of Cumberland

Pending - motion by same Senator to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report

(In Senate, March 31, 2004, Reports **READ**.)

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

READ ONCE.

Committee Amendment "A" (S-474) **READ**.

On motion by Senator **BRENNAN** of Cumberland, Senate Amendment "A" (S-506) to Committee Amendment "A" (S-474) **READ**.

On motion by same Senator, **TABLED** until Later in Today's Session, pending **ADOPTION** of Senate Amendment "A" (S-506) to Committee Amendment "A" (S-474).

The Chair laid before the Senate the following Tabled and Later (4/8/04) Assigned matter:

SENATE REPORTS - from the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act to Define a Scope of Practice for Acupuncture"

S.P. 97 L.D. 263

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-414)** (12 members)

Minority - **Ought Not to Pass** (1 member)

Tabled - April 8, 2004, by Senator **BROMLEY** of Cumberland

Pending - motion by same Senator to **INSIST**

(In Senate, April 7, 2004, the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-414).**)

(In House, April 7, 2004, the Minority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**, in **NON-CONCURRENCE**.)

On motion by Senator **BROMLEY** of Cumberland, the Senate **INSISTED**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (4/7/04) Assigned matter:

HOUSE REPORTS - from the Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Reestablish the Great Ponds Act" (EMERGENCY)

H.P. 1251 L.D. 1675

Majority - **Ought Not to Pass** (11 members)

Minority - **Ought to Pass** (2 members)

Tabled - April 8, 2004, by Senator **BRYANT** of Oxford

Pending - motion by same Senator to **ADHERE**

(In Senate, April 7, 2004, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**, in **NON-CONCURRENCE**.)

(In House, April 8, 2004, the Minority **OUGHT TO PASS** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-876)**, in **NON-CONCURRENCE**.)

On motion by Senator **TREAT** of Kennebec, supported by a Division of at least one-fifth of the members present and voting, a Roll Call was ordered.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#349)

YEAS: Senators: BLAIS, BROMLEY, BRYANT, CARPENTER, DOUGLASS, GAGNON, HATCH, KNEELAND, MARTIN, MAYO, MITCHELL, PENDLETON, SAVAGE, SAWYER, SHOREY, STANLEY, WESTON, YOUNGBLOOD, THE PRESIDENT - BEVERLY C. DAGGETT

NAYS: Senators: BENNETT, BRENNAN, CATHCART, DAMON, DAVIS, EDMONDS, GILMAN, HALL, LAFOUNTAIN, LEMONT, NASS, ROTUNDO, STRIMLING, TREAT, TURNER, WOODCOCK

19 Senators having voted in the affirmative and 16 Senators having voted in the negative, the motion by Senator **BRYANT** of Oxford to **ADHERE, PREVAILED**.

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 **LEGAL AND VETERANS AFFAIRS** on Bill "An Act To Establish the Gambling Control Board To License and Regulate Slot Machines at Commercial Harness Racing Tracks" (EMERGENCY)

H.P. 1342 L.D. 1820

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-868)**.

Signed:

Senators:

GAGNON of Kennebec
MAYO of Sagadahoc

Representatives:

CLARK of Millinocket
BROWN of South Berwick
MOORE of Standish
PATRICK of Rumford
BLANCHETTE of Bangor
CANAVAN of Waterville
JENNINGS of Leeds
LANDRY of Sanford

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "B" (H-869)**.

Signed:

Senator:

LEMONT of York

Representatives:

GLYNN of South Portland
HOTHAM of Dixfield

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-868)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-868)**.

Reports **READ**.

Senator **GAGNON** of Kennebec moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence.

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

PAPERS FROM THE HOUSE

Non-Concurrent Matter

Bill "An Act to Make the Children's Ombudsman Program an Independent Office"

H.P. 81 L.D. 73

In House, April 7, 2004, **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENTS "A" (H-650) AND "B" (H-841).**

In Senate, April 8, 2004, on motion by Senator **BRENNAN** of Cumberland, the Bill and accompanying papers **INDEFINITELY POSTPONED**, in **NON-CONCURRENCE**.

Comes from the House, that Body **INSISTED** and **ASKED FOR A COMMITTEE OF CONFERENCE**.

Senator **BRENNAN** of Cumberland moved the Senate **ADHERE**.

Senator **WOODCOCK** of Franklin moved the Senate **RECEDE** and **CONCUR**.

At the request of Senator **TREAT** of Kennebec a Division was had. 17 Senators having voted in the affirmative and 18 Senators having voted in the negative, the motion by Senator **WOODCOCK** of Franklin to **RECEDE** and **CONCUR**, **FAILED**.

On motion by Senator **BENNETT** of Oxford, supported by a Division of at least one-fifth of the members present and voting, a Roll Call was ordered.

Same Senator moved the Senate **INSIST** and **JOIN IN A COMMITTEE OF CONFERENCE**.

On further motion by same, supported by a Division of at least one-fifth of the members present and voting, a Roll Call was ordered.

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Brennan.

Senator **BRENNAN:** Thank you, Madame President, men and women of the Senate. I hope you will oppose the pending motion. Let me just tell you, it's very easy. This bill was a carry over bill from last session. We dealt with all the issues that were identified in this bill in the restructuring bill. In fact, this bill never even had a work session before the Health and Human Services Committee because we decided to put it aside and deal with the substantive issues that were in the bill in restructuring. While some people are very concerned about the Ombudsman office, where its placement might be, and the future of it, I just want to assure everybody that it will a very close, very conscientious look at the Ombudsman program and that this issue will be dealt with in the restructuring bill and by the legislature in January. Thank you.

THE PRESIDENT: The pending question before the Senate is the motion by the Senator from Oxford, Senator Bennett to Insist and Join in a Committee of Conference. A Roll Call has been ordered. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#350)

YEAS: Senators: BENNETT, BLAIS, CARPENTER, DAVIS, GILMAN, KNEELAND, LEMONT, MAYO, MITCHELL, NASS, SAVAGE, SAWYER, SHOREY, TURNER, WESTON, WOODCOCK, YOUNGBLOOD

NAYS: Senators: BRENNAN, BROMLEY, BRYANT, CATHCART, DAMON, DOUGLASS, EDMONDS, GAGNON, HALL, HATCH, LAFOUNTAIN, MARTIN, PENDLETON, ROTUNDO, STANLEY, STRIMLING, TREAT, THE PRESIDENT - BEVERLY C. DAGGETT

17 Senators having voted in the affirmative and 18 Senators having voted in the negative, the motion by Senator **BENNETT** of Oxford to **INSIST** and **JOIN IN A COMMITTEE OF CONFERENCE, FAILED.**

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#351)

YEAS: Senators: BRENNAN, BROMLEY, BRYANT, CATHCART, DAMON, DOUGLASS, EDMONDS, GAGNON, HALL, HATCH, LAFOUNTAIN, MARTIN, PENDLETON, ROTUNDO, STANLEY, STRIMLING, TREAT, THE PRESIDENT - BEVERLY C. DAGGETT

NAYS: Senators: BENNETT, BLAIS, CARPENTER, DAVIS, GILMAN, KNEELAND, LEMONT, MAYO, MITCHELL, NASS, SAVAGE, SAWYER, SHOREY, TURNER, WESTON, WOODCOCK, YOUNGBLOOD

18 Senators having voted in the affirmative and 17 Senators having voted in the negative, the motion by Senator **BRENNAN** of Cumberland to **ADHERE, PREVAILED**.

Non-Concurrent Matter

SENATE REPORTS - from the Committee on **TAXATION** on Bill "An Act To Make Retirement Benefits More Equitable by Imposing a Surcharge on Income from Congressional Retirement Benefits"

S.P. 616 L.D. 1684

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-392)** (7 members)

Minority - **Ought Not to Pass** (6 members)

In Senate, April 8, 2004, the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-392)**.

Comes from the House, the Minority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**, in **NON-CONCURRENCE**.

On motion by Senator **STANLEY** of Penobscot, the Senate **ADHERED**.

Sent down for concurrence.

Non-Concurrent Matter

Bill "An Act To Amend the Protection from Harassment Laws" (EMERGENCY)

H.P. 1410 L.D. 1906

(C "A" H-840)

In Senate, April 5, 2004, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-840)**, in concurrence.

In House, April 7, 2004, **PASSED TO BE ENACTED**.

In Senate, April 8, 2004, **FAILED ENACTMENT**, in **NON-CONCURRENCE**.

Comes from the House, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-840) AND HOUSE AMENDMENT "A" (H-889)**, in **NON-CONCURRENCE**.

On motion by Senator **PENDLETON** of Cumberland, the Senate **RECEDED** and **CONCURRED**.

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 **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act To Encourage the Future of Maine's Dairy Industry"

H.P. 1445 L.D. 1945

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-883)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-883)**.

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

READ ONCE.

Committee Amendment "A" (H-883) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **HEALTH AND HUMAN SERVICES** on Resolve, Regarding Legislative Review of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 97, Private Non-medical Institution Services, a Major Substantive Rule of the Department of Human Services (EMERGENCY)

H.P. 1391 L.D. 1867

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-882)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-882)**.

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

READ ONCE.

Committee Amendment "A" (H-882) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Implement the Recommendations of the Governor's Task Force on ATV Issues"

H.P. 1413 L.D. 1912

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-881)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-881)**.

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

READ ONCE.

Committee Amendment "A" (H-881) **READ**.

On motion by Senator **BRYANT** of Oxford, Senate Amendment "A" (S-509) to Committee Amendment "A" (H-881) **READ**.

On motion by Senator **BENNETT** of Oxford, **TABLED** until Later in Today's Session, pending the motion by Senator **BRYANT** of Oxford to **ADOPT** Senate Amendment "A" (S-509) to Committee Amendment "A" (H-881).

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 **HEALTH AND HUMAN SERVICES** on Bill "An Act To Establish the Department of Health and Human Services"

H.P. 1414 L.D. 1913

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-890)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-890)**.

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

READ ONCE.

Committee Amendment "A" (H-890) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **JUDICIARY** on Bill "An Act To Clarify the Responsibilities under the Adult Protective Services Act"

H.P. 1287 L.D. 1765

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-887)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-887)**.

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

READ ONCE.

Committee Amendment "A" (H-887) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **UTILITIES AND ENERGY** on Bill "An Act To Promote Economic Development in the State by Encouraging the Production of Electricity from Renewable and Indigenous Resources"

H.P. 1429 L.D. 1929

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-886)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-886)**.

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

READ ONCE.

Committee Amendment "A" (H-886) **READ**.

THE PRESIDENT: The Chair recognizes the Senator from Lincoln, Senator Hall.

Senator **HALL:** Thank you, Madame President, men and women of the Senate. Although I don't wish to hold up our proceedings any longer than necessary, I do feel that it is important, after a discussion with some of the interested parties and with the Public Utilities Commission, to read certain items into the record regarding this bill in order to clarify its legislative history. First, I'd like to take a moment to thank the good Senator from Penobscot, Senator Youngblood, for his work in forging a coconscious on this bill that permitted this very complicated Governor's bill to be reported out unanimously.

I'd just like to make three points for the record if I may, Madame President. The first is this, the words 'constructed after March 1, 2004' mean what the words commonly mean and which common sense dictates. This passage refers to new generating facilities at new sites. It does not mean repaired, replaced, relocated, repowered, or expanded. My second point, due to the lateness of proposals that were made to the committee in regard to L.D. 1929, the committee did not take public testimony on the provision that relates to hedging by the purchase of renewals by the commission or standard offer provider. Accordingly, we expect the commission, in the development of its major substantive rule to listen carefully to all concerns and to report them to the legislature and that they be considered by the 122nd legislature in 2005. The committee does not wish the next legislature to have to duplicate the PUC hearings in this matter. Finally, Madame President, I wish it to be clear in the record that the legislature is aware of recent changes in the duration of the standard offer periods for different classes of customers and does not expect these to change solely to accommodate the hedging concept in L.D. 1929. I am speaking here especially with regard to the large industrial standard offer period. Thank you very much.

Committee Amendment "A" (H-886) **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

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:

Acts

An Act To Promote the Public Interest by Providing for Reasonable Rates of Compensation for Forest Products Harvesting and Hauling Services

H.P. 972 L.D. 1318
(H "A" H-864 to C "C" H-848)

On motion by Senator **CATHCART** of Penobscot, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **ENACTMENT**, in concurrence.

An Act To Exempt Unemployment Benefits from State Income Tax

H.P. 1267 L.D. 1745
(C "A" H-755; H "A" H-813)

On motion by Senator **CATHCART** of Penobscot, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **ENACTMENT**, in concurrence.

Resolve

Resolve, To Promote Transparency in Budgeting

H.P. 1302 L.D. 1780
(C "A" H-807)

FINALLY PASSED and having been signed by the President was presented by the Secretary to the Governor for his approval.

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

PAPERS FROM THE HOUSE

Joint Resolution

The following Joint Resolution:

H.P. 1461

**JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE
UNITED STATES TO CONTINUE ITS SUPPORT AND ADVOCACY
FOR THE MILITARY BASES IN MAINE**

WE, your Memorialists, the Members of the One Hundred and Twenty-first Legislature of the State of Maine now assembled in the Second Special Session, most respectfully present and petition the Congress of the United States as follows:

WHEREAS, within the year, Secretary of Defense Donald Rumsfeld, through the Base Realignment and Closure (BRAC) Commission, will make recommendations about which military installations are to be considered for closure in cost-cutting measures for the military and has indicated that reductions may total 25% or an estimated 100 bases; and

WHEREAS, the State of Maine has 3 distinct and important military installations that are potentially at risk for closure: the naval shipyard in Kittery, the Naval Air Station Brunswick and the Naval Computer and Telecommunications Area Master Station, Atlantic Cutler Detachment; and

WHEREAS, the naval shipyard in Kittery is one of only 4 public shipyards in the Nation, is vital to our maritime strength and is of major importance to 2 states' local economies; and

WHEREAS, Naval Air Station Brunswick is the only fully capable air base in the northeastern United States, does not encroach on the civilian community and has plenty of space for expansion, even for housing other branches of the military. Naval Air Station Brunswick is on the coast, and aircraft can take off and land without flying over major centers of population; and

WHEREAS, the Cutler detachment's primary mission is Very Low Frequency communications with submarines in the Atlantic Ocean and Mediterranean Sea; the installation has the most powerful radio

transmitter in the world and is staffed with 84 civil service workers, who ensure the signal stays in the wind to the submarine fleet; and

WHEREAS, the people of the State of Maine have long been at the forefront of our Nation's defense, are first to join and send troops in any conflict and have a strong tradition of support and appreciation for the bases within our borders; now, therefore, be it

RESOLVED: That We, your Memorialists, take this opportunity to convey our appreciation for the advocacy and support for our 3 bases that the Congress of the United States and the Maine Congressional Delegation have provided over the years, and we strongly urge the Congress of the United States to consider the importance of these installations in this time of war on terrorism and the vital need to protect our Nation; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the President of the United States Senate, to the Speaker of the United States House of Representatives and to each Member of the Maine Congressional Delegation.

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

READ.

On motion by Senator **MAYO** of Sagadahoc, supported by a Division of at least one-fifth of the members present and voting, a Roll Call was ordered.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#352)

YEAS: Senators: BENNETT, BLAIS, BRENNAN, BROMLEY, BRYANT, CARPENTER, CATHCART, DAMON, DAVIS, DOUGLASS, EDMONDS, GAGNON, GILMAN, HALL, HATCH, KNEELAND, LAFOUNTAIN, LEMONT, MARTIN, MAYO, MITCHELL, NASS, PENDLETON, ROTUNDO, SAVAGE, SAWYER, SHOREY, STANLEY, STRIMLING, TREAT, TURNER, WESTON, WOODCOCK, YOUNGBLOOD, THE PRESIDENT - BEVERLY C. DAGGETT

NAYS: Senators: None

35 Senators having voted in the affirmative and no Senators having voted in the negative, **ADOPTED**, in concurrence.

Senate at Ease.

Senate called to order by the President.

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

ORDERS OF THE DAY

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

Bill "An Act To Implement the Recommendations of the Governor's Task Force on ATV Issues"

H.P. 1413 L.D. 1912

Tabled - April 13, 2004, by Senator **BENNETT** of Oxford

Pending - motion by Senator **BRYANT** of Oxford to **ADOPT SENATE AMENDMENT "A" (S-509) TO COMMITTEE AMENDMENT "A" (H-881)**

(In House, April 12, 2004, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-881).**)

(In Senate, April 13, 2004, Committee Amendment "A" (H-881) **READ**. On motion by Senator **BRYANT** of Oxford, Senate Amendment "A" (S-509) to Committee Amendment "A" (H-881) **READ**.)

On motion by Senator **CARPENTER** of York, **TABLED** until Later in Today's Session, pending the motion by Senator **BRYANT** of Oxford to **ADOPT SENATE AMENDMENT "A" (S-509) TO COMMITTEE AMENDMENT "A" (H-881)**.

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

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

Senator **ROTUNDO** of Androscoggin was granted unanimous consent to address the Senate off the Record.

Off Record Remarks

On motion by Senator **TREAT** of Kennebec, **ADJOURNED**, pursuant to the Joint Order, to Wednesday, April 14, 2004, at 10:00 in the morning, in memory of and lasting tribute to Specialist E-4 Jeremiah Holmes of North Berwick.