

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

In Senate Chamber
Friday
May 9, 2003

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

Prayer by Reverend Martha Hoverson, Stevens Avenue Congregational Church in Portland.

REVEREND HOVERSON: It's a privilege to be here this morning with you, in this beautiful, light filled chamber. Let's be in a spirit of openness to light and wisdom as we pray together this morning. Let us pray.

Divine source of all love, peace, and wisdom, we call out to You this morning. We ask for Your guidance in the work of the day and for Your presence in our hearts and minds. May our work be done with concern for those who are weakest and respect for those places where needs are greatest. Open us to do the work that sets things right in the world. Help us to be good stewards of this earth and of this beautiful and bountiful State of Maine. Amen.

Doctor of the day, Sydney Sewall, M.D. of Hallowell.

Reading of the Journal of Thursday, May 8, 2003.

Off Record Remarks

PAPERS FROM THE HOUSE

**Pursuant to Statute
Apportionment Commission**

The **Apportionment Commission**, pursuant to the Maine Revised Statutes, Title 30-A, section 65 asked leave to report out the accompanying Bill "An Act To Codify the County Commissioner Districts as Apportioned by Public Law 2003, Chapter 43"

H.P. 1183 L.D. 1609

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**, without reference to a Committee.

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

Under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, without reference to a Committee, in concurrence.

Ordered sent forthwith to the Engrossing Division.

Off Record Remarks

**Pursuant to the Constitution
Apportionment Commission**

The **Apportionment Commission**, pursuant to the Constitution of Maine, Article IV, Part First, Section 3 asked leave to report out the accompanying Bill "An Act To Codify the House Legislative Districts As Apportioned by Public Law 2003, chapter 44"

H.P. 1184 L.D. 1610

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED** without reference to a Committee.

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

Under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, without reference to a Committee, in concurrence.

Ordered sent forthwith to the Engrossing Division.

COMMUNICATIONS

The Following Communication:

S.C. 218

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

May 6, 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 Agriculture, Conservation and Forestry has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 870 An Act To Create Fairness in Funding the Wild Blueberry Association of North America

L.D. 1215 An Act To Amend the Animal Welfare Laws and Improve Funding

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. 219

**121ST LEGISLATURE
COMMITTEE ON
APPROPRIATIONS AND FINANCIAL AFFAIRS**

May 6, 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 Appropriations and Financial Affairs has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 438 An Act to Enhance Services for the Blind
- L.D. 503 An Act To Stimulate Economic Recovery and Growth
- L.D. 509 RESOLUTION, Proposing an Amendment to the Constitution of Maine To Provide That the State Fund 100 Percent of Education for Students from Kindergarten to Postsecondary School
- L.D. 734 Resolve, To Address the Maine Nursing Workforce Shortage through the Expansion of Nursing Education
- L.D. 1002 Resolve, To Provide Emergency Relief for the Schools in East Millinocket
- L.D. 1442 An Act To Provide Administrative Support to the Treasurer of State's Cash Pool

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

Sincerely,

S/Sen. Mary R. Cathcart
Senate Chair

S/Rep. Joseph C. Brannigan
House Chair

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

The Following Communication:

S.C. 220

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

May 6, 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. 432 An Act To Amend the Maine Health Data Organization Laws
- L.D. 1073 An Act To Extend the Duties of the Children's Ombudsman
- L.D. 1256 An Act To Prohibit Unethical Drug Marketing Practices

- L.D. 1260 An Act To Improve MaineCare Cost-of-care Procedures Affecting Nursing Facility Residents and to Establish Clearer Duties for Powers of Attorney
L.D. 1516 An Act To Prevent Certain Deliveries of Tobacco Products

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. 221

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

May 6, 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. 486 An Act To Protect Communities Affected by Casino Gambling Operations
L.D. 513 An Act To Legalize Gambling if Casinos Are Allowed in the State
L.D. 877 RESOLUTION, Proposing an Amendment to the Constitution of Maine To Provide for the Resolution of Disputed Elections by the Supreme Judicial Court
L.D. 929 An Act To Specify the Size and Typeface of Disclaimers on Political Literature Not Authorized by a Candidate
L.D. 1144 An Act To Clarify the Maine Clean Election Act
L.D. 1162 An Act To Prohibit the Use of Clean Election Funding for Candidates Who Lose in Primaries
L.D. 1272 An Act To Specify the Political Party of Contributors of Qualifying Contributions and To Require a Candidate Funded under the Maine Clean Election Act To Receive a Certain Level of Support in Order To Receive Public Funding in the Future
L.D. 1348 An Act To Require Candidates Who Are Not Maine Clean Election Act Candidates To Report All Sources of Funding
L.D. 1362 An Act Regarding Disclosures Required on Advertising by Candidates

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

Sincerely,

S/Sen. Kenneth T. Gagnon

S/Rep. Joseph E. Clark

Senate Chair

House Chair

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

The Following Communication:

S.C. 222

**121ST LEGISLATURE
COMMITTEE ON STATE AND LOCAL GOVERNMENT**

May 6, 2003

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

Dear President Daggett and Speaker Colwell:

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

L.D. 1128 An Act To Amend the Town Line between Yarmouth and Cumberland

L.D. 1216 An Act To Amend the Laws Regarding County Government

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

Sincerely,

S/Sen. Margaret Rotundo
Senate Chair

S/Rep. Janet L. McLaughlin
House Chair

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

The Following Communication:

S.C. 223

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

May 6, 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. 832 An Act Clarifying State Financial Responsibility over State and State Aid
Highways

L.D. 1392 An Act To Reform Highway Reconstruction Project Cost-sharing

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

Sincerely,

S/Sen. Pamela H. Hatch
Senate Chair

S/Rep. Ronald E. Usher
House Chair

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

The Following Communication:

S.C. 224

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

May 6, 2003

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

Dear President Daggett and Speaker Colwell:

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

- L.D. 546 An Act To Ensure Consideration of Accurate Long-term Customer Power Alternatives
- L.D. 811 An Act To Prevent the Gaming of Special Rate Contracts by Utilities
- L.D. 947 An Act To Create the Cable Television Franchise Board
- L.D. 1317 An Act To Strengthen Maine's "Do Not Call" List

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

Sincerely,

S/Sen. Christopher Hall
Senate Chair

S/Rep. Lawrence Bliss
House Chair

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

ORDERS

Joint Resolutions

On motion by Senator **DAVIS** of Piscataquis (Cosponsored by Representative **RICHARDSON** of Brunswick and Senators: President **DAGGETT** of Kennebec, **GAGNON** of Kennebec, **TREAT** of Kennebec, **WOODCOCK** of Franklin, Representatives: **BOWLES** of Sanford, **BRUNO** of Raymond, Speaker **COLWELL** of Gardiner, **DUPLESSIE** of Westbrook), the following Joint Resolution:

S.P. 562

**JOINT RESOLUTION HONORING MOTHERS
ON THE OCCASION OF MOTHER'S DAY**

WHEREAS, Mother's Day is a day to honor and celebrate mothers throughout the Nation. The movement to have an official day to raise awareness of mothers was started by Anna Reese Jarvis,

who organized a day called Mother's Work Day to bring attention to the hard work women perform in poor communities; and

WHEREAS, when Anna Reese Jarvis died in 1905, her daughter, also called Anna, began a campaign to memorialize the work of her mother. Anna recalled that her mother noted that there were many days dedicated to men but none for mothers, and she began to lobby politicians, including President Taft and President Roosevelt, to support a Mother's Day; and

WHEREAS, Anna organized a church service honoring her mother in 1908. In 1910, West Virginia issued the first Mother's Day proclamation and Oklahoma soon followed. By 1911, every state had its own observances. The Mother's Day International Association was incorporated in 1912 to further meaningful observations of Mother's Day; and

WHEREAS, the United States Congress passed a joint resolution in 1914 designating the 2nd Sunday in May as Mother's Day. President Woodrow Wilson issued the first proclamation making Mother's Day an official national holiday and a day to make a "public expression of our love and reverence for the mothers of our country"; and

WHEREAS, the people of the State of Maine have long supported this tradition and each year the sons and daughters of Maine join sons and daughters everywhere to honor and express appreciation of their mothers; 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 we represent, take this opportunity to express our sincere appreciation to the mothers of the great State of Maine, and we wish them a very happy Mother's Day.

READ.

Under suspension of the Rules, on motion by Senator **STRIMLING** of Cumberland, all members of the Senate were added as cosponsors.

On motion by Senator **DAVIS** of Piscataquis, **ADOPTED.**

Sent down for concurrence.

On motion by Senator **EDMONDS** of Cumberland (Cosponsored by Representative **BULL** of Freeport and Senators: President **DAGGETT** of Kennebec, **GAGNON** of Kennebec, **MARTIN** of Aroostook, **TREAT** of Kennebec, Representatives: Speaker **COLWELL** of Gardiner, **DUPLESSIE** of Westbrook, **GERZOFKY** of Brunswick, **RICHARDSON** of Brunswick), the following Joint Resolution:

S.P. 563

**JOINT RESOLUTION RECOGNIZING NANCY RANDALL CLARK
ON THE OCCASION OF HER RETIREMENT**

WHEREAS, Nancy Randall Clark, of Freeport, is retiring after a distinguished career of teaching at Freeport High School since 1968 and for 5 years before that in Scarborough. Nancy began nursing training in Boston before she decided to return to Maine to pursue her education as a teacher. She has a bachelor's degree, a master's degree and an honorary doctorate and taught in her own beloved hometown; and

WHEREAS, for 20 years, Nancy Randall Clark split her time between her teaching career and her public service role as a State Legislator in the Maine State Legislature. She served from 1973 to 1992, first for 3 terms in the House of Representatives and then 6 terms in the Senate, where she rose to leadership position and was the first woman to be Senate Majority Leader in Maine; and

WHEREAS, Nancy Randall Clark's teaching career began in the 1960s, a time when women's roles in society were changing, and she entered politics to support the federal Equal Rights Amendment. Her hard work and interest in state politics earned her awards from veterans' groups and the business community, and during her political career she was a strong advocate for elderly persons, displaced homemakers and children; and

WHEREAS, Nancy Randall Clark has said that teaching and lawmaking are complementary, in that they both deal with people and affect people's lives immeasurably. Nancy Randall Clark has been a success at both endeavors and retires having left both jobs with an impressive record; and

WHEREAS, Nancy Randall Clark exemplifies the spirit of public service in the great State of Maine, with her distinguished career in education and as a Legislator, and as a member of numerous organizations, such as the Grange, the League of Women Voters, the Freeport Historical Society and many other political, business and professional groups. As she once said, "These are not duties imposed on me. I sought them out. I welcome them"; 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 we represent, take this opportunity to express our sincere appreciation to Nancy Randall Clark on the occasion of her retirement from teaching and for all that she has given to her school, her community and her State; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to Nancy Randall Clark with our best wishes and appreciation.

READ.

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

Senator **EDMONDS:** Thank you, Madame President, men and women of the Senate. I am very pleased today to have this Joint Resolution before you. I was also hoping we could have heard it yesterday, because it was Welcome Back Day, but that is fine.

This is in honor of Nancy Randall Clark, who is my constituent and my friend, who served in this body for many years and was the first woman Majority Leader in the Senate. She is retiring from a long and fruitful career as a teacher at Freeport High School. I just wanted us all to make note of this and honor her because of her long service to the students of Freeport and the people of Maine through her work in the Senate. Thank you very much.

On motion by Senator **EDMONDS** of Cumberland, **ADOPTED.**

Sent down for concurrence.

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

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Raise the Fee Caps of the Board of Dental Examiners"

H.P. 1074 L.D. 1469

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-263).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-263).**

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

READ ONCE.

Committee Amendment "A" (H-263) **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 **LEGAL AND VETERANS AFFAIRS** on Resolve, to Authorize Michelle Booker to Sue the State

H.P. 231 L.D. 288

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-270)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-270)**.

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

READ ONCE.

Committee Amendment "A" (H-270) **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 **LEGAL AND VETERANS AFFAIRS** on Bill "An Act To Require an Updated Roster of Maine Members of the United States Armed Forces Presumed Lost or Deceased"

H.P. 786 L.D. 1068

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-269)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-269)**.

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

READ ONCE.

Committee Amendment "A" (H-269) **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 **MARINE RESOURCES** on Bill "An Act To Decriminalize Unlicensed Shellfish Digging"

H.P. 1038 L.D. 1415

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-264)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-264)**.

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

READ ONCE.

Committee Amendment "A" (H-264) **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 **NATURAL RESOURCES** on Bill "An Act To Amend the Waste Management Laws Regarding the Spreading of Sludge on Land"

H.P. 147 L.D. 188

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-259)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-259)**.

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

READ ONCE.

Committee Amendment "A" (H-259) **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 **NATURAL RESOURCES** on Bill "An Act To Expedite the Removal of Overboard Discharge"

H.P. 1090 L.D. 1493

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-260)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-260)**.

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

READ ONCE.

Committee Amendment "A" (H-260) **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 **TRANSPORTATION** on Bill "An Act To Amend the Motor Vehicle Laws"

H.P. 907 L.D. 1233

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-256)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-256)**.

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

READ ONCE.

Committee Amendment "A" (H-256) **READ** and **ADOPTED**, in concurrence.

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

Divided Report

The Majority of the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Protect Consumer Privacy Rights"

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

Signed:

Senators:

BROMLEY of Cumberland
HALL of Lincoln
SHOREY of Washington

Representatives:

SULLIVAN of Biddeford
O'BRIEN of Lewiston
SMITH of Monmouth
AUSTIN of Gray
BERUBE of Lisbon
JACOBSEN of Waterboro
RECTOR of Thomaston
ROGERS of Brewer

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-218)**.

Signed:

Representative:

DUPREY of Medway

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

Reports **READ**.

On motion by Senator **BROMLEY** of Cumberland, Bill and accompanying papers **COMMITTED** to the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT**, in **NON-CONCURRENCE**.

Sent down for concurrence.

Divided Report

The Majority of the Committee on **LABOR** on Bill "An Act To Amend the Laws Governing Wage and Benefit Records Kept by Contractors Working on Public Works Projects"

H.P. 281 L.D. 361

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-93)**.

Signed:

Senators:

EDMONDS of Cumberland
STANLEY of Penobscot

Representatives:

SMITH of Van Buren
HUTTON of Bowdoinham
HATCH of Skowhegan
PATRICK of Rumford
JACKSON of Fort Kent
WATSON of Bath

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

Signed:

Senator:

BLAIS of Kennebec

Representatives:

CRESSEY of Baldwin

HEIDRICH of Oxford

NUTTING of Oakland

TREADWELL of Carmel

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-93)**.

Reports **READ**.

Senator **EDMONDS** of Cumberland 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.

Divided Report

The Majority of the Committee on **LABOR** on Bill "An Act To Eliminate the Social Security Offset for Unemployment Benefits"

H.P. 657 L.D. 880

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-146)**.

Signed:

Senators:

EDMONDS of Cumberland

STANLEY of Penobscot

Representatives:

SMITH of Van Buren

HUTTON of Bowdoinham

HATCH of Skowhegan

PATRICK of Rumford

JACKSON of Fort Kent

WATSON of Bath

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

Signed:

Senator:

BLAIS of Kennebec

Representatives:

TREADWELL of Carmel

CRESSEY of Baldwin

HEIDRICH of Oxford

NUTTING of Oakland

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-146)**.

Reports **READ**.

Senator **EDMONDS** of Cumberland 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.

Divided Report

The Majority of the Committee on **LABOR** on Bill "An Act Regarding Wrongful Discharge"
H.P. 820 L.D. 1117

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-265)**.

Signed:

Senators:

EDMONDS of Cumberland
STANLEY of Penobscot

Representatives:

SMITH of Van Buren
HUTTON of Bowdoinham
HATCH of Skowhegan
PATRICK of Rumford
JACKSON of Fort Kent
WATSON of Bath

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "B" (H-266)**.

Signed:

Senator:

BLAIS of Kennebec

Representatives:

CRESSEY of Baldwin
HEIDRICH of Oxford
NUTTING of Oakland
TREADWELL of Carmel

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-265)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-265)**.

Reports **READ**.

Senator **EDMONDS** of Cumberland moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-265)** 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 BY COMMITTEE AMENDMENT "A" (H-265)** Report, in concurrence.

Divided Report

The Majority of the Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act To Allow the Transfer of Spirits within Existing Businesses"

H.P. 342 L.D. 450

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-229)**.

Signed:

Senators:

LEMONT of York
MAYO of Sagadahoc

Representatives:

GLYNN of South Portland
HOTHAM of Dixfield
BROWN of South Berwick
MOORE of Standish
PATRICK of Rumford
BLANCHETTE of Bangor

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

Signed:

Senator:

GAGNON of Kennebec

Representatives:

CLARK of Millinocket
CANAVAN of Waterville
JENNINGS of Leeds
LANDRY of Sanford

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-229)**.

Reports **READ**.

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

READ ONCE.

Committee Amendment "A" (H-229) **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-229)**, in concurrence.

Divided Report

The Majority of the Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act Concerning the Issuance of a Temporary Liquor License"

H.P. 358 L.D. 466

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-268)**.

Signed:

Senators:

GAGNON of Kennebec
LEMONT of York
MAYO of Sagadahoc

Representatives:

CLARK of Millinocket
GLYNN of South Portland
HOTHAM of Dixfield
BROWN of South Berwick
MOORE of Standish
PATRICK of Rumford
BLANCHETTE of Bangor
CANAVAN of Waterville
JENNINGS of Leeds

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

Signed:

Representative:

LANDRY of Sanford

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-268)**.

Reports **READ**.

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

READ ONCE.

Committee Amendment "A" (H-268) **READ** and **ADOPTED**, in concurrence.

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

Divided Report

The Majority of the Committee on **LEGAL AND VETERANS AFFAIRS** on Resolve, Directing the Commission on Governmental Ethics and Election Practices To Adopt Rules Regarding Certain Election Practices

H.P. 744 L.D. 1027

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-230)**.

Signed:

Senators:

GAGNON of Kennebec
LEMONT of York
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

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

Signed:

Representatives:

GLYNN of South Portland
HOTHAM of Dixfield
LANDRY of Sanford

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-230)**.

Reports **READ**.

On motion by Senator **GAGNON** of Kennebec, Resolve and accompanying papers **COMMITTED** to the Committee on **LEGAL AND VETERANS AFFAIRS**, in **NON-CONCURRENCE**.

Sent down for concurrence.

Divided Report

The Majority of the Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act to Strengthen the Governmental Ethics Laws"

H.P. 981 L.D. 1336

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-267)**.

Signed:

Senators:

GAGNON of Kennebec
LEMONT of York
MAYO of Sagadahoc

Representatives:

CLARK of Millinocket
GLYNN of South Portland
HOTHAM of Dixfield
BROWN of South Berwick
MOORE of Standish
PATRICK of Rumford
BLANCHETTE of Bangor
CANAVAN of Waterville
JENNINGS of Leeds

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

Signed:

Representative:

LANDRY of Sanford

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-267)**.

Reports **READ**.

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

READ ONCE.

Committee Amendment "A" (H-267) **READ** and **ADOPTED**, in concurrence.

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

Off Record Remarks

Divided Report

The Majority of the Committee on **NATURAL RESOURCES** on Bill "An Act To Provide Leadership in Addressing the Threat of Climate Change"

H.P. 622 L.D. 845

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-262)**.

Signed:

Senators:

MARTIN of Aroostook
EDMONDS of Cumberland
SAWYER of Penobscot

Representatives:

KOFFMAN of Bar Harbor
TWOMEY of Biddeford
HUTTON of Bowdoinham
MAKAS of Lewiston
SAVIELLO of Wilton
THOMPSON of China
DAIGLE of Arundel
ANNIS of Dover-Foxcroft

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

Signed:

Representatives:

TOBIN of Windham
JOY of Crystal

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-262)**.

Reports **READ**.

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

READ ONCE.

Committee Amendment "A" (H-262) **READ** and **ADOPTED**, in concurrence.

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

Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on RESOLUTION, Proposing an Amendment to the Constitution of Maine to Reduce the Size of the Legislature Beginning in 2005

H.P. 253 L.D. 310

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

Signed:

Senators:

ROTUNDO of Androscoggin
LaFOUNTAIN of York

Representatives:

McLAUGHLIN of Cape Elizabeth
KETTERER of Madison
BARSTOW of Gorham
SUSLOVIC of Portland
BUNKER of Kossuth Township

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-223)**.

Signed:

Senator:

GILMAN of Cumberland

Representatives:

PEAVEY-HASKELL of Greenbush
STONE of Berwick
CROSTHWAITE of Ellsworth
BOWEN of Rockport
SUKEFORTH of Union

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

Reports **READ**.

Senator **ROTUNDO** of Androscoggin moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** 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 NOT TO PASS** Report, in concurrence.

Senate

Ought to Pass

Senator HATCH for the Committee on **TRANSPORTATION** on Bill "An Act To Allow the Maine Turnpike Authority To Allow the Purchase of Nontoll Services by Electronic Toll Collection Patrons"

S.P. 470 L.D. 1420

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

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

Under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**.

Sent down for concurrence.

Ought to Pass As Amended

Senator HATCH for the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Improve Access by the Department of Corrections to Federal Funds under Title IV-E of the federal Social Security Act"

S.P. 498 L.D. 1498

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-118)**.

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

READ ONCE.

Committee Amendment "A" (S-118) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Senator LaFOUNTAIN for the Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act to Amend the Law Relating to Annuities"

S.P. 121 L.D. 342

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-114)**.

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

READ ONCE.

Committee Amendment "A" (S-114) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Off Record Remarks

Senator GAGNON for the Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act To Update the Abandoned Property Laws"

S.P. 297 L.D. 901

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-117)**.

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

READ ONCE.

Committee Amendment "A" (S-117) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Senator ROTUNDO for the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Clarify the Laws Pertaining to the Surcharge for Records Preservation for the Registry of Deeds"

S.P. 107 L.D. 325

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-115)**.

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

READ ONCE.

Committee Amendment "A" (S-115) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Senator ROTUNDO for the Committee on **STATE AND LOCAL GOVERNMENT** on Resolve, To Establish the Committee To Investigate the Feasibility of and Need for Regulation of Spoken Language Interpreters (EMERGENCY)

S.P. 305 L.D. 909

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-119)**.

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

READ ONCE.

Committee Amendment "A" (S-119) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Divided Report

The Majority of the Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act To Reimburse Philip Wolley for Litigation Expenses Incurred in Connection with His Termination and Reinstatement as a State Employee"

S.P. 94 L.D. 260

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-116)**.

Signed:

Senators:

GAGNON of Kennebec
LEMONT of York
MAYO of Sagadahoc

Representatives:

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

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

Signed:

Representatives:

GLYNN of South Portland
LANDRY of Sanford

Reports **READ.**

On motion by Senator **GAGNON** of Kennebec, **TABLED** until Later in Today's Session, pending **ACCEPTANCE OF EITHER REPORT.**

ENACTORS

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

Emergency Measure

An Act To Amend the Regional Economic Development Revolving Loan Program
H.P. 914 L.D. 1240
(H "A" H-198)

This being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with no Senators having voted in the negative, and 32 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 Provide Financial Relief for Maine Dairy Farmers
H.P. 1013 L.D. 1378
(C "A" H-271)

This being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with no Senators having voted in the negative, and 32 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 Strengthen Delivery of Electricity Conservation Programs
S.P. 90 L.D. 231
(C "A" S-88)
- An Act To Encourage Energy Efficiency and Security
S.P. 128 L.D. 352
(C "A" S-87)
- An Act To Clarify How Consumers Acquire Information about In-pack Sweepstakes, Contests and Games
H.P. 301 L.D. 381
(C "A" H-227)
- An Act To Limit the Transfer of Handguns to Minors
S.P. 141 L.D. 404
(C "A" S-86)
- An Act To Ensure Fairness Regarding Use of Consumer Credit Reports in Insurance Underwriting
H.P. 362 L.D. 470
(C "A" H-220)
- An Act To Clarify and Improve the Fairness of the Law of Trustee Process
H.P. 449 L.D. 586
(C "A" H-221)
- An Act To Revise the Charter of the Brunswick Sewer District
H.P. 485 L.D. 655
(C "A" H-180)
- An Act to Protect Against Unlawful Sexual Touching
H.P. 528 L.D. 722
(H "A" H-257 to C "A" H-155)
- An Act To Provide Parity in Funding for Enhanced 9-1-1 Services
H.P. 570 L.D. 771
(C "A" H-217)
- An Act Concerning Health Insurance Reimbursement and Contracting Practices
S.P. 292 L.D. 897
(C "A" S-90)
- An Act To Release the Records of the Attorney General and the Maine State Police Regarding the Investigation, Prosecution and Trial of Dennis Dechaine
S.P. 369 L.D. 1097
- An Act Regarding Mandated Reporters and Child Abuse
S.P. 370 L.D. 1098
(C "A" S-84)
- An Act To Implement the Maine Assistance Program for Lawyers
H.P. 934 L.D. 1262
- An Act To Amend the Laws Governing Improvident Transfers of Title
H.P. 947 L.D. 1275
- An Act To Allow District Attorneys To Approve Immunity Requests
H.P. 1026 L.D. 1399
- An Act To Establish New License Fee Caps
S.P. 479 L.D. 1441
- An Act Regarding Railroad Police Training
S.P. 482 L.D. 1450

An Act To Bring the State into Conformity with the National Organic Program
S.P. 487 L.D. 1459
(C "A" S-83)

An Act To Correct Certain Errors and Inconsistencies in Laws Relating to Marine Resources
H.P. 1076 L.D. 1471
(H "A" H-247)

An Act To Allow Judges' Faxed Signatures in Involuntary Psychiatric Commitment Proceedings
S.P. 493 L.D. 1487

An Act To Update and Amend the Revised Maine Securities Act
S.P. 495 L.D. 1489
(C "A" S-91)

An Act To Amend the Licensing Requirements for Veterinarians
H.P. 1098 L.D. 1505

An Act To Conform to Federal Standards Maine's Law Regarding Strip Searches of Persons in Custody
H.P. 1115 L.D. 1524
(C "A" H-232)

An Act To Declare Maine Aviation and Aerospace Education Week
H.P. 1173 L.D. 1599

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 Penalties for Furnishing or Trafficking Scheduled Drugs That Cause Death or Serious Bodily Injury
H.P. 701 L.D. 944
(S "A" S-93 to C "A" H-157)

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

An Act To Amend the Forester Law
H.P. 1063 L.D. 1455

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

Resolves

Resolve, Directing the Commissioner of Public Safety To Study the Emergency Medical Services System
H.P. 783 L.D. 1065
(H "A" H-208 to C "A" H-187)

Resolve, Authorizing the Commissioner of Administrative and Financial Services To Enter into a Boundary Line Agreement between the State of Maine Parking Garage at the Corner of Sewall and Capitol Streets and the Parcel East of the Garage Bounded by Chamberlain Street
H.P. 1057 L.D. 1445

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

Resolve, Authorizing the Commissioner of Administrative and Financial Services To Sell or Lease the Interests of the State in Certain Real Estate Located in Hallowell

H.P. 1070 L.D. 1465
(C "A" H-224)

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

HELD MATTER

On motion by Senator **KNEELAND** of Aroostook, under suspension of the Rules, the Senate **RECONSIDERED** whereby it **INDEFINITELY POSTPONED**, in **NON-CONCURRENCE**, the following:

Bill, "An Act to Require Flashing Lights for Private Snow Plows"

H.P. 156 L.D. 197
(C "A" H-25)

(In House, May 1, 2003, **PASSED TO BE ENACTED**.)

(In Senate, May 7, 2003, on motion by Senator **NASS** of York, Bill and accompanying papers **INDEFINITELY POSTPONED**, in **NON-CONCURRENCE**.)

On motion by Senator **TREAT** of Kennebec, **TABLED** until Later in Today's Session, pending motion by Senator **NASS** of York to **INDEFINITELY POSTPONE** the Bill and accompanying papers, in **NON-CONCURRENCE**.

ORDERS OF THE DAY

On motion by Senator **CATHCART** of Penobscot, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Emergency

An Act To Clarify Reciprocity for ATV Registration

H.P. 279 L.D. 359
(C "A" H-130)

Tabled - May 5, 2003, by Senator **CATHCART** of Penobscot,

Pending - **ENACTMENT**, in concurrence

(In Senate, April 29, 2003, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-130)**, in concurrence.)

(In House, May 1, 2003, **PASSED TO BE ENACTED**.)

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.

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 Resolve

Resolve, to Improve Community Safety and Sex Offender Accountability

H.P. 292 L.D. 372
(C "A" H-158)

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

Emergency Resolve

Resolve, To Study the Implementation of a Plan To Prohibit the Discharge of Certain Wastewater into Coastal Waters

H.P. 943 L.D. 1271
(C "A" H-207)

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

Emergency Resolve

Resolve, To Create the Task Force To Study Parity and Portability of Retirement Benefits for State Law Enforcement Officers, Municipal Law Enforcement Officers and Firefighters

H.P. 989 L.D. 1343
(C "A" H-190)

On motion by Senator **GAGNON** of Kennebec, placed on the **SPECIAL STUDY TABLE**, pending **FINAL PASSAGE**, 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 Reduce Mercury Use in Measuring Devices and Switches

H.P. 856 L.D. 1159
(C "A" H-250)

An Act To Increase the Licensing Fee Caps of the State Board of Optometry

S.P. 469 L.D. 1411
(C "A" S-98)

An Act To Repeal the Provision of Law Requiring Permits for 53-foot Trailers

H.P. 1072 L.D. 1467
(C "A" H-245)

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

H.P. 1102 L.D. 1509
(C "A" H-243)

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 Adopt a New Interstate Compact Regarding Adults Who are on Probation and Parole
H.P. 254 L.D. 311
(C "A" H-210)

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

An Act To Allow the State To Claim a Setoff against a Convicted Person's Tax Refund for Purposes of Paying Restitution

H.P. 778 L.D. 1060
(C "A" H-236)

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

An Act To Adopt an Interstate Compact for Juveniles on Probation and Parole

H.P. 977 L.D. 1323
(C "A" H-209)

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

Resolves

Resolve, Authorizing the Commissioner of Administrative and Financial Services To Release the State's Interests in an Easement Benefiting the Maine Criminal Justice Academy in Vassalboro

H.P. 1012 L.D. 1377
(C "A" H-252)

Resolve, Requiring That Temporary Registration Plates Identify the Issuing Dealership

H.P. 1046 L.D. 1427
(C "A" H-244)

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

Off Record Remarks

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

COMMUNICATIONS

The Following Communication:

H.C. 199

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
CLERK'S OFFICE
2 STATE HOUSE STATION
AUGUSTA, MAINE 04333**

May 8, 2003

Honorable Joy J. O'Brien
Secretary of the Senate
121st Legislature
Augusta, Maine 04333

Dear Madam Secretary:

The House voted today to adhere to its previous action whereby it Failed to Engross Bill "An Act To Increase the Compensation of Jurors"

(H.P. 344) (L.D. 452)

Sincerely,

S/Millicent M. MacFarland
Clerk of the House

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

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

COMMUNICATIONS

The Following Communication:

S.C. 225

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

May 7, 2003

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

Dear Madame President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 121st Maine Legislature, the Joint Standing Committee on Business, Research and Economic Development has had under consideration the nomination of Elmer Harmon of Dennysville, for appointment to the Washington County Development Authority.

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	1	Bromley of Cumberland
	Representatives	9	Austin of Gray, Berube of Lisbon, Duprey of Medway, Jacobsen of Waterboro, O'Brien of Lewiston, Pellon of Machias, Rector of Thomaston, Rogers of Brewer, Smith of Monmouth

NAYS 0

ABSENT 3 Rep. Sullivan of Biddeford, Sen. Hall of Lincoln, Sen. Shorey of Washington

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 Elmer Harmon of Dennysville, for appointment as the Washington County Development Authority be confirmed.

Signed,

S/Lynn Bromley
Senate Chair

S/Nancy B. Sullivan
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** 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 (#53)

YEAS: Senators: None

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

ABSENT: Senators: LEMONT, MARTIN

No Senator having voted in the affirmative and 33 Senators having voted in the negative, with 2 Senators 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 **Elmer Harmon** of Dennysville, for appointment as the Washington County Development Authority was **CONFIRMED**.

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

ORDERS OF THE DAY

The Chair laid before the Senate the following Tabled and Later (4/30/03) Assigned matter:

SENATE REPORTS - from the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act to Prevent Abuse of Elephants"

S.P. 109 L.D. 327

Majority - **Ought Not to Pass** (7 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (S-85)** (6 members)

Tabled - April 30, 2003, by Senator **GAGNON** of Kennebec

Pending - motion by same Senator to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report

(In Senate, April 30, 2003, Reports **READ**.)

Senator **GAGNON** of Kennebec requested and received leave of the Senate to withdraw his motion to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

The Minority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**.

READ ONCE.

Committee Amendment "A" (S-85) **READ**.

On motion by Senator **PENDLETON** of Cumberland, Senate Amendment "A" (S-120) to Committee Amendment "A" (S-85) **READ**.

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

Senator **PENDLETON:** Thank you, Madame President, and members of the Senate. Just to explain to you what this amendment does. It should be in your book by now. What it does is strike out the Committee Amendment and requires that the Department of Agriculture, Food, and Rural Resources adopt routine, technical rules regarding the care and treatment of elephants based on the standards of the Animal and Plant Health Inspection Service of the United States' Department of Agriculture. We worked really hard on this amendment and I hope you will join me in supporting it. Thank you.

On further motion by same Senator, Senate Amendment "A" (S-120) to Committee Amendment "A" (S-85) **ADOPTED**.

Committee Amendment "A" (S-85) as Amended by Senate Amendment "A" (S-120) thereto, **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-85) AS AMENDED BY SENATE AMENDMENT "A" (S-120)** thereto.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (5/6/03) Assigned matter:

HOUSE REPORTS - from the Committee on **STATE AND LOCAL GOVERNMENT** on RESOLUTION, Proposing an Amendment to the Constitution of Maine To Change the Duration of the Legislative Session

H.P. 826 L.D. 1123

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

Minority - **Ought to Pass as Amended by Committee Amendment "A" (H-226)** (5 members)

Tabled - May 6, 2003, by Senator **ROTUNDO** of Androscoggin

Pending - motion by same Senator to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence

(In House, May 5, 2003, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.)

(In Senate, May 6, 2003, Reports **READ**.)

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

The Chair laid before the Senate the following Tabled and Later (5/7/03) Assigned matter:

HOUSE REPORTS - from the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Resolve, To Improve Fisheries Management in Hancock County
H.P. 601 L.D. 824

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-258)** (7 members)

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

Tabled - May 7, 2003, by Senator **BRYANT** of Oxford

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

(In House, May 6, 2003, the Minority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.)

(In Senate, May 7, 2003, Reports **READ**.)

On motion by Senator **BRYANT** of Oxford, the Majority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**, in **NON-CONCURRENCE**.

READ ONCE.

Committee Amendment "A" (H-258) **READ**.

On motion by Senator **BRYANT** of Oxford, Senate Amendment "A" (S-113) to Committee Amendment "A" (H-258) **READ** and **ADOPTED**.

Committee Amendment "A" (H-258) as Amended by Senate Amendment "A" (S-113) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-258) AS AMENDED BY SENATE AMENDMENT "A" (S-113)** thereto, in **NON-CONCURRENCE**.

Sent down for concurrence.

Senate at Ease.

Senate called to order by the President.

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

REPORTS OF COMMITTEES

House

Divided Report

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Strengthen the Criminal Laws by Expanding the Definition of Trafficking and Furnishing Prescription Narcotic Drugs To Include Illegal Possession of a Large Number of Pills"
H.P. 698 L.D. 941

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-212)**.

Signed:

Senators:

HATCH of Somerset
CARPENTER of York

Representatives:

BUNKER of Kossuth Township
MAIETTA of South Portland
SYKES of Harrison
GROSE of Woolwich
GREELEY of Levant
BLANCHETTE of Bangor
SNOWE-MELLO of Poland
LESSARD of Topsham

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

Signed:

Senator:

STRIMLING of Cumberland

Representatives:

GERZOFISKY of Brunswick
CHURCHILL of Washburn

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-291)**.

Reports **READ**.

On motion by Senator **STRIMLING** of Cumberland, **TABLED** until Later in Today's Session, pending **ACCEPTANCE OF EITHER REPORT**.

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 Clarify Arrest Powers of Law Enforcement Officers"

H.P. 361 L.D. 469
(S "A" S-111 to C "A" H-123)

In Senate, May 7, 2003, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-123) AS AMENDED BY SENATE AMENDMENT "A" (S-111)** thereto, in **NON-CONCURRENCE**.

Comes from the House, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" AS AMENDED BY HOUSE AMENDMENT "A" (H-290)** thereto, in **NON-CONCURRENCE**.

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

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

REPORTS OF COMMITTEES

Senate

Ought to Pass

Senator BRYANT for the Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Improve Boating in Maine"

S.P. 411 L.D. 1280

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

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

Under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**.

Sent down for concurrence.

Ought to Pass As Amended

Senator BRYANT for the Committee on **INLAND FISHERIES AND WILDLIFE** on Resolve, Directing the Department of Inland Fisheries and Wildlife To Conduct a Programmatic Review of the Department's Bureau of Administrative Services

S.P. 52 L.D. 129

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-125)**.

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

READ ONCE.

Committee Amendment "A" (S-125) **READ** and **ADOPTED**.

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

Sent down for concurrence.

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

REPORTS OF COMMITTEES

Senate

Ought to Pass As Amended

Senator STRIMLING for the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Suspend Driving Privileges of Drivers Who Were Cited Twice Within One Year for Driving To Endanger"

S.P. 243 L.D. 705

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-110)**.

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

READ ONCE.

Committee Amendment "A" (S-110) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Senator BRYANT for the Committee on **INLAND FISHERIES AND WILDLIFE** on Resolve, Authorizing the Commissioner of Inland Fisheries and Wildlife To Allow a Well and Waterline Easement (EMERGENCY)

S.P. 122 L.D. 346

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-124)**.

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

READ ONCE.

Committee Amendment "A" (S-124) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Senator ROTUNDO for the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Provide Requirements for Towns To Deorganize"

S.P. 421 L.D. 1290

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-121)**.

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

READ ONCE.

Committee Amendment "A" (S-121) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Off Record Remarks

Senate at Ease.

Senate called to order by the President.

Off Record Remarks

Senator **SAVAGE** of Knox was granted unanimous consent to address the Senate off the Record.

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

REPORTS OF COMMITTEES

Senate

Divided Report

The Majority of the Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act To Regulate the Landlord-tenant Relationship"

S.P. 451 L.D. 1381

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-122)**.

Signed:

Senators:

GAGNON of Kennebec

LEMONT of York

MAYO of Sagadahoc

Representatives:

CLARK of Millinocket

GLYNN of South Portland

HOTHAM of Dixfield

BROWN of South Berwick

MOORE of Standish

PATRICK of Rumford

BLANCHETTE of Bangor

CANAVAN of Waterville

JENNINGS of Leeds

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

Signed:

Representative:

LANDRY of Sanford

Reports **READ**.

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

READ ONCE.

Committee Amendment "A" (S-122) **READ** and **ADOPTED**.

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

Sent down for concurrence.

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

REPORTS OF COMMITTEES

Senate

Divided Report

The Majority of the Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act To Provide for the Expedited Eviction of Violent Tenants"

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-123)**.

Signed:

Senators:

GAGNON of Kennebec
LEMONT of York
MAYO of Sagadahoc

Representatives:

CLARK of Millinocket
GLYNN of South Portland
HOTHAM of Dixfield
BROWN of South Berwick
MOORE of Standish
PATRICK of Rumford
BLANCHETTE of Bangor
CANAVAN of Waterville
JENNINGS of Leeds

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

Signed:

Representative:

LANDRY of Sanford

Reports **READ**.

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

READ ONCE.

Committee Amendment "A" (S-123) **READ** and **ADOPTED**.

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

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

On motion by Senator **TREAT** of Kennebec, **ADJOURNED** to Monday, May 12, 2003, at 10:00 in the morning.