

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

In Senate Chamber
Thursday
May 15, 2003

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

Prayer by Senator Lynn Bromley of Cumberland County.

SENATOR BROMLEY: Thank you, Madame President, men and women of the Senate. One of my favorite professors once said that the spaces where we do the work of justice are sacred spaces. As I imagine many of you did, I felt this very powerfully the first time I stepped into this chamber and nearly every day since. Sometimes in the midst of the hubbub, hurrying through my busy life, and making our way through the visitors, I find myself in my seat before I realize I'm here. I use our time together in prayer as a sort of threshold from my busy life into this sacred space and our work together. I'm honored to have you with me in prayer today.

Abiding and creating spirit, who sometimes tell us to hurry up, sometimes tells us to slow down, and sometimes to wait patiently, help us to listen carefully in the midst of our labors. Grant us a second wind, a burst of energy, a renewed sense of purpose and direction.

As the warm winds of spring surround us, we pause today to remember where we have been and ponder where we are yet to go. We've discussed, debated, planned, and voted. Some of what we have done has been confirmed and some has been set aside. Some of the seeds we have planted already bear fruit and others will be harvested in years to come. We have felt both satisfaction and frustration.

Grant us, Holy One, a renewed measure of meaning in our work. Be with us today so that mercy and justice may be real in us and in the lives of those who have chosen us to represent them. Amen.

Doctor of the day, Sean Clinefelter M.D. of Portland.

Reading of the Journal of Wednesday, May 14, 2003.

Off Record Remarks

The Chair noted the absence of the Senator from York, Senator **LAFOUNTAIN** and further excused the same Senator from today's Roll Call votes.

PAPERS FROM THE HOUSE

Non-Concurrent Matter

HOUSE REPORTS - from 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

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-212)** (10 members)

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

In House, May 8, 2003, 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)**.

In Senate, May 9, 2003, on motion by Senator **STRIMLING** of Cumberland, the Minority **OUGHT NOT TO PASS** Report **ACCEPTED**, in **NON-CONCURRENCE**.

Comes from the House, that Body **ADHERED**.

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

COMMUNICATIONS

The Following Communication:

S.P. 570

STATE OF MAINE
121ST MAINE LEGISLATURE

May 13, 2003

Sen. Neria R. Douglass
Senate Chair, Joint Standing Committee on
Education and Cultural Affairs
Rep. Glenn A. Cummings
House Chair, Joint Standing Committee on
Education and Cultural Affairs
121st Legislature
Augusta, ME 04333

Dear Senator Douglass and Representative Cummings:

Please be advised that pursuant to Title 3, M.R.S.A. §154, Governor John E. Baldacci has withdrawn the nomination of Samuel Spencer Gulliver of Blue Hill for appointment to the Board of Trustees, Maine Maritime Academy.

Sincerely,

S/Beverly C. Daggett
President of the Senate

S/Patrick Colwell
Speaker of the House

READ and **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS**.

Sent down for concurrence.

ORDERS

Joint Resolution

On motion by Senator **TREAT** under unanimous consent on behalf of President **DAGGETT** of Kennebec (Cosponsored by Speaker **COLWELL** of Gardiner and Senators: **BRENNAN** of Cumberland, **DAVIS** of Piscataquis, **GAGNON** of Kennebec, **TREAT** of Kennebec, **WOODCOCK** of Franklin, Representatives: **BRUNO** of Raymond, **DUPLESSIE** of Westbrook, **RICHARDSON** of Brunswick), the following Joint Resolution:

S.P. 569

**JOINT RESOLUTION MEMORIALIZING THE PRESIDENT OF
THE UNITED STATES AND THE CONGRESS OF
THE UNITED STATES TO ENACT THE AMERICA RX ACT**

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

WHEREAS, each day, millions of Americans face economic hardships because they lack coverage for prescription drugs; and

WHEREAS, the costs of prescription drugs have risen at an alarmingly rapid rate; and

WHEREAS, prescription drugs provide essential treatment to all our citizens and are the most rapidly growing component of health care in the nation; and

WHEREAS, in the United States, in the absence of any form of national regulation of patented drugs, Americans often pay more for drugs than citizens living in any other country in the world; and

WHEREAS, the Legislature of the people of Maine, in good faith and with the best of intentions, created a program that would help the people who needed it most and passed a bill that was the first in the nation to allow the negotiation of prescription drug prices through the use of existing discounts and rebates with drug companies; and

WHEREAS, other states, including Alaska, Arizona, Arkansas, California, Connecticut, Hawaii, Indiana, Iowa, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, New Hampshire, New Mexico, New York, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Texas, Vermont, Washington and West Virginia, have taken steps to support or emulate the program crafted by the State of Maine; and

WHEREAS, the prescription drug companies have brought suit against the State of Maine in the courts to have this law declared void; and

WHEREAS, the America Rx Act, based on Maine's program, has been designed to provide access to lower-cost prescription drugs for all Americans who lack adequate coverage; and

WHEREAS, under the America Rx Act, the Federal Government would act as a pharmacy benefits manager to negotiate for lower prescription prices. This approach uses the power of the free market to allow the millions of American citizens with no access to discounts to pool together and negotiate as one block; and

WHEREAS, under the America Rx Act, there is an incentive to ensure that manufacturers negotiate in good faith. If pharmaceutical manufacturers refuse to negotiate, they would no longer be eligible for federal tax deductions for advertising and marketing expenses; now, therefore, be it

RESOLVED: That We, your Memorialists, on behalf of the people we represent and in joining the expressed desire of other states, reaffirm our support for establishing fairer pricing for prescription drugs for all individuals without access to prescription drugs at discount prices by respectfully urging and requesting that the President of the United States and the Congress of the United States take positive steps to enact the America Rx Act; 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, to the President of the United States Senate, to the Speaker of the House of Representatives of the United States and to each member of the Maine Congressional Delegation.

READ and ADOPTED.

Sent down for concurrence.

REPORTS OF COMMITTEES

House

Ought to Pass

The Committee on **JUDICIARY** on Bill "An Act To Clarify the Appointment of Coguardians and Coconservators under the Probate Code"

H.P. 1127 L.D. 1538

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

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

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

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

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Validate Certain Proceedings Authorizing the Issuance of Bonds and Notes by School Administrative District No. 71" (EMERGENCY)

H.P. 1193 L.D. 1615

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

Comes from the House, **READ TWICE** and **PASSED TO BE ENGROSSED**, without reference to a Committee.

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.

The Committee on **JUDICIARY** on Bill "An Act To Ensure Equity for Active Retired Justices of the Supreme Judicial Court Who Perform Judicial Service"

H.P. 1156 L.D. 1584

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

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

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

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

Ought to Pass As Amended

The Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Exclude Inclined Stairway Chairlifts from the Definition of Elevator"

H.P. 917 L.D. 1243

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-360)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-360)**.

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

READ ONCE.

Committee Amendment "A" (H-360) **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 **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Make Filling Out-of-State Prescriptions for Schedule II Drugs More Convenient" (EMERGENCY)

H.P. 1151 L.D. 1578

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-359)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-359)**.

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

READ ONCE.

Committee Amendment "A" (H-359) **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 **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Control County Jail Health Care Expenses"

H.P. 585 L.D. 808

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-365)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-365)**.

Report **READ**.

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

The Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Expand the Definition of 'Juvenile Crime' To Include the Offenses of Possession and Use of Drug Paraphernalia, Illegal Transportation of Alcohol by a Minor and Transportation of Illegal Drugs by a Minor"

H.P. 661 L.D. 884

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-366)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-366)**.

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

READ ONCE.

Committee Amendment "A" (H-366) **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 **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act Relating to Portable Classrooms for Certain Cases"

H.P. 619 L.D. 842

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-351)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-351)**.

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

READ ONCE.

Committee Amendment "A" (H-351) **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 **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act Regarding School Bus Contracts" (EMERGENCY)

H.P. 1146 L.D. 1564

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-364)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-364)**.

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

READ ONCE.

Committee Amendment "A" (H-364) **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 **LABOR** on Bill "An Act To Clarify Eligibility in the Maine State Retirement System Life Insurance Program"

H.P. 810 L.D. 1107

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-363)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-363)**.

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

READ ONCE.

Committee Amendment "A" (H-363) **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 **LABOR** on Bill "An Act Concerning Disability Retirement Benefits under the Maine State Retirement System"

H.P. 922 L.D. 1248

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-355)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-355)**.

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

READ ONCE.

Committee Amendment "A" (H-355) **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 Laws Governing Minimum Lot Size"

H.P. 512 L.D. 695

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-349)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-349)**.

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

READ ONCE.

Committee Amendment "A" (H-349) **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 Regarding Riverine Impoundments"

H.P. 840 L.D. 1137

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-350)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-350)**.

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

READ ONCE.

Committee Amendment "A" (H-350) **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 **STATE AND LOCAL GOVERNMENT** on Bill "An Act to Amend Certain Provisions of the Program Evaluation and Government Accountability Laws"

H.P. 59 L.D. 51

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-361)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-361)**.

Report **READ**.

On motion by Senator **ROTUNDO** of Androscoggin, **TABLED** until Later in Today's Session, pending **ACCEPTANCE OF REPORT**, in concurrence.

Divided Report

The Majority of the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Conform the Voting Members of Certain State Entities"

H.P. 1029 L.D. 1402

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

Signed:

Senators:

BROMLEY of Cumberland
HALL of Lincoln

Representatives:

SULLIVAN of Biddeford
O'BRIEN of Lewiston
DUPREY of Medway
PELLON of Machias
SMITH of Monmouth
AUSTIN of Gray
RECTOR of Thomaston
ROGERS of Brewer

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

Signed:

Senator:

SHOREY of Washington

Representatives:

BERUBE of Lisbon
JACOBSEN of Waterboro

Comes from the House with the Majority **OUGHT TO PASS** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-358)**.

Reports **READ**.

Senator **BROMLEY** of Cumberland moved the Senate **ACCEPT** the Majority **OUGHT 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 TO PASS** Report, in concurrence.

Divided Report

The Majority of the Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Allow Smelt Fishing in Long Lake in Aroostook County"

H.P. 637 L.D. 860

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-341)**.

Signed:

Senators:

BRYANT of Oxford
CARPENTER of York

Representatives:

DUNLAP of Old Town
WHEELER of Kittery
WOTTON of Littleton
WATSON of Bath
PINEAU of Jay
McGLOCKLIN of Embden

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

Signed:

Senator:

KNEELAND of Aroostook

Representatives:

RICHARDSON of Greenville
TOBIN of Dexter
HONEY of Boothbay
TRAHAN of Waldoboro

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-341)**.

Reports **READ**.

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

At the request of Senator **WOODCOCK** of Franklin a Division was had. 21 Senators having voted in the affirmative and 13 Senators having voted in the negative, the motion by Senator **BRYANT** of Oxford to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **PREVAILED**.

READ ONCE.

Committee Amendment "A" (H-341) **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-341)**, in concurrence.

Divided Report

The Majority of the Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Encourage Agricultural Cooperative Associations To Provide Group Health Plans" (EMERGENCY)

H.P. 381 L.D. 492

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-336)**.

Signed:

Senators:

LaFOUNTAIN of York
MAYO of Sagadahoc

Representatives:

VAUGHAN of Durham
BREAULT of Buxton
WOODBURY of Yarmouth
O'NEIL of Saco
GLYNN of South Portland
SNOWE-MELLO of Poland
YOUNG of Limestone
PERRY of Bangor

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "B" (H-337)**.

Signed:

Senator:

DOUGLASS of Androscoggin

Representatives:

PERRY of Calais
CANAVAN of Waterville

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-336)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-336)**.

Reports **READ**.

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

Divided Report

The Majority of the Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Provide Continued Access to Health Insurance for Small Business Employees"

H.P. 760 L.D. 1043

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

Signed:

Senators:

LaFOUNTAIN of York
MAYO of Sagadahoc

Representatives:

VAUGHAN of Durham
PERRY of Calais
CANAVAN of Waterville
WOODBURY of Yarmouth

O'NEIL of Saco
GLYNN of South Portland
SNOWE-MELLO of Poland
YOUNG of Limestone
PERRY of Bangor

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-346)**.

Signed:

Senator:

DOUGLASS of Androscoggin

Representative:

BREAULT of Buxton

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

Reports **READ**.

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

Divided Report

The Majority of the Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Extend Public Record Requirements of Nongroup Health Insurance Rate Filings to All Health Insurance Rate Filings"

H.P. 776 L.D. 1058

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-334)**.

Signed:

Senators:

LaFOUNTAIN of York
DOUGLASS of Androscoggin
MAYO of Sagadahoc

Representatives:

VAUGHAN of Durham
PERRY of Calais
BREAULT of Buxton
CANAVAN of Waterville
WOODBURY of Yarmouth
GLYNN of South Portland
SNOWE-MELLO of Poland
YOUNG of Limestone
PERRY of Bangor

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "B" (H-335)**.

Signed:

Representative:

O'NEIL of Saco

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-334)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-334)**.

On motion by Senator **TREAT** of Kennebec, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-334)** Report **ACCEPTED**, in concurrence.

READ ONCE.

Committee Amendment "A" (H-334) **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-334)**, in concurrence.

Divided Report

The Majority of the Committee on **JUDICIARY** on Bill "An Act Concerning Representation of the State in Disclosure Hearings" (EMERGENCY)

H.P. 1031 L.D. 1404

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

Signed:

Senators:

PENDLETON of Cumberland
CATHCART of Penobscot
WOODCOCK of Franklin

Representatives:

NORBERT of Portland
BULL of Freeport
SIMPSON of Auburn
RICHARDSON of Brunswick
BENNETT of Caribou
CARR of Lincoln
BRYANT-DESCHENES of Turner

(Representative LORING of the Penobscot Nation - of the House - supports the Majority **Ought to Pass** Report.)

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

Signed:

Representatives:

MILLS of Farmington
SHERMAN of Hodgdon

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

Reports **READ**.

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

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

Divided Report

The Majority of the Committee on **LABOR** on Bill "An Act To Require the Workers' Compensation Board To Adopt Rules To Require Electronic Filing"

H.P. 268 L.D. 339

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-191)**.

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-192)**.

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 BY COMMITTEE AMENDMENT "A" (H-191)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-191)**.

Reports **READ**.

Senator **EDMONDS** of Cumberland moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-191)** 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-191)** Report, in concurrence.

Divided Report

The Majority of the Committee on **LABOR** on Bill "An Act To Protect Maine Families When Workplace Fatalities Occur"

H.P. 368 L.D. 476

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-96)**.

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-96)**.

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 Improve the Operation of the Workers' Compensation Board"

H.P. 488 L.D. 658

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-57)**.

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-57)**.

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 **LEGAL AND VETERANS AFFAIRS** on Resolve, Allowing Christy Reposa and Michaela Corbin-Bumford to Sue the State

H.P. 536 L.D. 730

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-356)**.

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

CANAVAN of Waterville

JENNINGS of Leeds

LANDRY of Sanford

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

Signed:

Representative:

BLANCHETTE of Bangor

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

Reports **READ**.

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

READ ONCE.

Committee Amendment "A" (H-356) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Provide a Municipal Process for an Initiative To Impose a Property Tax Cap"
H.P. 958 L.D. 1304

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

Signed:

Senators:

ROTUNDO of Androscoggin
LaFOUNTAIN of York
GILMAN of Cumberland

Representatives:

McLAUGHLIN of Cape Elizabeth
PEAVEY-HASKELL of Greenbush
KETTERER of Madison
CROSTHWAITE of Ellsworth
BARSTOW of Gorham
BOWEN of Rockport
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-352)**.

Signed:

Representatives:

STONE of Berwick
SUSLOVIC of Portland
SUKEFORTH of Union

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

Reports **READ**.

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

Divided Report

The Majority of the Committee on **UTILITIES AND ENERGY** on Bill "An Act To Improve the Ability of the Public Utilities Commission To Enforce State Laws, Rules and Requirements"
H.P. 1088 L.D. 1483

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-342)**.

Signed:

Senators:

HALL of Lincoln
YOUNGBLOOD of Penobscot

Representatives:

LUNDEEN of Mars Hill
MOODY of Manchester
ADAMS of Portland
BERRY of Belmont
BLISS of South Portland

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

Signed:

Representatives:

RINES of Wiscasset
FLETCHER of Winslow
RICHARDSON of Skowhegan
CRESSEY of Baldwin

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-342)**.

Reports **READ**.

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

READ ONCE.

Committee Amendment "A" (H-342) **READ** and **ADOPTED**, in concurrence.

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

Senate

Ought to Pass As Amended

Senator **BROMLEY** for the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Make Minor Technical Changes to the Maine Biomedical Research Program"

S.P. 436 L.D. 1345

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-158)**.

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

On motion by Senator **BROMLEY** of Cumberland, the Senate **RECONSIDERED** whereby it **ACCEPTED** the **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-158)** Report.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending **ACCEPTANCE OF REPORT**.

Senator HATCH for the Committee on **TRANSPORTATION** on Bill "An Act To Protect Young Drivers and Passengers"

S.P. 477 L.D. 1439

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-159)**.

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

READ ONCE.

Committee Amendment "A" (S-159) **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 **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Amend the Membership of the Plumbers' Examining Board"

S.P. 248 L.D. 710

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-157)**.

Signed:

Senators:

BROMLEY of Cumberland
HALL of Lincoln

Representatives:

SULLIVAN of Biddeford
O'BRIEN of Lewiston
DUPREY of Medway
PELLON of Machias
SMITH of Monmouth
JACOBSEN of Waterboro

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

Signed:

Senator:

SHOREY of Washington

Representatives:

AUSTIN of Gray
BERUBE of Lisbon
RECTOR of Thomaston
ROGERS of Brewer

Reports **READ**.

Senator **BROMLEY** of Cumberland moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

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.

Divided Report

The Majority of the Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act to Specify the Public Status of Disputed Ballots" (EMERGENCY)

S.P. 27 L.D. 41

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

Signed:

Senator:

GAGNON of Kennebec

Representatives:

CLARK of Millinocket

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 "A" (S-153)**.

Signed:

Senators:

LEMONT of York

MAYO of Sagadahoc

Representatives:

GLYNN of South Portland

HOTHAM of Dixfield

BROWN of South Berwick

MOORE of Standish

Reports **READ**.

Senator **GAGNON** of Kennebec moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

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.

ENACTORS

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

Emergency Measure

An Act to Amend the Law Relating to Annuities

S.P. 121 L.D. 342
(C "A" S-114)

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 Implement the Recommendations of the Legislative Youth Advisory Council
H.P. 557 L.D. 751
(C "A" H-295)

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

Emergency Resolve

Resolve, Authorizing the Commissioner of Inland Fisheries and Wildlife To Allow a Well and Waterline Easement

S.P. 122 L.D. 346
(C "A" S-124)

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

Emergency Resolve

Resolve, To Enhance Services to Children and Families

H.P. 421 L.D. 558
(C "A" H-293)

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 **FINALLY PASSED** 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 Chapter 306: Information Disclosure Rule Amendment, a Major Substantive Rule of the Public Utilities Commission

H.P. 1091 L.D. 1494
(C "A" H-294)

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

Mandate

An Act To Clarify the Laws Pertaining to the Surcharge for Records Preservation for the Registry of Deeds

S.P. 107 L.D. 325
(C "A" S-115)

This being a Mandate, in accordance with the provisions of Section 21 of Article IX of the Constitution, 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.

Acts

An Act To Enhance the Powers of Law Enforcement Officers Authorized To Make Out-of-county or Out-of-municipality Arrests

H.P. 361 L.D. 469
(H "A" H-290 to C "A" H-123)

An Act To Require the Installation of Dental Amalgam Separator Systems in Dental Offices

H.P. 514 L.D. 697
(C "A" H-274)

An Act To Update the Abandoned Property Laws

S.P. 297 L.D. 901
(C "A" S-117)

An Act Regarding the Sale and Protection of Ferrets

H.P. 685 L.D. 928
(C "A" H-296)

An Act To Ensure Communication about Public Complaints against State Employees

H.P. 764 L.D. 1047
(C "A" H-279)

An Act To Amend the Laws Governing Noncompete Clauses in Broadcast Industry Contracts

H.P. 823 L.D. 1120

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

H.P. 900 L.D. 1226
(C "A" H-280)

An Act To Amend the Law Regarding Juvenile Restitution

H.P. 904 L.D. 1230
(C "A" H-278)

An Act To Improve Boating in Maine

S.P. 411 L.D. 1280

An Act To Make Changes to the Laws Governing Aquaculture Leasing

H.P. 1040 L.D. 1417
(C "A" H-282)

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

An Act To Improve Access to the Victims' Compensation Fund

H.P. 1103 L.D. 1510
(C "A" H-277)

An Act To Amend Provisions of the Submerged Lands Law

H.P. 1123 L.D. 1531
(C "A" H-275)

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 Expand the Education Tax Credit

H.P. 387 L.D. 502
(C "A" H-286)

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

An Act To Provide Requirements for Towns To Deorganize

S.P. 421 L.D. 1290
(C "A" S-121)

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

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
(C "A" S-118)

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

Resolves

Resolve, Requiring the Maine Human Rights Commission To Report on Complaints Involving Supervisors

H.P. 408 L.D. 523
(C "A" H-285)

Resolve, Directing the Department of Professional and Financial Regulation To Conduct a Sunrise Review for the Regulation of Spoken Language Interpreters

S.P. 305 L.D. 909
(C "A" S-119)

Resolve, Directing the Community Preservation Advisory Committee To Study the State Planning Office's Review of Municipal Comprehensive Plans and Growth Management Programs

H.P. 762 L.D. 1045
(C "A" H-284)

Resolve, Directing the Department of Environmental Protection To Recognize the Distinction between Water Storage Reservoirs and Natural Lakes

H.P. 777 L.D. 1059
(C "A" H-283)

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

Resolve, To Streamline and Encourage Use of the Suspension Process to Combat Reckless Driving

S.P. 243 L.D. 705
(C "A" S-110)

THE PRESIDENT: The Chair recognizes the Senator from Oxford, Senator Bennett.

Senator **BENNETT**: Thank you, Madame President, and fellow members of the Senate. I sponsored this legislation before us on behalf of some constituents of mine who lost a loved one at the hand of a habitual driving offender. On August 5, 2002, Doug and Bonnie VanDurme of Norway, Maine, lost their teenage son, Travis, in a tragic motor vehicle accident in Mechanic Falls, caused by a driver who had been cited for multiple 'Driving to Endanger' infractions. This accident really pulled my community together.

Travis VanDurme was a star athlete at Oxford Hills Comprehensive High School. He lead the Pine Tree Football Conference in rushing in his senior year, having rushed over 1,000 yards.

In our society, driving is supposed to be a privilege. When someone is convicted of driving to endanger and then found committing the same act a few weeks later, there is a public need to get that offender off the road. This resolve will help to accomplish that. We need to better protect the Travis VanDurme's of the world.

The story of Travis VanDurme, sadly, is not unique. Maine's most famous writer, Stephen King, also fell victim to a driver with a checkered driving record. The driver who hit Mr. King had an extensive list of driving infractions, including four speeding tickets, an operating under the influence violation, a citation for failing to stop for a police officer, and a driving to endanger conviction.

This resolve, as drafted, directs the Secretary of State to develop a form for use by law enforcement officers to streamline the transmission of adverse reports and encourage their use. This will enable the Secretary of State, under existing statute, to suspend licenses for reckless driving. It also directs the Maine Criminal Justice Academy and law enforcement agencies across the state to make officers aware of current law and to encourage the use of the law and the new form.

The Criminal Justice Committee deliberated with spirit, determination, and thoughtfulness to balance the needs of public safety and common sense with those of constitutional protections necessary in our democracy, protections for due process. The resolve before us will have a meaningful impact in creating better enforcement and better use of existing statute to suspend driving privileges for the habitually reckless drivers.

Driving is a privilege and those that abuse the privilege should not be permitted to occupy the same roads as you and me. The law needs to be changed to help get these drivers off the road so that in the future other families won't have to suffer the same tragedy that the VanDurme and the King families have had to endure. Please join me in supporting final passage of this resolve.

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

House Paper

Bill "An Act To Promote Stewardship of Forest Resources"

H.P. 1194 L.D. 1616

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

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

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

REPORTS OF COMMITTEES

Senate

Ought to Pass As Amended

Senator BRYANT for the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act To Amend the Laws Governing Agricultural Marketing and Bargaining"

S.P. 413 L.D. 1282

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-160)**.

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

READ ONCE.

Committee Amendment "A" (S-160) **READ** and **ADOPTED**.

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

Sent down for concurrence.

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

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 (5/9/03) Assigned matter:

An Act To Amend the Forester Law

H.P. 1063 L.D. 1455

Tabled - May 9, 2003, by Senator **TREAT** of Kennebec

Pending - **ENACTMENT**, in concurrence

(In Senate, May 6, 2003, **PASSED TO BE ENGROSSED**, in concurrence.)

(In House, May 8, 2003, **PASSED TO BE ENACTED**.)

On motion by Senator **BRYANT** of Oxford, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED**, in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-156) **READ** and **ADOPTED**.

PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-156), in **NON-CONCURRENCE**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (5/12/03) Assigned matter:

HOUSE REPORTS - from the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Restrict Excessive Rental Fees for Self-service Storage Facilities"

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-292)** (8 members)

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

Tabled - May 12, 2003, by Senator **BROMLEY** of Cumberland

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

(In House, May 9, 2003, 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-292)**.)

(In Senate, May 12, 2003, Reports **READ**.)

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

READ ONCE.

Committee Amendment "A" (H-292) **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-292)**, in concurrence.

The Chair laid before the Senate the following Tabled and Later (5/13/03) Assigned matter:

HOUSE REPORTS - from the Committee on **UTILITIES AND ENERGY** on Bill "An Act to Control Internet 'Spam'"

H.P. 210 L.D. 255

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-70)** (9 members)

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

Tabled - May 13, 2003, by Senator **HALL** of Lincoln

Pending - **ACCEPTANCE OF EITHER REPORT**

(In House, May 9, 2003, 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-70)**.)

(In Senate, May 13, 2003, Reports **READ**.)

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

READ ONCE.

Committee Amendment "A" (H-70) **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-70)**, in concurrence.

The Chair laid before the Senate the following Tabled and Later (5/13/03) Assigned matter:

SENATE REPORTS - from the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Provide Self-regulation for Registered Dental Hygienists"
S.P. 460 L.D. 1390

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

Minority - **Ought to Pass as Amended by Committee Amendment "A" (S-130)** (6 members)

Tabled - May 13, 2003, by Senator **DAVIS** of Piscataquis

Pending - motion by Senator **BROMLEY** of Cumberland to **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report

(In Senate, May 13, 2003, Reports **READ**.)

Senator **BENNETT** of Oxford requested a Division.

On motion by Senator **TREAT** of Kennebec, **TABLED** until Later in Today's Session, pending motion by Senator **BROMLEY** of Cumberland to **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report. (Division Requested)

The Chair laid before the Senate the following Tabled and Later (5/14/03) Assigned matter:

HOUSE REPORTS - from the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Require Continuing Education in the Cosmetology, Barbering, Aesthetics and Manicuring Fields"

H.P. 771 L.D. 1054

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

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

Tabled - May 14, 2003, by Senator **BROMLEY** of Cumberland

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

(In House, May 13, 2003, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.)

(In Senate, May 14, 2003, Reports **READ**.)

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

The Chair laid before the Senate the following Tabled and Later (5/14/03) Assigned matter:

HOUSE REPORTS - from the Committee on **LEGAL AND VETERANS AFFAIRS** on RESOLUTION, Proposing an Amendment to the Constitution of Maine To Restrict the Appearance of Referenda on Ballots at General Elections

H.P. 962 L.D. 1308

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-300)** (9 members)

Minority - **Ought Not to Pass** (4 members)

Tabled - May 14, 2003, by Senator **GAGNON** of Kennebec

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

(In House, May 12, 2003, the Minority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.)

(In Senate, May 14, 2003, Reports **READ**.)

On motion by Senator **GAGNON** of Kennebec, the Minority **OUGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

Senate at Ease.

Senate called to order by the President.

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

HOUSE REPORTS - from the Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Encourage Agricultural Cooperative Associations To Provide Group Health Plans" (EMERGENCY)

H.P. 381 L.D. 492

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-336)** (10 members)

Minority - **Ought To Pass as Amended by Committee Amendment "B" (H-337)** (3 members)

Tabled - May 15, 2003, by Senator **TREAT** of Kennebec

Pending - **ACCEPTANCE OF EITHER REPORT**

(In House, May 13, 2003, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-336)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-336)**.)

(In Senate, May 15, 2003, Reports **READ**.)

On motion by Senator **DOUGLASS** of Androscoggin, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-336)** Report **ACCEPTED**, in concurrence.

READ ONCE.

Committee Amendment "A" (H-336) **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-336)**, in concurrence.

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

HOUSE REPORTS - from the Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Provide Continued Access to Health Insurance for Small Business Employees"

H.P. 760 L.D. 1043

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

Minority - **Ought To Pass as Amended by Committee Amendment "A" (H-346)** (2 members)

Tabled - May 15, 2003, by Senator **TREAT** of Kennebec

Pending - **ACCEPTANCE OF EITHER REPORT**

(In House, May 13, 2003, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.)

(In Senate, May 15, 2003, Reports **READ**.)

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

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

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

On motion by Senator **TREAT** of Kennebec, **ADJOURNED** to Friday, May 16, 2003, at 10:00 in the morning.