

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

In Senate Chamber
Wednesday
June 4, 2003

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

Prayer by Senator Betty Lou Mitchell of Penobscot County.

SENATOR MITCHELL: Good morning. In the New Testament, the Apostle James wrote these words. 'If any of you lacks wisdom, let them ask of God who gives to all generously and without reproach and it will be given.' Let us pray to that end.

Our Father in heaven, we confess our need of wisdom beyond ourselves. Despite our best efforts, we are sometimes distracted by the many voices we hear. We struggle to balance personal beliefs and interests with the good of the state. We want to please ourselves, to please our constituents, and our colleagues in this body. As we begin our deliberations for this day, we pray that Your spirit will give us the wisdom we need. Further, we pray that You will bless us with compassion, courage, and concern. Help us make choices we can be proud of and that will please You. Amen.

National Anthem performed by the Mahoney Middle School Band of South Portland.

Reading of the Journal of Tuesday, June 3, 2003.

Off Record Remarks

PAPERS FROM THE HOUSE

Non-Concurrent Matter

Resolve, Concerning Reauthorization of a 1997 Pollution Control Bond Issue
S.P. 583 L.D. 1628
(S "A" S-252)

Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** suggested and ordered printed.

In Senate, June 3, 2003, **PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-252)**, without reference to a Committee.

Comes from the House, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**, in **NON-CONCURRENCE**.

On motion by Senator **ROTUNDO** of Androscoggin, the Senate **RECEDED** and **CONCURRED**.

COMMUNICATIONS

The Following Communication:

S.C. 272

**121ST LEGISLATURE
SENATE OF MAINE
OFFICE OF THE PRESIDENT**

June 3, 2003

Joy J. O'Brien
Secretary of the Senate
3 State House Station
Augusta, ME 04333

Dear Secretary O'Brien,

Please be advised that I have appointed to the Committee of Conference on the disagreeing action between the two branches of the Legislature on Bill "An Act to Control County Jail Health Care Expenses" (H.P. 585) (L.D. 808) the following conferees on the part of the Senate:

Senator Strimling of Cumberland County
Senator Damon of Hancock County
Senator Carpenter of York County

Sincerely,

S/Beverly C. Daggett
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication:

H.C. 229

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

June 3, 2003

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

Dear Madam Secretary:

The House voted on May 29, 2003, to Insist and Join in a Committee of Conference on Bill "An Act to Revise the Reimbursement by the County Jail Prisoner Support and Community Corrections Fund and To Provide Additional Support to County Jails"

(S.P. 390) (L.D. 1186)

The Speaker appointed the following members of the House to the Committee

Representative BUNKER of Kossuth Township
Representative BLANCHETTE of Bangor
Representative RECTOR of Thomaston

Sincerely,

S/Millicent M. MacFarland
Clerk of the House

READ and ORDERED PLACED ON FILE.

The Following Communication:

H.C. 230

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

June 3, 2003

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

Dear Madam Secretary:

The House voted on June 2, 2003, to Insist and Join in a Committee of Conference on Bill "An Act To Control County Jail Health Care Expenses"

(H.P. 585) (L.D. 808)

The Speaker appointed the following members of the House to the Committee

Representative BUNKER of Kossuth Township
Representative LESSARD of Topsham
Representative GREELEY of Levant

Sincerely,

S/Millicent M. MacFarland
Clerk of the House

READ and ORDERED PLACED ON FILE.

REPORTS OF COMMITTEES

House

Divided Report

The Majority of the Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act To Extend Term Limits"

H.P. 945 L.D. 1273

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-442).**

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
LANDRY of Sanford

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

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

Reports **READ**.

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

Divided Report

The Majority of the Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act To Permit Video Gaming for Money Conducted by Nonprofit Organizations"
H.P. 996 L.D. 1354

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-546)**.

Signed:

Senators:

GAGNON of Kennebec
LEMONT of York
MAYO of Sagadahoc

Representatives:

CLARK of Millinocket
LANDRY of Sanford
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:

GLYNN of South Portland

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-546)**.

Reports **READ**.

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

Senator **MARTIN** of Aroostook moved to **INDEFINITELY POSTPONE** the Bill and accompanying papers, in **NON-CONCURRENCE**.

Same Senator requested a Roll Call.

THE PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator Martin.

Senator **MARTIN:** Thank you, Madame President. I rise on this bill, as I did on the previous one which was similar, because I believe the voters of Maine will be given an opportunity in November to decide whether or not they want to gamble further.

I think many of us in this body have forgotten that there was a public referendum on this issue a number of years ago in this state. We would be reversing the voters' decision without going back to referendum. I think this would be a mistake.

THE PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Gagnon.

Senator **GAGNON:** Thank you, Madame President and members of the Senate. I would encourage you not to support the current motion to indefinitely postpone. As you can see on the report, the committee was fairly lopsided in supporting the arguments that were presented by the non-profit organizations.

I'm going to highlight some of the points of this bill. The non-profit organizations use the proceeds of these machines as one of the basic elements of their charitable giving. Most of them give much of the money that they generate for other events or items within their municipalities. The use of machines would be strictly controlled by the Bureau of Alcoholic Beverages and Lottery Operations; licensed by the State Police; and there would be a limit of only five machines per organization. The machines would have to pay out 80% of the wages to the players. The remaining income from each terminal is split between the host municipality, which would be whatever municipality they were located in; a program for compulsive gambling rehabilitation, and the licensee. The bill requires local approval. If the municipality is interested in having this operation within their municipality, they would have an opportunity to either say yes or no and share in whatever wealth there might be from that operation.

It seemed to be fairly straight forward, and something that was probably the best product that the committee could come up with, understanding that there were those people who have a real aversion to gambling. The committee is trying to look at these things without any jading in any way on the issue, one way or the other. They simply wanted to come up with the best product possible. I applaud the committee for doing that. I hope that you will support the bill at this time.

THE PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator Martin.

Senator **MARTIN:** Thank you, Madame President and members of the Senate. Let me just remind you of the history, and the time when we had this in Maine. We had serious problems. We had indictments. We had money that was being laundered. We had violations throughout the state. We had the same number of personnel that we now have in the Department of Public Safety who were trying to do the job of controlling these. Nothing has changed. I'd remind you, also, that we would be violating, in my opinion, the public's trust. The voters of Maine, in overwhelming numbers, rejected these machines by referendum.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#149)

YEAS: Senators: BLAIS, BROMLEY, CARPENTER, DAMON, DAVIS, DOUGLASS, EDMONDS, GILMAN, HALL, HATCH, KNEELAND, LEMONT, MARTIN, NASS, SAVAGE, STRIMLING, TREAT, WESTON, WOODCOCK

NAYS: Senators: CATHCART, GAGNON, MAYO, MITCHELL, PENDLETON, ROTUNDO, SAWYER, SHOREY, STANLEY, TURNER, THE PRESIDENT - BEVERLY C. DAGGETT

ABSENT: Senators: BENNETT, BRENNAN, BRYANT, LAFOUNTAIN, YOUNGBLOOD

19 Senators having voted in the affirmative and 11 Senators having voted in the negative, with 5 Senators being absent, the motion by Senator **MARTIN** of Aroostook to **INDEFINITELY POSTPONE** the Bill and accompanying papers, in **NON-CONCURRENCE, PREVAILED**.

Sent down for concurrence.

ENACTORS

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

Act

An Act To Protect Workers from Secondhand Smoke and To Promote Worker Safety
S.P. 437 L.D. 1346
(C "A" S-249)

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

Resolve

Resolve, Regarding the Operation of the Maine Registry of Certified Nursing Assistants
H.P. 224 L.D. 281
(C "A" H-542)

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

Off Record Remarks

RECALLED FROM GOVERNOR'S DESK

Emergency Measure

An Act To Simplify Calculation of Legal Interest
H.P. 835 L.D. 1132
(H "A" H-488 to C "A" H-393)

(In Senate, May 27, 2003, **PASSED TO BE ENACTED**, in concurrence.)

(**RECALLED** from Governor's Desk pursuant to Joint Order (S.P. 582), in concurrence.)

On motion by Senator **DOUGLASS** of Androscoggin, the Senate **SUSPENDED THE RULES**.

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

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-393) AS AMENDED BY HOUSE AMENDMENT "A" (H-488)** thereto.

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (H-393) as Amended by House Amendment "A" (H-488) thereto.

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** House Amendment "A" (H-488) to Committee Amendment "A" (H-393) and **INDEFINITELY POSTPONED** same, in **NON-CONCURRENCE**.

On motion by Senator **DOUGLASS** of Androscoggin, **TABLED** until Later in Today's Session, pending **ADOPTION** of Committee Amendment "A" (H-393), in **NON-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 (4/16/03) Assigned matter:

SENATE REPORTS - from the Committee on **LABOR** on Bill "An Act Regarding Employment of Workers' Compensation Board Hearing Officers and Mediators"

S.P. 190 L.D. 550

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-53)** (8 members)

Minority - **Ought to Pass as Amended by Committee Amendment "B" (S-54)** (5 members)

Tabled - April 16, 2003, by Senator **EDMONDS** of Cumberland

Pending - motion by same Senator to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-53)** Report

(In Senate, April 16, 2003, Reports **READ**.)

On motion by Senator **EDMONDS** of Cumberland, **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" (S-53)** Report.

The Chair laid before the Senate the following Tabled and Later (5/15/03) Assigned matter:

HOUSE REPORT - from 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

Report - **Ought to Pass as Amended by Committee Amendment "A" (H-361)**

Tabled - May 15, 2003, by Senator **ROTUNDO** of Androscoggin

Pending - **ACCEPTANCE OF REPORT**, in concurrence

(In House, May 14, 2003, the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-361)**.)

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

Report **ACCEPTED**, in concurrence.

READ ONCE.

Committee Amendment "A" (H-361) **READ** and **ADOPTED**, in concurrence.

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

The Chair laid before the Senate the following Tabled and Later (6/3/03) Assigned matter:

SENATE REPORTS -from the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Change the Name of the Augusta Mental Health Institute to 'Riverview Psychiatric Center'"
S.P. 525 L.D. 1562

Report "A" - **Ought to Pass as Amended by Committee Amendment "A" (S-208)**

Report "B" - **Ought to Pass as Amended by Committee Amendment "B" (S-209)**

Report "C" - **Ought to Pass as Amended by Committee Amendment "C" (S-210)**

Tabled - June 3, 2003, by Senator **TREAT** of Kennebec

Pending - motion by same Senator to **ACCEPT** Report "C", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "C" (S-210)**, in **NON-CONCURRENCE**

(In House, June 3, 2003, **PASSED TO BE ENACTED**.)

(In Senate, June 3, 2003, on motion by Senator **TREAT** of Kennebec, **RECONSIDERED PASSAGE TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-208)**, in concurrence. On further motion by same Senator, **RECONSIDERED** whereby Report "A", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-208)** was **ACCEPTED**, in concurrence.)

On motion by Senator **TREAT** of Kennebec, Report "C", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "C" (S-210)** **ACCEPTED**, in **NON-CONCURRENCE**.

READ ONCE.

Committee Amendment "C" (S-210) **READ** and **ADOPTED**, in **NON-CONCURRENCE**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "C" (S-210)**, in **NON-CONCURRENCE**.

Ordered sent down forthwith for concurrence.

Senate at Ease.

Senate called to order by the President.

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

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

ENACTOR

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

Act

An Act To Improve Collection of Information about Work-related Injuries and To Enhance Injury Prevention Efforts

S.P. 135 L.D. 398
(S "A" S-239)

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

Off Record Remarks

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

Senator **PENDLETON** of Cumberland was granted unanimous consent to address the Senate on the Record.

Senator **PENDLETON**: Thank you, Madame President, men and women of the Senate. Yesterday there was a special sentiment that came through on a supplement and I missed it. There was something I just wanted to share with you about this person.

Her name was Private First Class Lori Ann Piestewa. She was one of the first Native American women to be killed in our most recent military action. I just wanted to share this with you.

She was honored during a memorial service at the Women in Military Service at Arlington Cemetery this past Memorial Day. Pentagon officials, for the first time, publicly stated that she fought back. 'She drew her weapon and she fought. It was with courage and honor,' stated Shirley Martinez, Deputy Secretary of the Air Force. A Congressman from Arizona said, 'She fought tooth and nail along side a Sergeant to give other soldiers time to climb out. Her last stand was fighting with all her might, defending her own people. She fought with courage and valor.'

She was the first Hopi woman and Native American woman to die in combat in defense of the United States. She was a daughter. She was a sister, a mother, and a friend. She had a mountain and a highway named after her in area and was honored by 21 tribes who paid homage to her.

After the ceremonies, the songs, the poems, and the gifts, there is an empty space that will always be felt by her family, and especially by her children. Lori's son, Brandon, turned five years old on Memorial Day. Rose petals were ceremoniously placed in the reflection pool by the Woman's Memorial by her father, Terry, while her mother, Priscilla, stood by with her brothers, Adam and Wayland, and her three year old daughter, Carla.

Freedom is not free. The price is paid not only by the dead, but by those who must live without their loved ones. The empty space may never be filled.

According to Hopi legend, if a person had a good heart, when he or she died, their spirit would return to the earth in the form of moisture. Perhaps this is because it is so treasured in that dry and arid climate in which she lived. Lori was known to have a good heart and to love life, people, and above all, her family and friends. On the day the Piestewa family was notified of her death, an unusual event occurred in her hometown of Tuba City. Moisture fell back to the earth in the pure white form of snow.

Thank you.

Senator **WOODCOCK** of Franklin 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:

PAPERS FROM THE HOUSE

Non-Concurrent Matter

Bill "An Act To Improve Enforcement of the State's Natural Resource Protection, Timber Theft and Trespass Laws"

H.P. 1059 L.D. 1447
(H "A" H-511 to C "A" H-456)

In Senate, May 29, 2003, **PASSED TO BE ENACTED**, in concurrence.

RECALLED from Governor's Desk pursuant to Joint Order (H.P. 1208), in concurrence.

Comes from the House, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-456) AS AMENDED BY HOUSE AMENDMENT "B" (H-547)** thereto, in **NON-CONCURRENCE**.

On motion by Senator **BRYANT** of Oxford, the Senate **RECEDED** and **CONCURRED**.

Off Record Remarks

RECESSED until the sound of the bell.

After Recess

Senate called to order by the President.

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

ENACTOR

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

Emergency Measure

An Act To Increase the Assessment on Workers' Compensation Insurance To Fund the Workers' Compensation Board Administrative Fund

S.P. 21 L.D. 35
(S "A" S-251 to C "A" S-61)

On motion by Senator **EDMONDS** of Cumberland, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-61) AS AMENDED BY SENATE AMENDMENT "A" (S-251)** thereto, in concurrence.

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (S-61) as Amended by Senate Amendment "A" (S-251), in concurrence.

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Senate Amendment "A" (S-251) to Committee Amendment "A" (S-61), in concurrence and **INDEFINITELY POSTPONED** same, in **NON-CONCURRENCE**.

On further motion by same Senator, Senate Amendment "B" (S-255) to Committee Amendment "A" (S-61) **READ** and **ADOPTED**.

Committee Amendment "A" (S-61) as Amended by Senate Amendment "B" (S-255) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-61) AS AMENDED BY SENATE AMENDMENT "B" (S-255) thereto, in **NON-CONCURRENCE**.

Ordered sent down forthwith for concurrence.

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

ENACTOR

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

Act

An Act To Improve the State's Returnable Bottle Law and Adjust Handling Fees
S.P. 326 L.D. 985
(S "B" S-250 to C "A" S-217)

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

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

COMMUNICATIONS

The Following Communication: S.C. 274

**121ST LEGISLATURE
SENATE OF MAINE
OFFICE OF THE PRESIDENT**

June 4, 2003

Joy J. O'Brien
Secretary of the Senate
3 State House Station
Augusta, Maine 04333

Dear Secretary O'Brien:

Pursuant to Executive Order 13 FY 02/03, I am pleased to appoint Senator Carol Weston of Waldo and Kris Sahonchik of Portland to serve on the Advisory Council for the Reorganization and Unification of the Department of Human Services and the Department of Behavioral and Developmental Services.

Please let me know if you have any questions regarding these appointments.

Sincerely,

S/Beverly C. Daggett

President of the Senate

READ and ORDERED PLACED ON FILE.

Senate at Ease.

Senate called to order by the President.

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

ORDERS

Joint Order

On motion by Senator **TREAT** of Kennebec, the following Joint Order:
S.P. 584

ORDERED, the House concurring, that when the House stands adjourned it does so until Monday, June 9, 2003, at 9:00 in the morning and the Senate adjourns until Monday, June 9, 2003 at 10:00 in the morning.

READ and PASSED.

Ordered sent down forthwith for concurrence.

Off Record Remarks

Senate at Ease.

Senate called to order by the President.

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

ENACTOR

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

Emergency Measure

An Act To Increase the Assessment on Workers' Compensation Insurance To Fund the Workers' Compensation Board Administrative Fund

S.P. 21 L.D. 35
(S "B" S-255 to C "A" S-61)

This being an Emergency Measure and having received the affirmative vote of 25 Members of the Senate, with no Senators having voted in the negative, and 25 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:

PAPERS FROM THE HOUSE

House Paper

RESOLUTION, Proposing a Competing Measure under the Constitution of Maine To Create Municipal Service Districts To Reduce the Cost of Local Government, To Provide Property Tax Relief and To Increase Economic Competitiveness"

H.P. 1209 L.D. 1629

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

On motion by Senator **STANLEY** of Penobscot, **REFERRED** to the Committee on **TAXATION** and ordered printed, in concurrence.

ORDERS OF THE DAY

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

SENATE REPORTS - from the Committee on **LABOR** on Bill "An Act Regarding Employment of Workers' Compensation Board Hearing Officers and Mediators"

S.P. 190 L.D. 550

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-53)** (8 members)

Minority - **Ought to Pass as Amended by Committee Amendment "B" (S-54)** (5 members)

Tabled - June 4, 2003, by Senator **EDMONDS** of Cumberland

Pending - motion by same Senator to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-53)** Report

(In Senate, April 16, 2003, Reports **READ**.)

On motion by Senator **EDMONDS** of Cumberland, Bill and accompanying papers **COMMITTED** to the Committee on **LABOR**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (5/30/03) Assigned matter:

An Act To Require the Workers' Compensation Board To Adopt Rules To Require Electronic Filing

H.P. 268 L.D. 339

(S "A" S-243 to C "A" H-191)

Tabled - May 30, 2003, by Senator **CATHCART** of Penobscot

Pending - **ENACTMENT**, in concurrence

(In Senate, May 29, 2003, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-191) AS AMENDED BY SENATE AMENDMENT "A" (S-243)** thereto, in **NON-CONCURRENCE**.)

(In House, May 30, 2003, **PASSED TO BE ENACTED**.)

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

Sent down for concurrence.

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

Off Record Remarks

On motion by Senator **TREAT** of Kennebec, **ADJOURNED**, pursuant to the Joint Order, to Monday, June 9, 2003, at 10:00 in the morning.