

MAINE STATE LEGISLATURE

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Senate Legislative Record
One Hundred and Twenty-First Legislature
State of Maine

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

In Senate Chamber
Wednesday
February 5, 2003

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

Prayer by Reverend Ronald E. Morrell, Sr., Protestant Chaplain at
Colby College in Waterville.

REVEREND MORRELL: Oh God, as we pray, we seek Your blessing on this legislative body. We are thankful for the men and women who have committed themselves to the betterment of the State of Maine and its citizens. Guide their decision-making. We ask that it would be both compassionate and responsible and that it would be in the best interest of both the individual and the larger community. We also pray that You would bless their families and the people they represent. If they have personal concerns for themselves, their families, or friends, we ask that You would answer their prayers.

We realize that we are not just citizens of the State of Maine, but of the world. We know we live in troubled and difficult times. Because of this, some of our fellow citizens may be called upon to put themselves in harms way for us. Therefore, oh God, we ask that You would protect those who protect us, and that You would be with their families and give them strength. Guide all leaders who are called upon to make complex decisions that affect the security and freedom of the world.

As we pray this afternoon, we'd be remised if we did not pray for the astronauts who were killed on Saturday. They were men and women who used the gifts You gave them for the common good and made the ultimate sacrifice. Bless and comfort their families and friends as they recover from their loss. In their honor, we read these words from Psalms 19. The heavens declared the glory of God, the skies proclaimed the work of His hands. Day after day, they pour forth speech. Night after night, they display knowledge. There is no speech or language where their voice is not heard. Their voice goes out to all the earth, their words to the ends of the world. Therefore, may the words of our mouths and the meditations of our hearts be pleasing to Your sight, oh Lord. Amen.

Reading of the Journal of Tuesday, February 4, 2003.

Out of order and under suspension of the Rules, on motion by
Senator **TREAT** of Kennebec, the following Senate Order:
S.O. 18

ORDERED, that a message be sent to the House of
Representatives proposing a Convention of the two branches of
the Legislature be held at 6:30 this evening, in the Hall of the

House for the purpose of extending to Governor John E. Baldacci,
an invitation to make such communication as pleases him.

READ and PASSED.

The Chair appointed the Senator from Kennebec, Senator
TREAT to deliver the message to the House of Representatives.
The Sergeant-At-Arms escorted the Senator to the House of
Representatives.

Subsequently, the Senator from Kennebec, Senator **TREAT**
reported that she had delivered the message with which she was
charged.

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Appropriate Funds for the Millinocket Area Growth
and Investment Council"

H.P. 351 L.D. 459

Comes from the House, **REFERRED** to the Committee on
APPROPRIATIONS AND FINANCIAL AFFAIRS and ordered
printed.

On motion by Senator **CATHCART** of Penobscot, **REFERRED** to
the Committee on **APPROPRIATIONS AND FINANCIAL
AFFAIRS** and ordered printed, in concurrence.

Bill "An Act To Promote the Development of Affordable Housing"
H.P. 345 L.D. 453

Resolve, To Establish the Task Force To Study Regulatory
Barriers to Affordable Housing (EMERGENCY)
H.P. 364 L.D. 472

Come from the House, **REFERRED** to the Committee on
BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT
and ordered printed.

On motion by Senator **BROMLEY** of Cumberland, **REFERRED** to
the Committee on **BUSINESS, RESEARCH AND ECONOMIC
DEVELOPMENT** and ordered printed, in concurrence.

Bill "An Act To Limit the Interest Rate on Consumer Credit
Transactions"

H.P. 365 L.D. 473

Committee on **BUSINESS, RESEARCH AND ECONOMIC
DEVELOPMENT** suggested and ordered printed.

Comes from the House, **REFERRED** to the Committee on
INSURANCE AND FINANCIAL SERVICES.

On motion by Senator **LAFOUNTAIN** of York, **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES** and ordered printed, in concurrence.

Bill "An Act To Amend the Laws Governing Penalties for Writing Bad Checks"

H.P. 321 L.D. 413

Resolve, Requiring the State Police To Develop a Form for Use in Private Firearm Sales

H.P. 353 L.D. 461

Bill "An Act To Clarify Arrest Powers of Law Enforcement Officers"

H.P. 361 L.D. 469

Bill "An Act To Improve Conditions for Inmates with Mental Illness"

H.P. 367 L.D. 475

Bill "An Act Requiring Lifetime Probation for Dangerous Sexual Offenders"

H.P. 370 L.D. 478

Come from the House, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed.

On motion by Senator **STRIMLING** of Cumberland, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed, in concurrence.

Bill "An Act Regarding the School Board of the Governor Baxter School for the Deaf"

H.P. 328 L.D. 420

Resolve, To Prepare Maine's Students for Active Citizenship (EMERGENCY)

H.P. 333 L.D. 425

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

H.P. 369 L.D. 477

Come from the House, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.

On motion by Senator **DOUGLASS** of Androscoggin, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed, in concurrence.

Bill "An Act To Include a Representative of Mental Health Providers on the Board of Directors of the Maine Health Data Organization"

H.P. 329 L.D. 421

Resolve, Regarding Coverage of Durable Medical Equipment in the MaineCare Program

H.P. 336 L.D. 444

Resolve, To Study Obesity and Methods To Decrease the Cost of Health Care and Increase the Public Health

H.P. 363 L.D. 471

Come from the House, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

On motion by Senator **BRENNAN** of Cumberland, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed, in concurrence.

Bill "An Act To Provide Consumers at Chain Restaurants with Accurate, Accessible Nutrition Information"

H.P. 311 L.D. 391

Committee on **HEALTH AND HUMAN SERVICES** suggested and ordered printed.

Comes from the House, **REFERRED** to the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT**.

On motion by Senator **BRENNAN** of Cumberland, **REFERRED** to the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed, in concurrence.

Bill "An Act Regarding the Presumption of Violations of the Hunting-on-Sunday Prohibition"

H.P. 316 L.D. 408

Bill "An Act Regarding Bear Hunting"

H.P. 338 L.D. 446

Bill "An Act To Exempt a Watercraft That Is Equipped with an Electric Outboard Motor from Paying a Fee for the Certificate of Number"

H.P. 340 L.D. 448

Bill "An Act To Ban the Use of Snares"

H.P. 347 L.D. 455

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

H.P. 352 L.D. 460

Bill "An Act To Amend the Ice Fishing and Fishing Derby Laws"

H.P. 360 L.D. 468

Bill "An Act To Strengthen the ATV Laws of the State"

H.P. 366 L.D. 474

Come from the House, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed.

On motion by Senator **BRYANT** of Oxford, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed, in concurrence.

Bill "An Act To Allow a Former Spouse or Domestic Partner To Cancel a Life Insurance Policy in That Person's Name"
H.P. 317 L.D. 409

Bill "An Act To Improve the Process of Credentialing Health Care Providers"
H.P. 331 L.D. 423

Bill "An Act To Ensure Fairness Regarding Use of Consumer Credit Reports in Insurance Underwriting"
H.P. 362 L.D. 470

Bill "An Act Clarifying the Maine Consumer Credit Code"
H.P. 374 L.D. 485

Bill "An Act To Amend the Maine Insurance Guaranty Association Act"
H.P. 376 L.D. 487

Bill "An Act To Reduce Administrative Expenses in Health Insurance"
H.P. 377 L.D. 488

Bill "An Act To Encourage Agricultural Cooperative Associations To Provide Group Health Plans" (EMERGENCY)
H.P. 381 L.D. 492

Bill "An Act To Enhance Consumer Protections in Relation to Certain Mortgages"
H.P. 383 L.D. 494

Come from the House, **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES** and ordered printed.

On motion by Senator **LAFOUNTAIN** of York, **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES** and ordered printed, in concurrence.

Bill "An Act To Restore Federal Protections to Maine State Employees"
H.P. 323 L.D. 415

Bill "An Act To Increase the Compensation of Jurors"
H.P. 344 L.D. 452

Bill "An Act Concerning Citizens' Property Rights"
H.P. 379 L.D. 490

Come from the House, **REFERRED** to the Committee on **JUDICIARY** and ordered printed.

On motion by Senator **PENDLETON** of Cumberland, **REFERRED** to the Committee on **JUDICIARY** and ordered printed, in concurrence.

Bill "An Act To Provide Employees Fair Access to Personnel Files"
H.P. 319 L.D. 411

Bill "An Act To Require the State To Fully Pay for Health Insurance for Maine's Retired Educators"
H.P. 322 L.D. 414

Bill "An Act To Supplement Benefits for State Employees and Teachers Whose Pensions Are Subject to Reductions Enacted in 1993"
H.P. 349 L.D. 457

Bill "An Act To Protect Maine Families When Workplace Fatalities Occur"
H.P. 368 L.D. 476

Come from the House, **REFERRED** to the Committee on **LABOR** and ordered printed.

On motion by Senator **EDMONDS** of Cumberland, **REFERRED** to the Committee on **LABOR** and ordered printed, in concurrence.

Bill "An Act To Preserve the Integrity of the Voting Process"
H.P. 334 L.D. 426

Bill "An Act To Allow the Transfer of Spirits within Existing Businesses"
H.P. 342 L.D. 450

Bill "An Act To Clarify Campaign Finance Penalty Provisions"
H.P. 346 L.D. 454

Bill "An Act Concerning the Issuance of a Temporary Liquor License"
H.P. 358 L.D. 466

Bill "An Act To Protect Communities Affected by Casino Gambling Operations"
H.P. 375 L.D. 486

Come from the House, **REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS** and ordered printed.

On motion by Senator **GAGNON** of Kennebec, **REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS** and ordered printed, in concurrence.

Bill "An Act To Manage Water Resources"
H.P. 380 L.D. 491

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

On motion by Senator **MARTIN** of Aroostook, **REFERRED** to the Committee on **NATURAL RESOURCES** and ordered printed, in concurrence.

Bill "An Act To Amend the County Contingent Fund"
H.P. 324 L.D. 416

Bill "An Act To Provide Cumberland County Budget Advisory Committee with Final Budget Approval Authority"
H.P. 325 L.D. 417

Bill "An Act To Limit the Undesignated Surplus of Counties to 15% of the Annual Operating Budget"
H.P. 326 L.D. 418

Bill "An Act To Repeal Outdated and Unfunded Municipal and Educational Mandates"
H.P. 327 L.D. 419

Resolve, Directing the Department of Administrative and Financial Services to Examine the Potential Cost Savings of Offering State Employees Early Retirement
H.P. 348 L.D. 456

Bill "An Act To Make Transportation More Affordable for Low-income Families"
H.P. 357 L.D. 465

Resolve, Authorizing the Commissioner of Administrative and Financial Services To Sell Certain Real Estate Lands of the Long Creek Youth Development Center in South Portland
H.P. 378 L.D. 489

Come from the House, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

On motion by Senator **ROTUNDO** of Androscoggin, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed, in concurrence.

At this point a message was received from the House of Representatives, borne by Representative **RICHARDSON** of Brunswick informing the Senate that the House concurred with the proposition for a Convention of the two branches of the Legislature to be held in the Hall of the House at 6:30 in the evening for the purpose of extending to Governor John E. Baldacci, an invitation to make such communication as pleases him.

Bill "An Act To Require All Fees, Fines and Penalties To Be Deposited into the General Fund"
H.P. 341 L.D. 449

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

Come from the House, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**.

On motion by Senator **ROTUNDO** of Androscoggin, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed, in concurrence.

Bill "An Act To Facilitate Farmer Participation in the Land for Maine's Future Program"
H.P. 337 L.D. 445

Bill "An Act To Exempt from Sales Tax the Sales of Adaptive Equipment To Make a Vehicle Handicapped Accessible"
H.P. 339 L.D. 447

Bill "An Act To Clarify Tax Appeal Procedures"
H.P. 343 L.D. 451

Resolve, To Study the Policies of the Department of Administrative and Financial Services, Bureau of Revenue Services Regarding Tax Collection Practices
H.P. 359 L.D. 467

Come 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.

Bill "An Act To Change the Legislative License Plate to a Combination Plate"
H.P. 318 L.D. 410

Resolve, To Require Reports from the Maine State Police Regarding Commercial Trucks
H.P. 320 L.D. 412

Bill "An Act To Honor Purple Heart Award Recipients"
H.P. 330 L.D. 422

Bill "An Act To Increase the Availability of Handicapped Parking Spaces for People with Disabilities"
H.P. 332 L.D. 424

Bill "An Act Regarding Motorcycle Noise Emission Control Standards"
H.P. 350 L.D. 458

Bill "An Act To Direct the Department of Transportation to Incorporate Regionalism into the Transit Bonus Payment Program"
H.P. 354 L.D. 462

Bill "An Act to Enhance Integration of Transportation and Land Use Planning"
H.P. 355 L.D. 463

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

H.P. 356 L.D. 464

Resolve, To Name the Washington County Portion of US Rt. 9 the Tony Tamaro Memorial Highway

H.P. 371 L.D. 482

Bill "An Act Regarding the Use of Lights and Sirens on Personal Vehicles Used by Volunteer Firefighters and Emergency Medical Services Personnel"

H.P. 382 L.D. 493

Come from the House, **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed.

On motion by Senator **HATCH** of Somerset, **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed, in concurrence.

**Pursuant to Resolve
State House and Capitol Park Commission**

The **State House and Capitol Park Commission**, pursuant to Resolve 2001, chapter 110 asked leave to report that the accompanying Bill "An Act To Implement the Recommendations of the State House and Capitol Park Commission Regarding a Living Memorial in Capitol Park"

H.P. 373 L.D. 484

Be **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed pursuant to Joint Rule 218.

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

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

On motion by Senator **ROTUNDO** of Androscoggin, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed pursuant to Joint Rule 218, in concurrence.

Joint Order

The following Joint Order:

H.P. 335

ORDERED, the Senate concurring, that the Joint Standing Committee on Utilities and Energy shall review the electric industry restructuring required by the Maine Revised Statutes, Title 35-A, chapter 32, including the effects of the law since its enactment in Public Law 1997, chapter 316, and determine whether changes to the law are necessary to effectuate the intent of that public law. If the committee determines that changes are

necessary, the committee shall report out to the Legislature a bill with those changes.

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

READ.

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

COMMUNICATIONS

The Following Communication: S.C. 27

**STATE OF MAINE
121ST MAINE LEGISLATURE**

January 23, 2003

Honorable John E. Baldacci
Governor of Maine
1 State House Station
Augusta, ME 04333

Dear Governor Baldacci:

We are pleased to invite you to deliver your Budget Address at a Joint Session of the 121st Maine Legislature on Wednesday, February 5, 2003 at 7:00 p.m.

We look forward to seeing you then.

Sincerely,

S/Beverly Daggett
President of the Senate

S/Patrick Colwell
Speaker of the House

READ and **ORDERED PLACED ON FILE**.

The Following Communication: S.C. 28

**STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0001**

January 29, 2003

The Honorable Beverly C. Daggett
President of the Senate

The Honorable Patrick Colwell
Speaker of the House
Augusta, Maine 04333

Dear President Daggett and Speaker Colwell:

It is with pleasure that I accept your invitation to address a Joint Session of the 121st Maine Legislature on Wednesday, February 5, 2003, at 7:00 p.m., to deliver the Budget Address.

I look forward to working with the 121st Legislature!

Sincerely,

S/John E. Baldacci
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 33

COMMISSION ON FATHERHOOD ISSUES

January 29, 2003

The Honorable Beverly C. Daggett, President
The Honorable Patrick Colwell, Speaker
121st Maine Legislature
State House
Augusta, ME 04333

Dear President Daggett and Speaker Colwell:

This letter is to inform you that the Commission on Fatherhood Issues has submitted the attached final report to the Legislative Council pursuant to Resolve 2001, chapter 121. Copies of the report have been placed on file with the Law and Legislative Reference Library. Copies will be transmitted to the Joint Standing Committee on Judiciary.

Sincerely,

S/Senator Michael J. McAlevey, Senate Chair, 120th Legislature

S/Representative Deborah L. Simpson, House Chair, 120th Legislature

READ and with accompanying papers ORDERED PLACED ON FILE.

SENATE PAPERS

Bill "An Act To Regulate Business Practices between Manufacturers, Distributors and Dealers of Power Equipment, Machinery and Appliances"

S.P. 171 L.D. 498

Sponsored by Senator CARPENTER of York.
Cosponsored by Representative DUNLAP of Old Town and
Senators: DAVIS of Piscataquis, KNEELAND of Aroostook,
LEMONT of York, SAVAGE of Knox, WESTON of Waldo.

Committee on **JUDICIARY** suggested and ordered printed.

On motion by Senator **PENDLETON** of Cumberland, **REFERRED** to the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT**.

Sent down 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 (1/28/03) Assigned matter:

Bill "An Act to Streamline Maine's Planning Process"
(EMERGENCY)

H.P. 251 L.D. 308

Tabled - January 28, 2003, by Senator **ROTUNDO** of Androscoggin

Pending - **REFERENCE**

(In House, January 28, 2003, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**.)

On motion by Senator **ROTUNDO** of Androscoggin, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed, in concurrence.

The Chair laid before the Senate the following Tabled and Later (1/30/03) Assigned matter:

Bill "An Act To Study the Development of an Emergency Alert Notification System for Deaf and Hard-of-hearing Individuals"
S.P. 134 L.D. 397

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

Pending - **REFERENCE**

(Committee on **LEGAL AND VETERANS AFFAIRS** suggested and ordered printed.)

On motion by Senator **GAGNON** of Kennebec, **REFERRED** to the Committee on **UTILITIES AND ENERGY**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (2/4/03) Assigned matter:

Bill "An Act To Provide Funding for the Downeast Institute for Applied Marine Research and Education"

H.P. 284 L.D. 364

Tabled - February 4, 2003, by Senator **CATHCART** of Penobscot

Pending - **REFERENCE**

(In House, January 30, 2003, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed.)

On motion by Senator **CATHCART** of Penobscot, **REFERRED** to the Committee on **MARINE RESOURCES** and ordered printed, in **NON-CONCURRENCE**.

Sent down for concurrence.

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

Senate at Ease.

Senate called to order by the President.

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

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

RECESSED until the sound of the bell.

After Recess

Senate called to order by the President.

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

REPORTS OF COMMITTEES

House

Ought To Pass As Amended

The Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act To Make Supplemental Appropriations and Allocations for the Expenditures of State Government and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2003" (EMERGENCY)

H.P. 372 L.D. 483

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-6)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-6)**.

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

READ ONCE.

THE PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Cathcart.

Senator **CATHCART:** Thank you, Madame President, men and women of the Senate. I rise just to say a few words about this supplemental budget, which I hope you will all support with me.

As you recall, last November the 120th Legislature met in Special Session and enacted a supplemental budget to balance the budget for this fiscal year, fiscal year 2003. As you all well know, our state constitution requires that we have a balanced budget. This budget does balance the budget for now. It includes curtailments, about half of it is curtailments that were ordered by former-Governor King. He worked with the new Governor, Governor Baldacci, to make recommendations for the remainder of this budget. It doesn't include any lay-offs or cuts to people with mental illness or some of the more vulnerable citizens. It does make some deep appropriations, some cuts, some transfers from Federal funds and other special revenues and includes the curtailments that were enacted already by Governor King.

I think what is important to me, about passing this budget, is that the Appropriations Committee voted unanimously in favor of the budget and I hope that all of us in the Senate will be able to do the same thing. It is a way that we can send the message, very strongly, to the people of Maine that this Senate and this 121st Legislature intend to work together, as hard as we can, to be fiscally responsible and to provide a balanced budget for all the people of Maine. Thank you, Madame President.

Committee Amendment "A" (H-6) **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-6)**, in concurrence

Ordered sent forthwith to the Engrossing Division.

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

In Senate Chamber

RECESSED until the sound of the bell.

After Recess

Senate called to order by the President.

Senate called to order by President Pro Tem
KENNETH T. GAGNON of Kennebec County.

On motion by Senator **DAMON** of Hancock, **ADJOURNED** to
Thursday, February 6, 2003, at 10:00 in the morning.

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

ENACTORS

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

Emergency Measure

An Act To Make Supplemental Appropriations and Allocations for
the Expenditures of State Government and To Change Certain
Provisions of the Law Necessary to the Proper Operations of
State Government for the Fiscal Year Ending June 30, 2003

H.P. 372 L.D. 483
(C "A" H-6)

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.

The President appointed the Senator from Kennebec, Senator
GAGNON, to serve as President Pro Tem for the evening's
reconvening.

Senate at Ease.

Senate called to order by the President.

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

Off Record Remarks

At this point, the Senate retired to the Hall of the House, where a
Joint Convention was formed.

After Convention