

MAINE STATE LEGISLATURE

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

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Pages 1 - 714

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

In Senate Chamber
Monday
April 7, 2003

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

Prayer by Arnold Neptune, Elder of the Penobscot Nation.

ELDER NEPTUNE: Kuai. Kuai to all the members of the Senate. Kuai to all the children who are here. Kuai to our Creator, the Creator of all life. Kuai to our Father Sun, which shines through the window. Kuai to our Mother Earth. Kuai to our Grandmother Moon and all the waters of the oceans, all the rivers, lakes, and streams.

I give thanks this morning. I give thanks to the Creator of all life, who has made this all possible. He has given us this day, and only this day do we have today. Yesterday is gone. Tomorrow isn't here yet. So I pray to the Senate and I pray to the Creator that He would put good words, good thoughts, good actions for this day in the hearts and spirits of all the people, and all the members of the Senate.

I thank the Creator for letting me be here. I thank the Creator for all the spirits that are in each and every one of you. I give thanks and blessings to all of you. As I say wliwni, which is thank you, to Kchi Niwaskw, the Creator of all life. As I say wliwni Kchi Niwaskw, Creator of all life in the universe.

Pledge of Allegiance led by Senator Neria R. Douglass of
Androscoggin County.

Doctor of the day, Judy Chamberlain, M.D. of Brunswick.

Reading of the Journal of Wednesday, April 2, 2003.

Off Record Remarks

PAPERS FROM THE HOUSE

Joint Order

The following Joint Order:

H.P. 1111

ORDERED, the Senate concurring, that the Joint Standing Committee on Criminal Justice and Public Safety report out, to the House, a bill regarding prisoner participation in public works projects.

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. 143

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

March 31, 2003

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

Dear President Daggett and Speaker Colwell:

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

L.D. 663	An Act To Create Economic Development Zones
L.D. 764	An Act To Ensure Choice for Maine Consumers
L.D. 958	An Act To Require the Display of Oil Prices on Home Heating Oil Delivery Trucks

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

Sincerely,

S/Sen. Lynn Bromley
Senate Chair

S/Rep. Nancy B. Sullivan
House Chair

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

The Following Communication: S.C. 144

**121ST LEGISLATURE
COMMITTEE ON INLAND FISHERIES AND WILDLIFE**

March 31, 2003

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

Dear President Daggett and Speaker Colwell:

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

- | | |
|----------|---|
| L.D. 52 | An Act to Strengthen the Governor's Council on Landowner Relations |
| L.D. 77 | An Act to Require Permission for an ATV to Cross Private Land |
| L.D. 304 | An Act to Raise the Minimum Age for Operation of an ATV from 10 Years of Age to 16 Years of Age |
| L.D. 368 | An Act To Increase the Registration Fee for ATVs |
| L.D. 369 | An Act To Create a Closed Season for ATV Use |
| L.D. 370 | An Act To Change the Display of ATV Registration Numbers |
| L.D. 474 | An Act To Strengthen the ATV Laws of the State |

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

Sincerely,

S/Sen. Bruce Bryant Senate Chair	S/Rep. Matthew Dunlap House Chair
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READ and with accompanying papers **ORDERED PLACED ON FILE.**

The Following Communication: S.C. 145

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

March 27, 2003

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

Dear President Daggett and Speaker Colwell:

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

- | | |
|----------|---|
| L.D. 843 | An Act To Ensure Equal Treatment of Telecommunications Customers under Maine's Universal Service Fund |
|----------|---|

We have also notified the sponsor and cosponsors of the Committee's action.

Sincerely,

S/Sen. Christopher Hall Senate Chair	S/Rep. Lawrence Bliss House Chair
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READ and with accompanying papers **ORDERED PLACED ON FILE.**

The Following Communication: S.C. 146

**121ST LEGISLATURE
COMMITTEE ON TAXATION**

April 3, 2003

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

Dear President Daggett and Speaker Colwell:

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

- | | |
|-----------|---|
| L.D. 756 | An Act To Provide an Income Tax Credit for Tuition Paid to Private Schools |
| L.D. 810 | An Act To Increase the Maine Lodging Tax |
| L.D. 966 | An Act To Encourage the Payment of Delinquent Taxes |
| L.D. 1135 | An Act To Provide a Tax Credit to Employers Who Contribute to Employee Health Care Benefits |
| L.D. 1147 | An Act To Shift Tax Burdens from Wages to Nonrenewable Power Sources |

- L.D. 1151 An Act Relating to Tax Credits for Historic Preservation
- L.D. 1209 An Act To Conform the State Compromise of Tax Liability Procedure with Federal Procedures
- L.D. 1217 An Act To Enhance the Collection of Tax Arrearages

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

Sincerely,

S/Sen. Stephen Stanley
Senate Chair

S/Rep. David G. Lemoine
House Chair

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

The Following Communication: S.C. 147

APPORTIONMENT COMMISSION

April 3, 2003

Secretary of the Maine Senate
3 State House Station
Augusta, ME 04333

Dear Madame Secretary:

The Apportionment Commission is pleased to submit its proposal for apportionment of the Maine Senate, pursuant to Article IV, Part Second, Section 2 of the Maine Constitution. The Commission offers for consideration by the legislature two separate Senate plans, each supported by minorities of seven.

I would like to take this opportunity to thank the Commission members and the staff members of the Republican and Democratic parties for their thorough and collegial work on these proposals.
Sincerely,

S/Donald N. Zillman
Chairman

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

SENATE PAPERS

Bill "An Act To Establish Fee Caps under the Maine Insurance Code"

S.P. 510 L.D. 1522

Sponsored by Senator TURNER of Cumberland.
Cosponsored by Representative BREault of Buxton.
Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.

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

Sent down for concurrence.

Bill "An Act To Change the Tax Laws as They Apply to Combat Troops"

S.P. 511 L.D. 1523

Sponsored by President DAGGETT of Kennebec.
Cosponsored by Speaker COLWELL of Gardiner and Senators: DAVIS of Piscataquis, NASS of York, STANLEY of Penobscot, TREAT of Kennebec, Representatives: BRUNO of Raymond, CLOUGH of Scarborough, LEMOINE of Old Orchard Beach, RICHARDSON of Brunswick.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

Sent down for concurrence.

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

Off Record Remarks

REPORTS OF COMMITTEES

House

Divided Report

The Majority of the Committee on **UTILITIES AND ENERGY** on Bill "An Act To Reduce the Electric Bill of Persons Requiring Daily Use of Electric Oxygenators"

H.P. 272 L.D. 343

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

Signed:

Senators:

HALL of Lincoln
BROMLEY of Cumberland
YOUNGBLOOD of Penobscot

Representatives:

RINES of Wiscasset
FLETCHER of Winslow
LUNDEEN of Mars Hill
MOODY of Manchester
BERRY of Belmont
GOODWIN of Pembroke
CRESSEY of Baldwin
RICHARDSON of Skowhegan

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-86)**.

Signed:

Representatives:

ADAMS of Portland
BLISS of South Portland

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

Reports **READ**.

On motion by Senator **HALL** of Lincoln, 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 Transfer Regulation of Towers and Transmitters to Municipalities"

H.P. 393 L.D. 508

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

Signed:

Senators:

HALL of Lincoln
BROMLEY of Cumberland
YOUNGBLOOD of Penobscot

Representatives:

RINES of Wiscasset
FLETCHER of Winslow
LUNDEEN of Mars Hill
MOODY of Manchester
ADAMS of Portland
BERRY of Belmont
BLISS of South Portland
CRESSEY of Baldwin
RICHARDSON of Skowhegan

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-87)**.

Signed:

Representative:

GOODWIN of Pembroke

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

Reports **READ**.

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

Senate

Ought to Pass

Senator BROMLEY for the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Require Continuing Education for Professional Engineers" S.P. 320 L.D. 979

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator BRYANT for the Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act to Allow Electronic Calling Devices for Hunting" S.P. 80 L.D. 157

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Ought to Pass As Amended

Senator BROMLEY for the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Allow Dealers of Manufactured Housing To Install Oil Tanks" S.P. 133 L.D. 396

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-23)**.

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

READ ONCE.

Committee Amendment "A" (S-23) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator BROMLEY for the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** on Resolve, To Study the Effects of NAFTA on Maine Businesses
S.P. 216 L.D. 607

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-22)**.

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

READ ONCE.

Committee Amendment "A" (S-22) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator STRIMLING for the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Clarify the Responsibilities of Contract Law Enforcement Officers"
S.P. 290 L.D. 895

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-25)**.

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

READ ONCE.

Committee Amendment "A" (S-25) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator PENDLETON for the Committee on **JUDICIARY** on Bill "An Act To Promote Clarity Regarding Death Certificates" (EMERGENCY)
S.P. 127 L.D. 351

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-24)**.

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

READ ONCE.

Committee Amendment "A" (S-24) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator ROTUNDO for the Committee on **STATE AND LOCAL GOVERNMENT** on Resolve, Directing the Department of Audit To Establish a Fraud Hotline

S.P. 115 L.D. 333

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-26)**.

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

READ ONCE.

Committee Amendment "A" (S-26) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Improve State Accounting Procedures" (EMERGENCY)

S.P. 215 L.D. 606

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-27)**.

Signed:

Senators:

ROTUNDO of Androscoggin
LaFOUNTAIN of York
GILMAN of Cumberland

Representatives:

McLAUGHLIN of Cape Elizabeth
PEAVEY-HASKELL of Greenbush
STONE of Berwick
KETTERER of Madison
BARSTOW of Gorham
BOWEN of Rockport
SUSLOVIC of Portland
SUKEFORTH of Union
BUNKER of Kossuth Township

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

Signed:

Representative:

CROSTHWAITE of Ellsworth

Reports **READ**.

On motion by Senator **ROTUNDO** of Androscoggin, the Majority
UGHT TO PASS AS AMENDED Report **ACCEPTED**.

READ ONCE.

Committee Amendment "A" (S-27) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

SECOND READERS

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

House

Bill "An Act To Eliminate Potential Restrictions to the Establishment of an Alternative Form of Regulation for Some Telephone Utilities" (EMERGENCY)

H.P. 575 L.D. 776

READ A SECOND TIME and **PASSED TO BE ENGROSSED**, in concurrence.

House As Amended

Bill "An Act to Amend the Laws Governing the Extension of Benefits for Partial Incapacity Under the Maine Workers' Compensation Act of 1992"

H.P. 17 L.D. 10
(C "A" H-62)

Bill "An Act to Establish the Administrative Operating Budget for the Maine State Retirement System for the Fiscal Year Ending June 30, 2004" (EMERGENCY)

H.P. 18 L.D. 11
(C "A" H-63)

Bill "An Act To Allow Free Clinics To Purchase Medications and Supplies through State Contracts"

H.P. 54 L.D. 46
(C "A" H-73)

Bill "An Act to Allow Experimentation in the Cultivation of Agricultural Hemp"

H.P. 61 L.D. 53
(C "A" H-61)

Bill "An Act to Increase the Minimum Ring Size of Legal Scallops"

H.P. 90 L.D. 81
(C "A" H-58)

Bill "An Act To Improve the Health and Safety of Young Workers"

H.P. 129 L.D. 170
(C "A" H-64)

Bill "An Act To Strengthen the Animal Control Laws"

H.P. 280 L.D. 360
(C "A" H-60)

Bill "An Act To Honor Purple Heart Award Recipients"

H.P. 330 L.D. 422
(C "A" H-68)

Bill "An Act To Require That Mental Health Workers with LCPC Licenses Are Recognized as Licensed Professionals for Purposes of Insurance Reimbursement"

H.P. 426 L.D. 563
(C "A" H-72; H "A" H-84)

Bill "An Act To Clarify the Standard for Review of Preconviction Bail"

H.P. 535 L.D. 729
(C "A" H-71)

READ A SECOND TIME and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

Senate As Amended

Bill "An Act To Promote Affordable Telephone Service for Business and Residential Customers in Rural Maine" (EMERGENCY)

S.P. 99 L.D. 265
(C "A" S-21)

READ A SECOND TIME and **PASSED TO BE ENGROSSED AS AMENDED**.

Sent down for concurrence.

ENACTORS

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

Emergency Measure

An Act Regarding the Enforcement Powers of the Office of the State Fire Marshal

S.P. 31 L.D. 79
(C "A" S-3)

This being an Emergency Measure and having received the affirmative vote of 31 Members of the Senate, with no Senators having voted in the negative, and 31 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Emergency Resolve

Resolve, to Extend the Reporting Deadline of the Commission to Recognize Veterans of World War II and the Korean War in the State House Hall of Flags

S.P. 26 L.D. 40
(C "A" S-4)

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

Emergency Resolve

Resolve, Requiring the Department of Transportation To Consider Replacement of the Waldo-Hancock Bridge

H.P. 58 L.D. 50
(C "A" H-23)

This being an Emergency Measure and having received the affirmative vote of 31 Members of the Senate, with no Senators having voted in the negative, and 31 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.

Acts

An Act To Make Transportation More Affordable for Low-income Families

H.P. 357 L.D. 465
(C "A" H-22)

An Act To Exempt a Person Who Performs Work on Certain Vessels from the Laws Governing Professional Engineers
S.P. 339 L.D. 995

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

The President requested the Sergeant-At-Arms escort the Senator from Somerset, Senator **HATCH** to the rostrum where she assumed the duties as President Pro Tem.

The President took a seat on the floor.

The Senate called to order by President Pro Tem **PAMELA HENDERSON HATCH** of Somerset County.

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 (4/2/03) Assigned matter:

Emergency Measure

An Act Making Unified Appropriations and Allocations for the Expenditures of State Government and Highway Funds and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2004 and June 30, 2005

H.P. 978 L.D. 1324
(C "A" H-67)

Tabled - April 2, 2003, by Senator **HATCH** of Somerset

Pending - **ENACTMENT**, in concurrence

(In Senate, March 31, 2003, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-67)**, in concurrence.)

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

This being an Emergency Measure and having received the affirmative vote of 31 Members of the Senate, with 1 Senator having voted in the negative, and 31 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 Pro Tem, was presented by the Secretary to the Governor for his approval.

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

Emergency Measure

An Act To Make Additional Allocations From the Highway Fund and Other Funds for the Expenditures of State Government and To Change Certain Provisions of State Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2003

H.P. 1014 L.D. 1379
(C "A" H-69)

Tabled - April 2, 2003, by Senator **DAVIS** of Piscataquis

Pending - **ENACTMENT**, in concurrence

(In Senate, April 2, 2003, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-69)**, in concurrence.)

(In House, April 2, 2003, **PASSED TO BE ENACTED.**)

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

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

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

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:

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Conform to Federal Standards Maine's Law Regarding Strip Searches of Persons in Custody"
H.P. 1115 L.D. 1524

Comes 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.

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act Concerning Liability Insurance Covering Debt Cancellation Contracts"
H.P. 1114 L.D. 1521

Comes 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.

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Clarify the Freedom of Access Laws as They Pertain to the Penobscot Nation"
H.P. 1116 L.D. 1525

Comes 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.

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

PAPERS FROM THE HOUSE

House Paper

Resolve, To Establish a Task Force on the Planning and Development of Marine Aquaculture in Maine (EMERGENCY)
H.P. 1112 L.D. 1519

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

On motion by Senator **DAMON** of Hancock, **REFERRED** to the Committee on **MARINE RESOURCES** and ordered printed, 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 Reclassify Certain Waters of the State"
H.P. 1121 L.D. 1529

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.

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Permit Electronic Notification of Rulemaking for Interested Parties" (EMERGENCY)

H.P. 1120 L.D. 1528

Comes 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.

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Amend the Motor Vehicle Laws"

H.P. 1113 L.D. 1520

Comes 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.

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

PAPERS FROM THE HOUSE

**Pursuant to Statute
Department of Corrections**

The **Department of Corrections**, pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Chapter 15: Batterer Intervention Program Certification, a Major Substantive Rule of the Department of Corrections (EMERGENCY)

H.P. 1117 L.D. 1526

Be **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed pursuant to Joint Rule 218.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed pursuant to Joint Rule 218.

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

On motion by Senator **STRIMLING** of Cumberland, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed pursuant to Joint Rule 218, in concurrence.

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

PAPERS FROM THE HOUSE

**Pursuant to Statute
Department of Education**

The **Department of Education**, pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 115: Certification, Authorization and Approval of Education Personnel, a Major Substantive Rule of the Department of Education (EMERGENCY)

H.P. 1122 L.D. 1530

Be **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218.

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

On motion by Senator **DOUGLASS** of Androscoggin, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218, in concurrence.

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

PAPERS FROM THE HOUSE

**Pursuant to Statute
Maine Health Data Organization**

The **Maine Health Data Organization**, pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Chapter 120: Release of Information to the Public, a Major Substantive Rule of the Maine Health Data Organization (EMERGENCY)

H.P. 1118 L.D. 1527

Be **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed pursuant to Joint Rule 218.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed pursuant to Joint Rule 218.

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

On motion by Senator **BRENNAN** of Cumberland, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed pursuant to Joint Rule 218, in concurrence.

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

PAPERS FROM THE HOUSE

Joint Resolution

The following Joint Resolution:

H.P. 1124

JOINT RESOLUTION RECOGNIZING AND HONORING MAINE'S WABANAKI PEOPLE

WHEREAS, the Wabanaki people, the People of the Dawn, including the Passamaquoddy, the Penobscot, the Maliseet and the Micmac, have lived in Maine for thousands of years; and

WHEREAS, the Wabanaki people have defended this State and Country in every war since 1776; and

WHEREAS, the Wabanaki people have contributed much to our State's heritage; and

WHEREAS, the State of Maine recognizes the contributions made to our State by the Wabanaki people; and

WHEREAS, the State of Maine respects and honors the Wabanaki people and their culture; and

WHEREAS, we encourage educators in Maine to teach our children about the Wabanaki people and their contributions to the State of Maine; and

WHEREAS, we look toward the future as an opportunity to better understand and work side by side with the Wabanaki people; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-first Legislature now assembled in the First Regular Session, on behalf of the people of the State of Maine, make history as we welcome our Wabanaki brothers and sisters to the State House today, April 7, 2003, on the occasion of Wabanaki Awareness Day; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Governors and Chiefs of each of Maine's 5 Wabanaki communities on behalf of the people of the State of Maine.

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

READ and **ADOPTED**, in concurrence.

On motion by Senator **TREAT** of Kennebec, **ADJOURNED** to Tuesday, April 8, 2003, at 10:00 in the morning.