

MAINE STATE LEGISLATURE

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

Volume II

First Regular Session (Continued)
May 21, 2003 to June 14, 2003

First Special Session
August 21, 2003 to August 22, 2003

First Confirmation Session
October 30, 2003

Second Regular Session
January 7, 2004 to January 30, 2004

Second Special Session
February 3, 2004 to March 18, 2004

Pages 715 - 1415

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

In Senate Chamber
Wednesday
January 7, 2004

Pursuant to the provisions of Article 5, Part 1, Section 1 of the Constitution and the laws of the State of Maine, the Senate convened in the Senate Chamber at ten o'clock in the morning and was called to order by President **BEVERLY C. DAGGETT** of Kennebec County.

Prayer by Reverend Howard Cole, Augusta Baptist Church.

REVEREND COLE: Let us pray. All mighty God, we thank Thee for the joys of the recent holidays. We praise Thee and we thank Thee for what has been accomplished in the past year of 2003 and we look forward with great anticipation to the opportunities and the challenges of this new year.

We thank Thee for the privilege of living in the United States of America, the land of the free and the home of the brave. We would pray this day for our government, on all levels, the Federal, the state, and the local levels, the Executive, the Legislative and Judicial branches, and pray that the leaders of our land might lead the people of this country in the paths of righteousness for Thy namesake.

We would remember this day our armed forces and those troops that are serving in places of danger and ask, Heavenly Father, that Thou will keep them safe from all harm. We pray that those lands that we have been at war with, Afghanistan and Iraq, will one day be allied together with us in peace.

We pray, Lord, for the great State of Maine. We thank Thee for its mountains and for its vast timberlands. We thank Thee for its flowing rivers and we remember to thank Thee for its picturesque seacoast.

We pray for Thy blessing upon the Governor of this state and upon the legislators that are gathered here this day, within these hallowed halls. We would ask, Lord, that our leaders of this land might remember that they are first servants and we pray that those Senators gathered here this day might serve the State of Maine in a wonderful way. We pray that our Senators might always be men and women of great character, with conviction, and people with compassion. We pray, Heavenly Father, that Thou will grant that they might have courage to rise up and meet the challenges of the future. We ask, Lord, for mercy for the past, for faith for the present, and hope for the future. We pray this all in the name of our wonderful Lord, Amen and Amen.

Pledge of Allegiance led by Senator Pamela H. Hatch of Somerset County.

Doctor of the day, Ned Claxton, M.D. of Auburn.

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

Off Record Remarks

At this point a message was received from the House of Representatives, borne by Representative **RICHARDSON** of Brunswick, informing the Senate that a quorum of Representatives was assembled for the consideration of such business as may come before that Body.

QUORUM ROLL CALL

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#215)

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

EXCUSED: Senator: MITCHELL

33 Senators having answered the Roll, with 1 Senator being excused, the Chair declared a quorum present.

Out of order and under suspension of the Rules, on motion by Senator **TREAT** of Kennebec, the following Senate Order:
S.O. 30

ORDERED, that a message be sent to Governor John E. Baldacci, informing him that a quorum of Senators is assembled in the Senate Chamber for the consideration of such business as may come before the Senate.

READ and PASSED.

The Chair appointed the Senator from Kennebec, Senator **TREAT** to deliver the message to the Governor. The Sergeant-At-Arms escorted the Senator to the Governor's Office.

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

Out of order and under suspension of the Rules, on motion by Senator **GAGNON** of Kennebec, the following Senate Order:
S.O. 31

ORDERED, that a message be sent to the House of Representatives informing that Body that a quorum of Senators is assembled for the consideration of such business as may come before the Senate.

READ and PASSED.

The Chair appointed the Senator from Kennebec, Senator **GAGNON** 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 **GAGNON** reported that he had delivered the message with which he was charged.

COMMUNICATIONS

The Following Communication: S.P. 603

**SENATE OF MAINE
OFFICE OF THE SECRETARY
3 STATE HOUSE STATION
AUGUSTA, MAINE 04333**

December 3, 2003

Hon. Beverly C. Daggett
President of the Senate
121st Legislature

Hon. Patrick Colwell
Speaker of the House
121st Legislature

Dear President Daggett and Speaker Colwell:

On December 3, 2003, 1 bill was received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 308.2, this bill was referred to a Joint Standing Committee on December 3, 2003, as follows:

Insurance and Financial Services

Bill "An Act to Amend the Maine Consumer Credit Code Regarding Balloon Payments." (S.P. 602) (L.D. 1638) (Sponsored by Senator LaFountain of York) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203).

Sincerely,

S/Joy J. O'Brien
Secretary of the Senate

S/Millicent M. MacFarland
Clerk of the House

READ and ORDERED PLACED ON FILE.

Sent down for concurrence.

The Following Communication: S.P. 607

**SENATE OF MAINE
OFFICE OF THE SECRETARY
3 STATE HOUSE STATION
AUGUSTA, MAINE 04333**

December 11, 2003

Hon. Beverly C. Daggett
President of the Senate
121st Legislature

Hon. Patrick Colwell
Speaker of the House
121st Legislature

Dear President Daggett and Speaker Colwell:

On December 11, 2003, 3 bills were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 308.2, these bills were referred to the Joint Standing Committees on December 11, 2003, as follows:

Natural Resources

Bill "An Act To Amend Certain Laws Administered by the Department of Environmental Protection" (S.P. 606) (L.D. 1655) (Sponsored by Senator MARTIN of Aroostook) (Cosponsored by Representative KOFFMAN of Bar Harbor and Senator: SAWYER of Penobscot, Representative: DAIGLE of Arundel) (Submitted by the Department of Environmental Protection pursuant to Joint Rule 204.)

State and Local Government

Bill "An Act To Authorize the Town of Verona To Change Its Name" (S.P. 604) (L.D. 1653) (Sponsored by Senator YOUNGBLOOD of Penobscot) (Cosponsored by Representative CHURCHILL of Orland and Senator: DAMON of Hancock, Representative: ROSEN of Bucksport) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Transportation

Bill "An Act To Amend Transportation Laws" (S.P. 605) (L.D. 1654) (Sponsored by Senator HATCH of Somerset) (Cosponsored by Representative USHER of Westbrook) (Submitted by the Department of Transportation pursuant to Joint Rule 204.)

Sincerely,

S/Joy J. O'Brien
Secretary of the Senate

S/Millicent M. MacFarland
Clerk of the House

READ and ORDERED PLACED ON FILE.

Sent down for concurrence.

The Following Communication: S.P. 663

**SENATE OF MAINE
OFFICE OF THE SECRETARY
3 STATE HOUSE STATION
AUGUSTA, MAINE 04333**

December 17, 2003

Hon. Beverly C. Daggett
President of the Senate
121st Legislature

Hon. Patrick Colwell
Speaker of the House
121st Legislature

Dear President Beverly C. Daggett and Speaker Patrick Colwell:

On December 17, 2003, 11 bills were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 308.2, these bills were referred to the Joint Standing Committees on December 17, 2003, as follows:

Agriculture, Conservation and Forestry

Resolve, Authorizing the Conveyance of a Conservation Easement on a Parcel of Land on Peaks Island to the Peaks Island Land Preserve (S.P. 652) (L.D. 1719) (Sponsored by Senator BRENNAN of Cumberland) (Cosponsored by Representative DUDLEY of Portland and Senator: TREAT of Kennebec, Representative: ADAMS of Portland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Criminal Justice and Public Safety

Bill "An Act To Strengthen the Sex Offender Registration and Notification Act of 1999" (S.P. 662) (L.D. 1729) (Sponsored by Senator STANLEY of Penobscot) (Cosponsored by Representative GERZOFKY of Brunswick and Senators: BRYANT of Oxford, ROTUNDO of Androscoggin, TURNER of Cumberland, Representatives: CHURCHILL of Washburn, MILLS of Farmington, THOMPSON of China) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Health and Human Services

Bill "An Act To Ensure the Lowest-priced Prescription Drugs for Maine Seniors" (S.P. 653) (L.D. 1720) (Sponsored by Senator TREAT of Kennebec) (Cosponsored by Representative PARADIS of Frenchville, Representative LEMOINE of Old Orchard Beach and Senators: DAMON of Hancock, HALL of Lincoln, HATCH of Somerset, MAYO of Sagadahoc, ROTUNDO of Androscoggin, STANLEY of Penobscot, Representatives: McNEIL of Rockland, PERRY of Calais) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Require Criminal History Checks Prior to Placement of Children by the Department of Human Services" (S.P. 659) (L.D. 1726) (Sponsored by Senator DOUGLASS of Androscoggin) (Under suspension of the rules, cosponsored by Representative WALCOTT of Lewiston and Senators: DAMON of Hancock, HALL of Lincoln, MAYO of Sagadahoc, Representatives: CRAVEN of Lewiston, DAVIS of Falmouth, GROSE of Woolwich, MILLS of Farmington, PATRICK of Rumford, SIMPSON of Auburn) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Judiciary

Bill "An Act To Amend the 'Freedom of Access Laws' To Exclude Public Employees' Home Addresses" (S.P. 660) (L.D. 1727) (Sponsored by Senator STRIMLING of Cumberland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Labor

Bill "An Act To Amend the Fees Paid to Attorneys for Lump-sum Settlements in Workers' Compensation Cases" (S.P. 654) (L.D. 1721) (Sponsored by Senator BRYANT of Oxford) (Cosponsored by Representative PATRICK of Rumford and Representatives: BUNKER of Kossuth Township, DUNLAP of Old Town, GERZOFKY of Brunswick, HUTTON of Bowdoinham) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Clarify the Prevailing Wage Law" (S.P. 655) (L.D. 1722) (Sponsored by Senator EDMONDS of Cumberland) (Cosponsored by Representative SMITH of Van Buren and Senators: BRYANT of Oxford, HATCH of Somerset, Representative: HUTTON of Bowdoinham) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Legal and Veterans Affairs

Bill "An Act To Amend the Penalty Provisions and Reporting Deadlines of the Campaign Reports and Finances Laws" (S.P. 661) (L.D. 1728) (Sponsored by Senator GAGNON of Kennebec) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Natural Resources

Bill "An Act To Establish a Monitoring Program of Maine Lakes Identified as Having Invasive Aquatic Species" (S.P. 656) (L.D. 1723) (Sponsored by Senator MARTIN of Aroostook) (Cosponsored by Representative SAVIELLO of Wilton and Senators: DOUGLASS of Androscoggin, GAGNON of Kennebec, NASS of York, TREAT of Kennebec, Representatives: COLLINS of Wells, CROSTHWAITE of Ellsworth, McKEE of Wayne, MOODY of Manchester) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

State and Local Government

Resolve, To Commission a Portrait of the Honorable George J. Mitchell To Hang in the State House (S.P. 658) (L.D. 1725) (Sponsored by President DAGGETT of Kennebec) (Cosponsored by Speaker COLWELL of Gardiner and Senators: DAVIS of Piscataquis, TREAT of Kennebec) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Taxation

Bill "An Act To Create the Maine Military Family Relief Fund" (S.P. 657) (L.D. 1724) (Sponsored by Senator HALL of Lincoln) (Cosponsored by Representative RICHARDSON of Brunswick and Representatives: BULL of Freeport, FISCHER of Presque Isle, GERZOFKY of Brunswick, McGOWAN of Pittsfield, MILLS of Farmington, MOODY of Manchester, SIMPSON of Auburn, SUSLOVIC of Portland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Sincerely,

S/Joy J. O'Brien
Secretary of the Senate

S/Millicent M. MacFarland
Clerk of the House

READ and ORDERED PLACED ON FILE.

Sent down for concurrence.

The Following Communication: S.P. 664

**SENATE OF MAINE
OFFICE OF THE SECRETARY
3 STATE HOUSE STATION
AUGUSTA, MAINE 04333**

December 17, 2003

Hon. Beverly C. Daggett
President of the Senate
121st Legislature

Hon. Patrick Colwell
Speaker of the House
121st Legislature

Dear President Beverly C. Daggett and Speaker Patrick Colwell:

On December 17, 2003, 43 bills were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 308.2, these bills were referred to the Joint Standing Committees on December 17, 2003, as follows:

Agriculture, Conservation and Forestry

Bill "An Act To Improve the Property Boundary Marking Laws for Purposes of Timber Harvesting" (S.P. 625) (L.D. 1693) (Sponsored by Senator BRYANT of Oxford) (Cosponsored by Representative McKEE of Wayne and Representatives: DUPLESSIE of Westbrook, GERZOFKY of Brunswick, HONEY of Boothbay, JACKSON of Fort Kent, PINGREE of North Haven, SMITH of Monmouth) (Submitted by the Department of Conservation pursuant to Joint Rule 204.)

Appropriations and Financial Affairs

Bill "An Act To Ensure the State's Commitment to Former Students Who Were Physically or Sexually Abused at the Governor Baxter School for the Deaf or the Maine School for the Deaf" (S.P. 614) (L.D. 1682) (Sponsored by Senator EDMONDS of Cumberland) (Cosponsored by Representative BLISS of South Portland and Senators: BRYANT of Oxford, TREAT of Kennebec, Representative: USHER of Westbrook) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Authorize a General Fund Bond Issue in the Amount of \$1,000,000 To Fund Downtown Revitalization To Preserve the Heritage of Municipalities" (S.P. 639) (L.D. 1707) (Sponsored by Senator GAGNON of Kennebec) (Cosponsored by Representative COWGER of Hallowell and Senators: HALL of Lincoln, MAYO of Sagadahoc, SHOREY of Washington, STANLEY of Penobscot, Representatives: DUDLEY of Portland, KOFFMAN of Bar Harbor, PINGREE of North Haven) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Insurance and Financial Services

Bill "An Act To Guarantee That Consumers Receive Notification of Insurance Policy Cancellation" (S.P. 610) (L.D. 1678) (Sponsored by Senator HALL of Lincoln) (Cosponsored by Senator: HATCH of Somerset, Representatives: EARLE of Damariscotta, HATCH of Skowhegan, TRAHAN of Waldoboro, WALCOTT of Lewiston) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Join the Interstate Insurance Product Regulation Compact" (S.P. 630) (L.D. 1698) (Sponsored by Senator LaFOUNTAIN of York) (Cosponsored by Representative O'NEIL of Saco and Senators: DOUGLASS of Androscoggin, MAYO of Sagadahoc, TURNER of Cumberland, Representatives: CANAVAN of Waterville, FISCHER of Presque Isle, ROSEN of Bucksport, WOODBURY of Yarmouth) (Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.)

Bill "An Act To Clarify Membership on Boards of Directors for Maine Financial Institutions" (EMERGENCY) (S.P. 649) (L.D. 1717) (Sponsored by Senator MAYO of Sagadahoc) (Cosponsored by Representative PINGREE of North Haven and Senator: LaFOUNTAIN of York, Representatives: DAVIS of Falmouth, KOFFMAN of Bar Harbor, MAILHOT of Lewiston, O'NEIL of Saco, RICHARDSON of Brunswick, SUSLOVIC of Portland, WATSON of Bath) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Business, Research and Economic Development

Bill "An Act To Strengthen the Charitable Solicitations Act" (S.P. 623) (L.D. 1691) (Sponsored by Senator BROMLEY of Cumberland) (Cosponsored by Representative SMITH of Monmouth and Representatives: AUSTIN of Gray, COWGER of Hallowell, DUDLEY of Portland, NORBERT of Portland, ROGERS of Brewer, SULLIVAN of Biddeford) (Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.)

Bill "An Act To Enhance Pine Tree Development Zones" (S.P. 624) (L.D. 1692) (Sponsored by Senator HALL of Lincoln) (Cosponsored by Representative BLISS of South Portland and Senator: BROMLEY of Cumberland, Representatives: BERUBE of Lisbon, DUPREY of Medway, JACOBSEN of Waterboro, RECTOR of Thomaston, ROGERS of Brewer, SMITH of Monmouth) (Submitted by the Department of Economic and Community Development pursuant to Joint Rule 204.)

Resolve, Directing the Office of Policy and Legal Analysis and the Office of the Revisor of Statutes To Prepare a Recodification of the Maine Revised Statutes, Title 9, Chapter 385; Title 10, Chapters 901 and 951; and Title 32 (S.P. 628) (L.D. 1696) (Sponsored by Senator BROMLEY of Cumberland) (Cosponsored by Representative SULLIVAN of Biddeford and Representatives: ROGERS of Brewer, SMITH of Monmouth) (Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.)

Bill "An Act To Facilitate the Recovery of Stolen Property" (S.P. 647) (L.D. 1715) (Sponsored by Senator ROTUNDO of Androscoggin) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Criminal Justice and Public Safety

Bill "An Act Creating the Central Maine Regional Public Safety Communication Center" (S.P. 615) (L.D. 1683) (Sponsored by President DAGGETT of Kennebec) (Cosponsored by Representative MOODY of Manchester and Senators: HALL of Lincoln, TREAT of Kennebec, Representatives: BROWNE of

Vassalboro, Speaker COLWELL of Gardiner, COWGER of Hallowell, McKEE of Wayne, SUSLOVIC of Portland, THOMPSON of China) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Education and Cultural Affairs

Bill "An Act To Reimburse School Districts for Children in Group Care Facilities" (S.P. 611) (L.D. 1679) (Sponsored by Senator HALL of Lincoln) (Cosponsored by Representatives: BLANCHETTE of Bangor, CRAVEN of Lewiston, EARLE of Damariscotta, HATCH of Skowhegan, TRAHAN of Waldoboro) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Resolve, Regarding Participation in the Federal No Child Left Behind Act of 2001 (EMERGENCY) (S.P. 648) (L.D. 1716) (Sponsored by Senator BRENNAN of Cumberland) (Cosponsored by Representative CRAVEN of Lewiston and Senators: BROMLEY of Cumberland, President DAGGETT of Kennebec, DOUGLASS of Androscoggin, ROTUNDO of Androscoggin, TREAT of Kennebec, Representatives: CUMMINGS of Portland, PINGREE of North Haven, WALCOTT of Lewiston) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Health and Human Services

Bill "An Act To Encourage Financial Efficiency of Facilities for Persons with Mental Retardation" (EMERGENCY) (S.P. 613) (L.D. 1681) (Sponsored by President DAGGETT of Kennebec) (Cosponsored by Representative DUDLEY of Portland and Senator: BROMLEY of Cumberland, Representatives: ADAMS of Portland, PINGREE of North Haven, SIMPSON of Auburn, SUSLOVIC of Portland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Improve Awareness of Meningococcal Disease" (S.P. 617) (L.D. 1685) (Sponsored by Senator BRYANT of Oxford) (Cosponsored by Representative PATRICK of Rumford and Senator: DAMON of Hancock, Representatives: DUNLAP of Old Town, DUPLESSIE of Westbrook, GERZOFISKY of Brunswick, TOBIN of Dexter) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Ensure Compliance with Federal Medicaid Requirements" (S.P. 627) (L.D. 1695) (Sponsored by President DAGGETT of Kennebec) (Cosponsored by Representative CRAVEN of Lewiston and Senators: BRENNAN of Cumberland, MAYO of Sagadahoc, Representative: WALCOTT of Lewiston) (Submitted by the Department of Human Services pursuant to Joint Rule 204.)

Bill "An Act To Ensure Appropriate Care and Custody of Children Orphaned by Domestic Violence" (S.P. 638) (L.D. 1706) (Sponsored by Senator DOUGLASS of Androscoggin) (Cosponsored by Representative CRAVEN of Lewiston and Senators: DAMON of Hancock, HALL of Lincoln, MAYO of Sagadahoc, Representatives: McLAUGHLIN of Cape Elizabeth, MILLS of Farmington, NORBERT of Portland, SIMPSON of Auburn, WALCOTT of Lewiston) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Clarify Financial Management Procedures at the Maine Developmental Disabilities Council" (EMERGENCY) (S.P. 641) (L.D. 1709) (Sponsored by Senator BROMLEY of Cumberland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Resolve, To Establish the Commission To Study Access to Prescription Medication for Persons with Mental Illness (S.P. 645) (L.D. 1713) (Sponsored by Senator BRENNAN of Cumberland) (Cosponsored by Representative DUDLEY of Portland and Senator: President DAGGETT of Kennebec, Representatives: BULL of Freeport, CRAVEN of Lewiston, WALCOTT of Lewiston) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Inland Fisheries and Wildlife

Bill "An Act To Clarify Certain Provisions Contained in the Recodified Hunting, Fishing and Trapping Laws" (S.P. 629) (L.D. 1697) (Sponsored by Senator BRYANT of Oxford) (Cosponsored by Representative DUNLAP of Old Town and Senator: DAMON of Hancock, Representatives: BUNKER of Kossuth Township, CHURCHILL of Orland, DUPLESSIE of Westbrook, GERZOFKY of Brunswick, HONEY of Boothbay, STONE of Berwick, TOBIN of Dexter) (Submitted by the Department of Inland Fisheries and Wildlife pursuant to Joint Rule 204.)

Bill "An Act Regarding the Operation of All-terrain Vehicles on Private Roads" (S.P. 640) (L.D. 1708) (Sponsored by Senator GAGNON of Kennebec) (Cosponsored by Representative CLARK of Millinocket and Senators: BRYANT of Oxford, HATCH of Somerset, STANLEY of Penobscot, Representatives: COLLINS of Wells, DUNLAP of Old Town, USHER of Westbrook, WATSON of Bath, WOTTON of Littleton) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Judiciary

Bill "An Act To Promote Equity in Property Ownership" (S.P. 644) (L.D. 1712) (Sponsored by Senator STANLEY of Penobscot) (Cosponsored by Senators: BRYANT of Oxford, MAYO of Sagadahoc, Representative: JACKSON of Fort Kent) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Labor

Bill "An Act To Protect the Privacy of Home Information of Maine State Retirement System Members, Benefit Recipients, Trustees and Staff" (S.P. 619) (L.D. 1687) (Sponsored by Senator EDMONDS of Cumberland) (Submitted by the Maine State Retirement System pursuant to Joint Rule 204.)

Bill "An Act To Clarify the Law Regarding Interpreting Services for People Who Are Deaf or Hard-of-hearing" (S.P. 620) (L.D. 1688) (Sponsored by Senator EDMONDS of Cumberland) (Cosponsored by Representative NORBERT of Portland and Senators: TREAT of Kennebec, TURNER of Cumberland, Representatives: BENNETT of Caribou, BULL of Freeport, GERZOFKY of Brunswick, LUNDEEN of Mars Hill, MILLETT of Waterford, PINGREE of North Haven) (Submitted by the Department of Labor pursuant to Joint Rule 204.)

Legal and Veterans Affairs

Bill "An Act To Authorize the STARBASE Program" (S.P. 622) (L.D. 1690) (Sponsored by Senator DOUGLASS of Androscoggin) (Submitted by the Department of Defense, Veterans and Emergency Management pursuant to Joint Rule 204.)

Bill "An Act To Establish the Maine Military Family Relief Fund" (S.P. 631) (L.D. 1699) (Sponsored by Senator GAGNON of Kennebec) (Cosponsored by Representative LANDRY of Sanford and Representative: Speaker COLWELL of Gardiner) (Submitted by the Department of Defense, Veterans and Emergency Management pursuant to Joint Rule 204.)

Bill "An Act To Allow Towns To Consolidate for the Purpose of Establishing a Voting Place" (S.P. 642) (L.D. 1710) (Sponsored by Senator STANLEY of Penobscot) (Cosponsored by Representative McLAUGHLIN of Cape Elizabeth and Senator: BRYANT of Oxford, Representatives: JACKSON of Fort Kent, PARADIS of Frenchville) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Marine Resources

Bill "An Act To Provide Reciprocal Authority to New Hampshire Marine Patrol Officers To Investigate Potential Terrorist Activities in Maine Waters" (S.P. 621) (L.D. 1689) (Sponsored by Senator DAMON of Hancock) (Cosponsored by Representative BULL of Freeport) (Submitted by the Department of Marine Resources pursuant to Joint Rule 204.)

Bill "An Act To Amend the Fees of Special Licenses under the Marine Resources Laws" (S.P. 633) (L.D. 1701) (Sponsored by Senator DAMON of Hancock) (Submitted by the Department of Marine Resources pursuant to Joint Rule 204.)

Bill "An Act To Provide for Department of Marine Resources Jurisdiction Over Certain Sections of the State's Endangered Species Program" (S.P. 634) (L.D. 1702) (Sponsored by Senator DAMON of Hancock) (Submitted by the Department of Marine Resources pursuant to Joint Rule 204.)

State and Local Government

Bill "An Act To Encourage Cost Savings by State Employees" (S.P. 618) (L.D. 1686) (Sponsored by President DAGGETT of Kennebec) (Cosponsored by Representative MOODY of Manchester and Senators: BROMLEY of Cumberland, MAYO of Sagadahoc, ROTUNDO of Androscoggin, Representatives: Speaker COLWELL of Gardiner, PATRICK of Rumford, SUSLOVIC of Portland, THOMPSON of China) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Taxation

Bill "An Act To Make Retirement Benefits More Equitable by Imposing a Surcharge on Income from Congressional Retirement Benefits" (S.P. 616) (L.D. 1684) (Sponsored by Senator DAVIS of Piscataquis) (Under suspension of the rules, cosponsored by Senator STANLEY of Penobscot and Senators: NASS of York, SHOREY of Washington, Representatives: ANNIS of Dover-Foxcroft, BOWLES of Sanford, BRUNO of Raymond, CARR of Lincoln, CLARK of Millinocket, GOODWIN of Pembroke, TARDY of Newport) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Resolve, Authorizing the State Tax Assessor To Convey the Interest of the State in Certain Real Estate in the Unorganized Territory (S.P. 635) (L.D. 1703) (Sponsored by Senator STANLEY of Penobscot) (Cosponsored by Representative LEMOINE of Old Orchard Beach and Senator: NASS of York, Representatives: CLOUGH of Scarborough, COURTNEY of Sanford, LERMAN of Augusta, McCORMICK of West Gardiner, McGOWAN of Pittsfield, SUSLOVIC of Portland, TARDY of Newport) (Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.)

Bill "An Act To Streamline the Sales Tax Credit for Worthless Accounts To Eliminate Unnecessary Burdens on Certain Maine Businesses and Consumers" (S.P. 646) (L.D. 1714) (Sponsored by Senator DAMON of Hancock) (Cosponsored by Representative SIMPSON of Auburn and Senators: BRYANT of Oxford, HATCH of Somerset, MAYO of Sagadahoc, TURNER of Cumberland, Representatives: COLLINS of Wells, McLAUGHLIN of Cape Elizabeth, MILLETT of Waterford, ROSEN of Bucksport) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Clarify the Sales Tax Exemptions Regarding Assisted Housing Programs" (EMERGENCY) (S.P. 650) (L.D. 1718) (Sponsored by Senator MAYO of Sagadahoc) (Cosponsored by Representative DUDLEY of Portland and Senator: LaFOUNTAIN of York, Representatives: DAVIS of Falmouth, KOFFMAN of Bar Harbor, MAILHOT of Lewiston, O'NEIL of Saco, RICHARDSON of Brunswick, SUSLOVIC of Portland, WATSON of Bath) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Transportation

Bill "An Act To Allow Communications Towers on Land of the Maine Turnpike Authority" (S.P. 608) (L.D. 1676) (Sponsored by Senator HATCH of Somerset) (Submitted by the Maine Turnpike Authority pursuant to Joint Rule 204.)

Bill "An Act To Exempt Classic Auto Dealers from Dealer Plate Restrictions" (EMERGENCY) (S.P. 609) (L.D. 1677) (Sponsored by Senator WESTON of Waldo) (Cosponsored by Representative ASH of Belfast and Senator: President DAGGETT of Kennebec) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Establish Harbor Master Standards and Course Requirements" (S.P. 612) (L.D. 1680) (Sponsored by Senator TURNER of Cumberland) (Cosponsored by Representative KOFFMAN of Bar Harbor and Representatives: CLOUGH of Scarborough, NORBERT of Portland, ROSEN of Bucksport, WOODBURY of Yarmouth) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Amend the Motor Vehicle Laws" (S.P. 626) (L.D. 1694) (Sponsored by Senator HATCH of Somerset) (Cosponsored by Representative USHER of Westbrook and Representatives: BLANCHETTE of Bangor, DUNLAP of Old Town, McKENNEY of Cumberland, PARADIS of Frenchville) (Submitted by the Department of Public Safety pursuant to Joint Rule 204.)

Bill "An Act To Amend the Motor Vehicle Laws" (S.P. 632) (L.D. 1700) (Sponsored by Senator HATCH of Somerset) (Cosponsored by Representative USHER of Westbrook) (Submitted by the Secretary of State pursuant to Joint Rule 204.)

Bill "An Act To Amend the Maine Turnpike Authority's Budget for Calendar Year 2004" (S.P. 636) (L.D. 1704) (Sponsored by Senator HATCH of Somerset) (Submitted by the Maine Turnpike Authority pursuant to Joint Rule 204.)

Bill "An Act To Simplify the Maine Turnpike Authority's Enforcement Procedures for Toll Violations" (S.P. 637) (L.D. 1705) (Sponsored by Senator HATCH of Somerset) (Submitted by the Maine Turnpike Authority pursuant to Joint Rule 204.)

Utilities and Energy

Bill "An Act To Require That a Directory Listing of a Commercial Toll-free Number Include an Address" (S.P. 643) (L.D. 1711) (Sponsored by Senator STANLEY of Penobscot) (Cosponsored by Representative CLOUGH of Scarborough and Senator: BRYANT of Oxford, Representatives: JACKSON of Fort Kent, PARADIS of Frenchville) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Sincerely,

S/Joy J. O'Brien
Secretary of the Senate

S/Millicent M. MacFarland
Clerk of the House

READ and ORDERED PLACED ON FILE.

Sent down for concurrence.

The Following Communication: S.P. 668

**SENATE OF MAINE
OFFICE OF THE SECRETARY
3 STATE HOUSE STATION
AUGUSTA, MAINE 04333**

December 22, 2003

Hon. Beverly C. Daggett
President of the Senate
121st Legislature

Hon. Patrick Colwell
Speaker of the House
121st Legislature

Dear President Beverly C. Daggett and Speaker Patrick Colwell:

On December 22, 2003, 3 bills were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 308.2, these bills were referred to the Joint Standing Committees on December 22, 2003, as follows:

Business, Research and Economic Development

Bill "An Act To Amend the Economic Development Laws" (S.P. 666) (L.D. 1818) (Sponsored by Senator BROMLEY of Cumberland) (Cosponsored by Representative SULLIVAN of Biddeford and Senators: HALL of Lincoln, SHOREY of Washington, Representatives: AUSTIN of Gray, PELLON of Machias, ROGERS of Brewer, SMITH of Monmouth) (Submitted by the Department of Economic and Community Development pursuant to Joint Rule 204.)

Labor

Bill "An Act To Notify MaineCare of Workers' Compensation Settlements" (S.P. 665) (L.D. 1817) (Sponsored by Senator BRENNAN of Cumberland) (Cosponsored by Representatives: PINGREE of North Haven, WALCOTT of Lewiston) (Submitted by the Department of Human Services pursuant to Joint Rule 204.)

Utilities and Energy

Bill "An Act To Implement the Recommendations of the Study Group To Examine an Emergency Alert Notification System for Deaf and Hard-of-hearing Individuals" (S.P. 667) (L.D. 1819) (Submitted by the Study Group to Examine an Emergency Alert Notification System for Deaf and Hard-of-hearing Individuals pursuant to Resolve 2003, chapter 78.)

Sincerely,

S/Joy J. O'Brien
Secretary of the Senate

S/Millicent M. MacFarland
Clerk of the House

READ and ORDERED PLACED ON FILE.

Sent down for concurrence.

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

The Following Communication: S.P. 669

**STATE OF MAINE
121ST MAINE LEGISLATURE**

December 16, 2003

Sen. Kenneth T. Gagnon
Senate Chair, Joint Standing Committee on
Legal and Veterans Affairs
Rep. Joseph E. Clark
House Chair, Joint Standing Committee on
Legal and Veterans Affairs
121st Legislature
Augusta, ME 04333

Dear Senator Gagnon and Representative Clark:

Please be advised that Governor John E. Baldacci has nominated John W. Libby of Waterville for appointment as Adjutant General.

Pursuant to 37-B M.R.S.A. Section 3, this nomination will require review by the Joint Standing Committee on Legal and Veterans Affairs and confirmation by the Senate.

Sincerely,

S/Beverly C. Daggett
President of the Senate

S/Patrick Colwell
Speaker of the House

READ and REFERRED to the Committee on **LEGAL AND VETERANS AFFAIRS.**

Ordered sent down forthwith for concurrence.

The Following Communication: S.C. 386

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

September 23, 2003

The Honorable Beverly Daggett
President of the Senate
#3 State House Station
Augusta, Maine 04333-0003

Dear President Daggett:

In accordance with 38 M.R.S.A. Section 341-C(5), this letter serves notice to the Legislature that the extension of Mr. Richard Wardwell's term as a member and Chair of the Board of Environmental Protection is required to ensure fair consideration

in the matter of the establishment of a Water Level Management and Minimum Flow Regime for China Lake and the permit application of Inland Fisheries and Wildlife for the construction of an all tide boat ramp at Mere Point in Brunswick.

Mr. Wardwell's term is extended from October 2, 2003 until final Board action on these specific matters is completed.

Sincerely,

S/John Elias Baldacci
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 387

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

September 5, 2003

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

Dear Secretary O'Brien:

Pursuant to my authority under Resolve 2003, Chapter 97, I am pleased to appoint Senator Neria Douglass of Androscoggin and Senator Arthur Mayo, III of Sagadahoc to the Advisory Task Force to Examine Staff-Child Ratios and Maximum Group Size in Child Care Facilities.

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.

The Following Communication: S.C. 388

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

September 16, 2003

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

Dear Secretary O'Brien:

Pursuant to my authority under Executive Order No. 03 FY 04/05, I am pleased to appoint Senator Dennis Damon of Hancock to the Task Force on the Maine Groundfish Industry.

Please let me know if you have any questions regarding this appointment.

Sincerely,

S/Beverly C. Daggett
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 389

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

September 29, 2003

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

Dear Secretary O'Brien:

Pursuant to my authority under Resolve 2003, Chapter 85, I am pleased to appoint the following individuals to the Commission to Study the Scope and Quality of Citizenship Education

Senator Neria Douglass of Androscoggin (chair)
Senator Betty Lou Mitchell of Penobscot
Patrick Phillips of Camden, representing the Department of Education
Chris Hall of Buxton, representing the Maine Chamber of Commerce
Denise O'Toole of Augusta, representing educators with experience in Civic education service learning
Judith Harvey of Hallowell, representing SAD Superintendents
Gale Cuddoo of Surry, representing school board members and
Richard Marchi of Damariscotta, representing principals.

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.

The Following Communication: S.C. 390

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

September 29, 2003

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

Dear Secretary O'Brien:

Pursuant to my authority under Public Law 2003, Chapter 462, I am pleased to appoint the following to the Committee to Study the Revenue Sources of the Office of Consumer Credit Regulation:

Senator Lynn Bromley of Cumberland (Senate Chair)
Senator Arthur Mayo of Sagadahoc
Mr. Richard Maltz of Bangor
Ms. Emma Bodwell of Naples
Ms. Robin Poland of Skowhegan and
Mr. James Blum of Bangor

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.

The Following Communication: S.C. 391

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

October 1, 2003

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

Dear Secretary O'Brien:

Pursuant to my authority under Resolve 2003, Chapter 76, I am pleased to appoint the following individuals to the Task Force to Study Parity and Portability of Retirement Benefits for the State Law Enforcement Officers, Municipal and County Law Enforcement Officers and Firefighters.

Senator Beth Edmonds of Cumberland
Senator Kenneth Blais of Kennebec
Steven Butterfield of Hallowell, representing state law enforcement officers
Jim Fahey of Westbrook, representing municipal law enforcement officers

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.

The Following Communication: S.C. 392

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

October 3, 2003

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

Dear Secretary O'Brien:

Pursuant to my authority under Resolve 2003, Chapter 83, I am pleased to appoint the following individuals to the *Committee to Study Compliance with Maine's Freedom of Access Laws*:

Senator Margaret Rotundo of Androscoggin;
Jeff Ham of Cape Elizabeth, representing the Maine Press Association;
Fred Bever of Portland, representing the Maine Association of Broadcasters;
Esther Clenott of Portland, representing county commissioners;
Todd Brackett of Wiscasset, representing the Maine Sheriff's Association;
Jess Knox of Portland, representing those whose privacy interests are protected by Freedom of Access Laws; and
Elizabeth Prata of Gray, representing the public.

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.

The Following Communication: S.C. 393

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

October 10, 2003

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

Dear Secretary O'Brien:

Pursuant to my authority under Resolve 2003, Chapter 80, I am pleased to appoint the following individuals to the Task Force to address the Shortage of Speech-language Pathologists:

Sandra MacArthur of Madison, representing the Maine School Superintendents Association
Professor Nancy Hall of Orono, representing the University of Maine, Dept. of Communications Sciences and Disorders
Jim Carignan of Harpswell, representing the State Board of Education
Val Perkins of Southwest Harbor, representing the Maine Principals' Association

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.

The Following Communication: S.C. 394

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

October 16, 2003

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

Dear Secretary O'Brien:

Pursuant to my authority under Public Law 2003, Chapter 465, I am pleased to appoint the following individuals to the Long-Term Care Oversight Committee.

Senator John Martin of Aroostook
Lisa Harvey McPherson of Bangor, representing providers

Susan Rovillard of Gardiner, representing providers
Debbie DiDominicus of Scarborough, representing consumers
Leo Delicata of Scarborough, representing consumers
Margaret Chandler of Winthrop, representing consumers and
Deb Chapman of Bangor, representing families of consumers

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.

The Following Communication: S.C. 395

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

October 28, 2003

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

Dear Secretary O'Brien:

Pursuant to my authority under Title 3, MRSA, Chapter 7, Section 168-A, I am pleased to appoint the following individuals to the Legislative Youth Advisory Council.

Senator Carol Weston of Waldo
David Heidrich of Oxford (reappointment)
Melissa Simones of Greene (reappointment)
Alicia Stokes of Augusta (reappointment)
Jesse Powers of East Millinocket
Jennifer Thompson of Readfield
Carolyn Boyle of China
Emily Thornquist of Fort Fairfield
Dana Storer of Augusta

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.

The Following Communication: S.C. 396

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

November 3, 2003

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

Dear Secretary O'Brien:

Pursuant to my authority under Resolve 2003, Chapter 95, I am pleased to appoint the following individuals to the Commission to Study Public Health.

Senator John Martin of Aroostook, Chair
Senator Karl Turner of Cumberland
Pam Hagency of Lewiston, representing a health advocacy organization
Lori Kaley of Augusta, representing a nutrition advocacy organization
Richard Lyons of Hampden, representing secondary school administrators
W. Christopher (Kip) DeSerres of Topsham, representing a cancer society
Dr. N. Burgess Record of Farmington, representing a heart association
Dr. Stephen Sears of Augusta, representing a diabetes association
Michelle Small of Augusta, representing an advocacy group for affordable health care
Sandy Hunter of Readfield, representing school health professionals
Colleen Rioux of Harpswell, representing physical education educators
Jennifer Willey of Lewiston, representing the food industry
Katherine Hoffman of Augusta, representing the Maine dairy industry

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.

The Following Communication: S.C. 397

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

November 3, 2003

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

Pursuant to my authority under Resolve 2003, Chapter 84, I am pleased to appoint the following people to the Task Force to Study the Needs of Deaf and Hard-of-hearing Children and Adolescents.

Senator Beth Edmonds of Cumberland
Senator Betty Lou Mitchell of Penobscot
Doug Moody of Cumberland, representing the Governor
Baxter School
Mary Martone of Cumberland, representing educators of deaf students
Jenn McCann of Falmouth, representing behavioral health service providers
Jan DeVinney of South Portland, representing the Department of Labor
Mary Edgerton of Brunswick, representing advocacy for deaf students in special education proceedings
Rita LaBarbera of Portland, representing a nationally accredited, statewide provider

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.

The Following Communication: S.C. 398

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

November 4, 2003

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

Dear Secretary O'Brien:

Pursuant to my authority under Executive Order 6 FY 04/05, I am pleased to appoint Hon. Bonnie Titcomb Lewis of Raymond to The Working Group to Identify and Prioritize Options to Resolve Inequities in the Retirement Benefits of State Employees and Teachers.

Please let me know if you have any questions regarding this appointment.

Sincerely,

S/Beverly C. Daggett
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 399

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

December 5, 2003

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

Dear Secretary O'Brien:

Pursuant to my authority under Resolve 2003, Chapter 95, I am pleased to appoint Tom Nelson of Portland to the Commission to Study Public Health, representing the Maine dairy industry. He will be replacing Katherine Hoffman, who is unable to serve.

Please let me know if you have any questions regarding this appointment.

Sincerely,

S/Beverly C. Daggett
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 400

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

November 10, 2003

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

Dear Madame President and Speaker Colwell:

In accordance with Public Law 2003, Ch. 469, Part B, the Joint Standing Committee on Health and Human Services has had under consideration the following appointments by the Governor to the Advisory Council on Health Systems Development: Maroulla Gleaton of Palermo, Norm Ledwin of Bangor, Steve Farnham of Presque Isle, Brian Rines of Augusta, Andy Coburn of Portland, Robert Keller of Northport, Lani Graham of Portland, Edward Miller of Augusta, John Carr of Augusta, Dora Mills of Augusta, Chris Hastedt of Augusta.

After discussion on these appointments, the Committee proceeded to vote on the motion to approve, with the following result:

YEAS	Senators	2	Brennan of Cumberland, Martin of Aroostook
	Representatives	5	Kane of Saco, Craven of Lewiston, Earle of Damariscotta, Laverriere- Boucher of Biddeford, Walcott of Lewiston
NAYS	Senator	1	Weston of Waldo
	Representatives	5	Campbell of Newfield, Curley of Scarborough, Dugay of Cherryfield, Lewin of Eliot, Shields of Auburn

ABSENT 0

Seven members of the Committee having voted in the affirmative and six in the negative, it was the vote of the Committee that the appointments to the Advisory Council on Health Systems Development be approved.

Signed,

S/Michael F. Brennan
Senate Chair

S/Thomas J. Kane
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 401

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

November 10, 2003

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

Dear Madame President and Speaker Colwell:

In accordance with Public Law 2003, Ch. 469, Subchapter 2, the Joint Standing Committee on Health and Human Services has had under consideration the following appointments by the Governor to the Maine Quality Forum Advisory Council: Clifford Rosen of Bangor, Janice Wnek of Brunswick, Stephen Shannon of Kennebunkport, Robert McArtor of Southport, Richard Bruns of Bangor, Nancy Kelleher of Portland, Rebecca Colwell of Gardiner, Becky Martins of Warren, Jonathan Beal of Portland, Lisa Miller of Somerville, David White of Bar Harbor, Frank Johnson of Augusta, Daniel Roet of Brunswick, Jim McGregor of Augusta, Charles Morrison of Auburn, Karen Bell of Kingfield, Laureen Biczak of Saco.

After discussion on these appointments, the Committee proceeded to vote on the motion to approve, with the following result:

YEAS	Senators	3	Brennan of Cumberland, Martin of Aroostook, Weston of Waldo
	Representatives	10	Kane of Saco, Craven of Lewiston, Earle of Damariscotta, Laverriere- Boucher of Biddeford, Walcott of Lewiston, Campbell of Newfield, Curley of Scarborough, Dugay of Cherryfield, Lewin of Eliot, Shields of Auburn
NAYS		0	
ABSENT		0	

Thirteen members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the appointments to the Maine Quality Forum Advisory Council be approved.

Signed,

S/Michael F. Brennan
Senate Chair

S/Thomas J. Kane
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 402

**STATE OF MAINE
DEPARTMENT OF LABOR
20 UNION STREET, PO BOX 259
AUGUSTA, MAINE 04332-0259**

October 1, 2003

The Honorable Beverly Daggett, Senate President
The Honorable Patrick Colwell, Speaker of the House
121st Maine Legislature
2 State House Station
Augusta, ME 04333

Dear President Daggett and Speaker Colwell:

In accordance with 5 M.R.S.A., § 13070-J, we are pleased to submit the "agency report" for the Governor's Training Initiative (GTI). GTI has been instrumental in the creation and retention of high skill, quality employment for Maine residents since its inception in 1996.

In calendar year 2002, fifty companies received GTI reimbursement payments totaling \$10,000 or more. The attached report lists the amounts paid and the anticipated job growth and retention associated with those funds. Because the GTI funding cycle is spread over a two-year period, funds related to Economic Development Incentives Report reporting requirements for calendar year 2002 may be associated with GTI contract allocations spanning three funding cycles (PY'01, PY'02, PY'03).

Statistics included in this report indicate the public benefit derived from GTI assistance, including job creation, job retention and the amount of private dollars leveraged in company contribution toward funded training activity. A short selection of company comments has been provided that are representative of responses regarding public benefit.

GTI ensures that the needs of small firms are addressed via the scoring process, and requires applicants to identify the public benefit resulting from proposed training projects. GTI continues to be a primary vehicle for achieving sustainable long-term economic growth for Maine. Incumbent and new hire worker training continues to be referenced in numerous benchmarks for the "Measures for Growth" report submitted annually by the Maine Economic Growth Council.

Sincerely,

S/Laura A. Fortman
Commissioner

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 403

**STATE OF MAINE
MAINE REVENUE SERVICES
24 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0024**

October 1, 2003

Senate President Daggett
Speaker of the House Colwell
Members of the 121st Maine Legislature:

Pursuant to 5 MRSA Section 13070-J, the State Tax Assessor is required to submit a report to the legislature identifying the amount of revenues foregone as the result of the Jobs and Investment Tax Credit (JITC), the Research Expense Tax Credit (R&D), the Seed Capital Investment Tax Credit, the Shipbuilding Facility Credit, and public funds spent on the Business Property Tax Reimbursement Program (BETR). Attached are four reports providing you with this information.

The first table lists corporations that reduced their Maine income tax liability with the JITC, the R&D credit, and/or the Seed Capital credit in tax year 2001, as well as the value of the credits. Table II lists the number of individual filers that reduced their Maine income tax liability with the JITC, the R&D credit, and/or the Seed Capital credit in tax year 2001. Tax year 2001 is the last year for which we have full information on both corporate and individual filers. Statutes governing the release of confidential taxpayer information prevent us from reporting the names of the corporations or individuals that benefited from these tax credits.

The third attachment explains the Shipbuilding Facility credit. As required by statute the report provides information on the level of employment, yearly investment and the cumulative amount of investment. Since the inception of the credit, the level of employment has been such that the annual cost to the state treasury has exceeded the base credit amount of \$3 million per year.

The forth attachment is a computer printout of BETR recipients. For purposes of this report, businesses that received reimbursement during calendar year 2002 are listed. BETR recipients filed during the calendar year 2002 for eligible property taxes paid during the calendar year 2001. Because of changes made by the legislature regarding when BETR reimbursement requests could be made, a number of BETR recipients received reimbursement for 2001 payments at the end of calendar year 2001. In addition, requests for eligible payments made during calendar year 2002 could not be filed until August of 2003. Therefore, the number of recipients and the dollars received during calendar year 2002 are uncharacteristically low.

Of the 1,236 businesses that received a BETR reimbursement during calendar year 2002, 253 received a reimbursement of \$10,000 or more, requiring them to file an Economic Development Incentive Report with DECD. Firms receiving a BETR reimbursement greater than or equal to \$10,000 represent 20% of recipients and 95% of the total BETR expenditure in calendar year 2002.

If you have any questions on this report please do not hesitate to contact me.

Sincerely,

S/Jerome D. Gerard
Acting Executive Director

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 404

**STATE OF MAINE
DEPARTMENT OF ECONOMIC
AND COMMUNITY DEVELOPMENT**

October 1, 2003

President Beverly Daggett
3 State House Station
Augusta, ME 04333-0003

Dear President Daggett:

Pursuant to Title 5 §13070-J sub §4, attached is the Department of Economic and Community Development's agency report on the amount of public funds spent for the direct benefit of businesses in the State under municipal tax increment financing, and employment tax increment financing.

As required by statute the report identifies the amount of economic development incentives under the jurisdiction of the Department received by each employer and the public benefit resulting from those economic development incentives. The report also includes the statutorily required information on the Maine Seed Capital Tax Credit program provided to the department by the Finance Authority of Maine.

Sincerely,

S/Jack Cashman
Commissioner

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 405

**DEPARTMENT OF DEFENSE, VETERANS
AND EMERGENCY MANAGEMENT
MAINE EMERGENCY MANAGEMENT AGENCY
STATE HOUSE STATION 72
CAMP KEYES, AUGUSTA, MAINE 04333-0072**

November 20, 2003

Honorable Beverly C. Daggett
President of the Senate
The Maine Senate
3 State House Station
Augusta, ME 04333-0003

Honorable Patrick Colwell
Speaker of the House
Maine House of Representatives
2 State House Station
Augusta, ME 04333-0002

Dear Madam President and Mr. Speaker:

Enclosed is the Report of the Study Group to Examine an Emergency Alert Notification System for Deaf and Hard-of-hearing Individuals.

It was a very active group. We believe the report reflects their dedication to identify the needs and find solutions that will not only improve the current situation, but also lay the groundwork for future growth as technological advances are made.

We appreciated the opportunity to work together on this project, and hope you will act favorably on our recommendations.

Sincerely,

S/Arthur W. Cleaves
Director, Maine Emergency Management Agency

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

The Following Communication: S.C. 406

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

November 25, 2003

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

Dear President Daggett and Speaker Colwell:

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

L.D. 228 An Act To Authorize a General Fund Bond Issue in the Amount of \$20,000,000 To Provide Maine's 7 Technical Colleges with Essential Facilities Improvements and Classroom Equipment

L.D. 394 An Act To Authorize a General Fund Bond Issue in the Amount of \$2,700,000 for Maine Maritime Academy

L.D. 677 An Act To Authorize a General Fund Bond Issue in the Amount of \$6,000,000 To Enable LifeFlight of Maine to Fully Implement a Statewide, Dedicated Air-medical Response System

L.D. 1569 An Act To Authorize a General Fund Bond Issue in the Amount of \$16,800,000 To Construct and Upgrade Water Pollution Control Facilities, To Remediate Solid Waste Landfills, To Clean Up Uncontrolled Hazardous Substance Sites and To Make Drinking Water System Improvements

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

Sincerely,

S/Sen. Mary R. Cathcart
Senate Chair

S/Rep. Joseph C. Brannigan
House Chair

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

The Following Communication: S.C. 407

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

December 18, 2003

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

Dear President Daggett and Speaker Colwell:

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

L.D. 791 An Act To Fully Fund Retirement Benefits for Game Wardens and Marine Patrol Officers

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

Sincerely,

S/Sen. Mary R. Cathcart
Senate Chair

S/Rep. Joseph C. Brannigan
House Chair

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

The Following Communication: S.C. 408

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

November 24, 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 bill out "Ought Not to Pass":

L.D. 391 An Act To Provide Consumers at Chain
Restaurants with Accurate, Accessible Nutrition
Information

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

Sincerely,

S/Sen. Lynn Bromley S/Rep. Nancy B. Sullivan
Senate Chair House Chair

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

The Following Communication: S.C. 409

**121ST LEGISLATURE
COMMITTEE ON
CRIMINAL JUSTICE AND PUBLIC SAFETY**

November 12, 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 Criminal Justice and Public Safety has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 105 An Act to Further the Productive Use of Land
Held by the Department of Corrections

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

Sincerely,

S/Sen. Ethan Strimling S/Rep. Patricia A. Blanchette
Senate Chair House Chair

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

The Following Communication: S.C. 410

**121ST LEGISLATURE
COMMITTEE ON
EDUCATION AND CULTURAL AFFAIRS**

December 23, 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 Education and Cultural Affairs has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 104 An Act to Help Public Schools Promote Public
Health and Address Childhood Obesity

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

Sincerely,

S/Sen. Neria R. Douglass S/Rep. Glenn Cummings
Senate Chair House Chair

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

The Following Communication: S.C. 411

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

December 23, 2003

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

Dear President Daggett and Speaker Colwell:

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

L.D. 585 An Act to Establish a Statewide Primary and
Preventive Health Care Program

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

Sincerely,

S/Sen. Michael Brennan
Senate Chair

S/Rep. Thomas J. Kane
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 412

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

October 21, 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. 158 An Act to Limit Agent Fees to the Number of
Transactions

L.D. 446 An Act Regarding Bear Hunting

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

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 413

**121ST LEGISLATURE
COMMITTEE ON
INSURANCE AND FINANCIAL SERVICES**

December 8, 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 Insurance and Financial Services has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 1239 An Act Concerning Universal Health Insurance

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

Sincerely,

S/Sen. Lloyd P. LaFountain III
Senate Chair

S/Rep. Christopher P. O'Neil
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 414

**121ST LEGISLATURE
COMMITTEE ON JUDICIARY**

December 4, 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 Judiciary has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 999 An Act To Ensure Fairness in Payment of Superior Court Witness Fees by Counties

L.D. 1295 An Act To Enact the Uniform Mediation Act

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

Sincerely,

S/Sen. Peggy A. Pendleton
Senate Chair

S/Rep. William S. Norbert
House Chair

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

The Following Communication: S.C. 415

**121ST LEGISLATURE
COMMITTEE ON JUDICIARY**

December 4, 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 Judiciary has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 1473 An Act To Amend the Laws Governing Public Easements

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

Sincerely,

S/Sen. Peggy A. Pendleton
Senate Chair

S/Rep. William S. Norbert
House Chair

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

The Following Communication: S.C. 416

**121ST LEGISLATURE
COMMITTEE ON LABOR**

December 18, 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 Labor has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 718 An Act To Create a New Pension System for Newly Hired Teachers and State Employees

L.D. 752 Resolve, Directing the Department of Labor To Develop the Family Security Fund To Implement the Recommendations of the Committee to Continue to Study the Benefits and Costs for Increasing Access to Family and Medical Leave for Maine Families

L.D. 919 An Act To Require Public Improvement Projects Contractors and Subcontractors To Meet Certain Criteria

L.D. 1618 An Act To Clarify the Employment Status of Court Reporters, Stenographers and Videographers

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

Sincerely,

S/Sen. Betheda G. Edmonds
Senate Chair

S/Rep. William J. Smith
House Chair

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

The Following Communication: S.C. 417

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

October 23, 2003

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

Dear President Daggett and Speaker Colwell:

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

L.D. 507 Resolve, To Allow the Town of Dennysville To Sue the State and the Atlantic Salmon Commission for Breach of Contract

L.D. 1603 Resolve, Authorizing Michaela Corbin-Burnford To Sue the State

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

Sincerely,

S/Sen. Kenneth T. Gagnon S/Rep. Joseph E. Clark
Senate Chair House Chair

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

The Following Communication: S.C. 418

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

October 30, 2003

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

Dear President Daggett and Speaker Colwell:

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

L.D. 91 Resolve, to Create the Department of Fisheries and Wildlife

L.D. 103 An Act to Establish the Regional County Corrections Construction Authority

L.D. 965 Resolve, to Create a Task Force to Implement the 1991 Report of the President's and Speaker's Blue Ribbon Commission on Children and Families

L.D. 1332 An Act To Recognize the Maine Rural Development Council

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

Sincerely,

S/Sen. Margaret Rotundo
Senate Chair

S/Rep. Janet L. McLaughlin
House Chair

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

The Following Communication: S.C. 419

**121ST LEGISLATURE
COMMITTEE ON TAXATION**

December 4, 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 bill out "Ought Not to Pass":

L.D. 951 An Act To Establish the Maine Land Bank and Community Preservation Program

We have also notified the sponsor and cosponsors 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. 420

**121ST LEGISLATURE
COMMITTEE ON TRANSPORTATION**

September 17, 2003

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

Dear President Daggett and Speaker Colwell:

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

L.D. 458 An Act Regarding Motorcycle Noise Emission Control Standards

L.D. 978 An Act To Establish a Rotarian License Plate

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

Sincerely,

S/Sen. Pamela H. Hatch
Senate Chair

S/Rep. Ronald E. Usher
House Chair

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

The Following Communication: S.C. 421

**121ST LEGISLATURE
COMMITTEE ON TRANSPORTATION**

December 4, 2003

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

Dear President Daggett and Speaker Colwell:

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

L.D. 155 An Act to Allow a Business to Obtain a Municipal Permit for One Off-premises Business Advertising Sign

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

Sincerely,

S/Sen. Pamela H. Hatch
Senate Chair

S/Rep. Ronald E. Usher
House Chair

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

The Following Communication: S.C. 422

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

September 30, 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. 639 An Act To Ensure Accurate Electric Rates for the Ski Industry

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

Sincerely,

S/Sen. Christopher Hall
Senate Chair

S/Rep. Lawrence Bliss
House Chair

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

The Following Communication: S.C. 423

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

December 8, 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. 1157 An Act To Promote Clean and Efficient Energy

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

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

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

The Following Communication: S.C. 424

**STATE OF MAINE
OFFICE OF THE SECRETARY OF STATE
AUGUSTA, MAINE 04333-0148**

December 5, 2003

Honorable Beverly C. Daggett
President of the Senate
3 State House Station
Augusta, ME 04333

Honorable Patrick Colwell
Speaker of the House
2 State House Station
Augusta, ME 04333

Dear President Daggett and Speaker Colwell:

The following is a summary of the results of the November 4, 2003, Referendum Election, as derived from the accompanying copies of the Governor's Proclamations and the Secretary of State's Official Tabulation of the election results.

Question 1: Citizen Initiative and Competing Measure

1A: Citizen Initiative	Number of Votes in Favor 185,392
1B: Competing Measure	Number of Votes in Favor 171,782
1C: Against A and B	Number of Votes in Favor 133,349

Question 2: Citizen Initiative

Number of Votes in Favor	272,394
Number of Votes Opposed	242,490

Question 3: Citizen Initiative

Number of Votes in Favor	170,500
Number of Votes Opposed	346,583

Question 4: Bond Issue

Number of Votes in Favor	295,569
Number of Votes Opposed	201,617

Question 5: Bond Issue

Number of Votes in Favor	266,146
Number of Votes Opposed	232,127

Question 6: Bond Issue

Number of Votes in Favor	326,802
Number of Votes Opposed	171,715

Sincerely,

S/Dan A. Gwadosky
Secretary of State

ORDERS

Joint Order

On motion by Senator **ROTUNDO** of Androscoggin (Cosponsored by Representative **MILLS** of Farmington and Representatives: **CRAVEN** of Lewiston, **WALCOTT** of Lewiston), the following Joint Order:

S.P. 651

ORDERED, the House concurring, that:

1. The Joint Standing Committee on Judiciary shall conduct a study on court-imposed administrative fees. The committee shall conduct the study during authorized interim committee meetings, except that the committee may hold one additional meeting to conclude its work.

2. The committee shall:

A. Examine all fees imposed by the courts for all administrative matters, whether pursuant to statute or imposed by other means;

B. Determine whether the fee amount is appropriate; and

C. Establish a procedure for review and approval by the Legislature of all future fees or fee increases.

3. The committee members are entitled to receive the legislative per diem and reimbursement for travel and other necessary expenses for attendance at the additional meeting to conclude its work.

4. The committee shall submit a report, together with any necessary implementing legislation, to the Legislature no later than December 1, 2004.

5. The joint standing committee of the Legislature having jurisdiction over judiciary matters is authorized to introduce a bill related to the report to the First Regular Session of the 122nd Legislature.

READ and **REFERRED** to the Committee on **JUDICIARY**.

Ordered sent down forthwith for concurrence.

REPORTS OF COMMITTEES

Senate

Ought to Pass As Amended

Senator PENDLETON for the Committee on **JUDICIARY** on Bill "An Act To Limit the Damages Recoverable in Accidents Involving Snowmobile Clubs' Trail-grooming Activities"

S.P. 266 L.D. 787

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

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

READ ONCE.

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

On motion by Senator **STANLEY** of Penobscot, under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-356).**

Ordered sent down forthwith for concurrence.

Divided Report

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Amend the Structure of the Office of Advocacy"

S.P. 572 L.D. 1621

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

Signed:

Senators:

BRENNAN of Cumberland
WESTON of Waldo

Representatives:

KANE of Saco
DUGAY of Cherryfield
CRAVEN of Lewiston
EARLE of Damariscotta
WALCOTT of Lewiston
SHIELDS of Auburn
CURLEY of Scarborough
CAMPBELL of Newfield
LEWIN of Eliot

The Minority of the same Committee on the same subject reported that the same **Ought To Pass.**

Signed:

Representative:

LAVERRIERE-BOUCHER of Biddeford

Reports **READ**.

On motion by Senator **BRENNAN** of Cumberland, the Majority **OUCHT NOT TO PASS** Report **ACCEPTED**.

Sent down for concurrence.

Divided Report

The Majority of the Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Eliminate the Department of Professional and Financial Regulation, Bureau of Insurance Travel Restrictions for Obtaining Health Care"

S.P. 146 L.D. 428

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

Signed:

Senators:

LaFOUNTAIN of York
DOUGLASS of Androscoggin
MAYO of Sagadahoc

Representatives:

PERRY of Calais
BREAUULT of Buxton
CANAVAN of Waterville
O'NEIL of Saco
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" (S-354).**

Signed:

Representatives:

VAUGHAN of Durham
WOODBURY of Yarmouth
GLYNN of South Portland
SNOWE-MELLO of Poland
YOUNG of Limestone

Reports **READ**.

On motion by Senator **LAFOUNTAIN** of York, the Majority **OUCHT NOT TO PASS** Report **ACCEPTED**.

(See action later today.)

Divided Report

The Majority of the Committee on **UTILITIES AND ENERGY** on Bill "An Act To Create a No-contact List and Prohibit Unsolicited E-mail"

S.P. 448 L.D. 1360

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

Signed:

Representatives:

BLISS of South Portland
BERRY of Belmont
CRESSEY of Baldwin
FLETCHER of Winslow
MOODY of Manchester
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" (S-355)**.

Signed:

Senators:

HALL of Lincoln
YOUNGBLOOD of Penobscot

Representative:

GOODWIN of Pembroke

Reports **READ**.

Senator **HALL** of Lincoln moved the Senate **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report.

On further motion by same Senator, **TABLED**, pending the motion by same Senator to **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report.

Senate at Ease.

Senate called to order by the President.

On motion by Senator **TURNER** of Cumberland, the Senate **RECONSIDERED** whereby it **ACCEPTED** the Majority **OUGHT NOT TO PASS** Report on the following:

SENATE REPORTS – from the Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Eliminate the Department of Professional and Financial Regulation, Bureau of Insurance Travel Restrictions for Obtaining Health Care"
S.P. 146 L.D. 428

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

Minority - **Ought To Pass as Amended by Committee Amendment "A" (S-354)** (5 members)

(In Senate, January 7, 2004, Reports **READ**. On motion by Senator **LAFOUNTAIN** of York, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**.)

On further motion by same Senator, **TABLED** 1 Legislative Day, pending the motion by Senator **LAFOUNTAIN** of York to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Establish the Gambling Control Board To License and Regulate Slot Machines at Commercial Harness Racing Tracks" (EMERGENCY)

H.P. 1342 L.D. 1820

Comes 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.

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

Off Record Remarks

On motion by Senator **TREAT** of Kennebec, **ADJOURNED** to Thursday, January 8, 2004, at 10:00 in the morning.