

MAINE STATE LEGISLATURE

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

Volume III

Second Special Session (Continued)
March 22, 2004 to April 30, 2004

Second Confirmation Session
August 25, 2004

Interim Appendix

Senate Legislative Sentiments

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

In Senate Chamber
Tuesday
March 30, 2004

Senate called to order by President Pro Tem Sharon A. Treat of
Kennebec County.

Prayer by Reverend Anne Stanley, Christ Episcopal Church in
Norway.

REVEREND STANLEY: As I came over from Norway through
Buckfield, Turner, and Wayne, a beautiful country even at this
time of year, I was thinking about the current work of religious
communities today, my denomination, even my parish church.
We're working together on how to hang together in relationships,
as a community and as a body, even when we don't agree on
everything. We are realizing that we do that by paying attention
to how we listen to each other, by doing deep listening, with
compassion and without rancor. Just hearing what the other
person is saying to us, what might be making that other person
tick. I realized, while I bounced along, that you, in the Senate, are
doing that very same thing in this body, this Senate. How well
you live out your call. How well you manage to serve the folk who
elected you. This has everything to do with how well you listen to
each other, with compassion and without rancor. We have this in
common. I suggest that even the world community has this in
common with us. Just a thought. Let us pray.

Most holy God, bless the leaders of our nation that they may
help us to be a people at peace among ourselves and a blessing
to the other nations of the world. Most especially give wisdom
and great courage to the women and men of this community, the
Maine Senate. Help them listen deeply to each other as they
work together to find ways to improve the lives of the people they
serve. Finally, teach us all to rely on Your strength, that we may
be faithful to You in our time and inspire hope for those who come
after us. Amen.

Doctor of the day, Kathy Lees, M.D. of Vassalboro.

Reading of the Journal of Monday, March 29, 2004.

Off Record Remarks

PAPERS FROM THE HOUSE

Non-Concurrent Matter

SENATE REPORTS - from the Committee on **BUSINESS,
RESEARCH AND ECONOMIC DEVELOPMENT**, on Bill "An Act
To Amend the Economic Development Laws"

S.P. 666 L.D. 1818

Majority - **Ought to Pass as Amended by Committee
Amendment "A" (S-452)** (10 members)

Minority - **Ought to Pass as Amended by Committee
Amendment "B" (S-453)** (3 members)

In Senate, March 25, 2004, Reports **READ**. On motion by
Senator **BROMLEY** of Cumberland, Bill and accompanying
papers **INDEFINITELY POSTPONED**.

In House, March 29, 2004, the Majority **OUGHT TO PASS AS
AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED
TO BE ENGROSSED AS AMENDED BY COMMITTEE
AMENDMENT "A" (S-452)**, in **NON-CONCURRENCE**.

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

Joint Order

The following Joint Order:

H.P. 1416

ORDERED, the Senate concurring, that Bill, "An Act To
Enhance Professionalism of Private Investigators in this State,"
H.P. 735, L.D. 1014, and all its accompanying papers, be recalled
from the legislative files to the House.

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

READ.

Pursuant to Joint Rule 404 a Division was had. 29 Members of
the Senate having voted in the affirmative and 4 Senators having
voted in the negative, and 29 being more than two-thirds of the
members present and voting, the Joint Order was **PASSED**, in
concurrence.

COMMUNICATIONS

The Following Communication: S.P. 786

**STATE OF MAINE
121ST MAINE LEGISLATURE**

March 26, 2004

Sen. Bruce S. Bryant
Senate Chair, Joint Standing Committee on
Agriculture, Conservation and Forestry
Rep. Linda Rogers McKee
House Chair, Joint Standing Committee on
Agriculture, Conservation and Forestry
121st Legislature
Augusta, ME 04333

Dear Senator Bryant and Representative McKee:

Please be advised that Governor John E. Baldacci has nominated Carole Dyer of Bowdoinham for reappointment and Jeffrey A. Thaler of Yarmouth for appointment as members of the Land For Maine's Future Board.

Pursuant to Title 5 M.R.S.A. § 6204, these nominations will require review by the Joint Standing Committee on Agriculture, Conservation and Forestry and confirmation by the Senate.

Sincerely,

S/Beverly C. Daggett S/Patrick Colwell
President of the Senate Speaker of the House

READ and REFERRED to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY**.

Sent down for concurrence.

The Following Communication: S.P. 787

STATE OF MAINE
121ST MAINE LEGISLATURE

March 26, 2004

Sen. Lynn Bromley
Senate Chair, Joint Standing Committee on
Business, Research and Economic Development
Rep. Nancy B. Sullivan
House Chair, Joint Standing Committee on
Business, Research and Economic Development
121st Legislature
Augusta, ME 04333

Dear Senator Bromley and Representative Sullivan:

Please be advised that Governor John E. Baldacci has nominated Elizabeth Horning of Richmond and Carol A. Kontos of Windham for appointment as members of the Maine State Housing Authority.

Pursuant to Title 30-A M.R.S.A. § 4723, these nominations will require review by the Joint Standing Committee on Business, Research and Economic Development and confirmation by the Senate.

Sincerely,

S/Beverly C. Daggett S/Patrick Colwell
President of the Senate Speaker of the House

READ and REFERRED to the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT**.

Sent down for concurrence.

The Following Communication: S.P. 788

STATE OF MAINE
121ST MAINE LEGISLATURE

March 26, 2004

Sen. John L. Martin
Senate Chair, Joint Standing Committee on
Natural Resources
Rep. Theodore Koffman
House Chair, Joint Standing Committee on
Natural Resources
121st Legislature
Augusta, ME 04333

Dear Senator Martin and Representative Koffman:

Please be advised that Governor John E. Baldacci has nominated Donald Guimond of Fort Kent for appointment as a member of the Board of Environmental Protection.

Pursuant to Title 38 M.R.S.A. § 341-C, this nomination will require review by the Joint Standing Committee on Natural Resources and confirmation by the Senate.

Sincerely,

S/Beverly C. Daggett S/Patrick Colwell
President of the Senate Speaker of the House

READ and REFERRED to the Committee on **NATURAL RESOURCES**.

Sent down for concurrence.

The Following Communication: S.P. 789

STATE OF MAINE
121ST MAINE LEGISLATURE

March 26, 2004

Sen. John L. Martin
Senate Chair, Joint Standing Committee on
Natural Resources
Rep. Theodore Koffman
House Chair, Joint Standing Committee on
Natural Resources
121st Legislature
Augusta, ME 04333

Dear Senator Martin and Representative Koffman:

Please be advised that Governor John E. Baldacci has nominated Sally Stockwell of Cumberland for reappointment; Richard B. Anderson of Freeport and Charles F. Beck of Presque Isle for appointment as members of the Maine Outdoor Heritage Fund Board.

Pursuant to Title 12 M.R.S.A. § 7788, these nominations will require review by the Joint Standing Committee on Natural Resources and confirmation by the Senate.

Sincerely,

S/Beverly C. Daggett S/Patrick Colwell
President of the Senate Speaker of the House

READ and REFERRED to the Committee on **NATURAL RESOURCES**.

Sent down for concurrence.

The Following Communication: S.C. 542

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

March 22, 2004

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. 1591 An Act To Authorize a General Fund Bond Issue in the Amount of \$13,300,000 To Address Health, Safety and Compliance Deficiencies in the University of Maine System; To Expedite the Creation of a Community College System; To Make Improvements to State Parks; To Make Cultural Improvements; and To Modernize the State Court System

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

Sincerely,

S/Sen. Mary R. Cathcart S/Rep. Joseph C. Brannigan
Senate Chair House Chair

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

The Following Communication: S.C. 543

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

March 25, 2004

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. 1729 An Act To Strengthen the Sex Offender Registration and Notification Act of 1999

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. 544

**121ST LEGISLATURE
COMMITTEE ON MARINE RESOURCES**

March 25, 2004

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 Marine Resources has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 1905 An Act To Establish Reciprocity in Laws
 Governing the Transportation of Lobsters by
 Nonresidents

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

Sincerely,

S/Sen. Dennis Damon
Senate Chair

S/Rep. Thomas Bull
House Chair

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

The Following Communication: S.C. 545

**121ST LEGISLATURE
COMMITTEE ON TAXATION**

March 25, 2004

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. 1911 An Act To Authorize Municipalities To Establish
 Local Tax Relief Programs

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.**

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Resolve, To Implement the Recommendations of the Commission To Study the Scope and Quality of Citizenship Education
H.P. 1417 L.D. 1915

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-800).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-800).**

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

READ ONCE.

Committee Amendment "A" (H-800) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Off Record Remarks

The Committee on **LABOR** on Bill "An Act To Promote Safety and Fair Labor Practices for Forestry Workers"
H.P. 1015 L.D. 1380

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-810).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-810).**

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

READ ONCE.

Committee Amendment "A" (H-810) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **NATURAL RESOURCES** on Bill "An Act To Protect Health and the Environment by Improving the System for the Collection and Recovery of Mercury-added Thermostats"
H.P. 1407 L.D. 1901

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-806)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-806)**.

Report **READ**.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#299)

YEAS: Senators: BENNETT, BLAIS, BRENNAN, BROMLEY, BRYANT, CARPENTER, CATHCART, DAMON, DAVIS, DOUGLASS, EDMONDS, GAGNON, GILMAN, HALL, HATCH, KNEELAND, LAFOUNTAIN, LEMONT, MARTIN, MAYO, MITCHELL, PENDLETON, ROTUNDO, SAVAGE, SAWYER, STANLEY, STRIMLING, TURNER, WESTON, WOODCOCK, YOUNGBLOOD, THE PRESIDENT PRO TEM - SHARON A. TREAT

NAYS: Senators: None

ABSENT: Senators: DAGGETT, NASS, SHOREY

32 Senators having voted in the affirmative and no Senators having voted in the negative, with 3 Senators being absent, Report **ACCEPTED**, in concurrence.

READ ONCE.

Committee Amendment "A" (H-806) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **LABOR** on Bill "An Act To Encourage Workers' Compensation Dispute Resolutions"
H.P. 438 L.D. 575

Reported that the same **Ought to Pass as Amended by Committee Amendment "B" (H-639)**.

Signed:

Senators:

EDMONDS of Cumberland
STANLEY of Penobscot

Representatives:

SMITH of Van Buren
HUTTON of Bowdoinham
PATRICK of Rumford
JACKSON of Fort Kent
WATSON of Bath

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

Signed:

Senator:

BLAIS of Kennebec

Representatives:

TREADWELL of Carmel
CRESSEY of Baldwin
HEIDRICH of Oxford
NUTTING of Oakland

Comes from the House with the Reports **READ** and the Bill and accompanying papers **COMMITTED** to the Committee on **LABOR**.

Reports **READ**.

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

Sent down for concurrence.

Divided Report

The Majority of the Committee on **TAXATION** on Bill "An Act To Repeal the Taxation of Personal Property Valued at \$1,000 or More"

H.P. 1257 L.D. 1735

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

Signed:

Senators:

STANLEY of Penobscot
STRIMLING of Cumberland
NASS of York

Representatives:

LEMOINE of Old Orchard Beach
LERMAN of Augusta
CLOUGH of Scarborough
PERRY of Bangor
SIMPSON of Auburn
McCORMICK of West Gardiner
TARDY of Newport
SUSLOVIC of Portland

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-808).**

Signed:

Representative:

COURTNEY of Sanford

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

Reports **READ**.

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

Senate

Ought to Pass As Amended

Senator **BRENNAN** for the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Ensure Appropriate Care and Custody of Children Orphaned by Domestic Violence"

S.P. 638 L.D. 1706

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-466).**

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

READ ONCE.

Committee Amendment "A" (S-466) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator **GAGNON** for the Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act To Amend the Law Governing the Storage of Spirits"

S.P. 729 L.D. 1881

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-469).**

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

READ ONCE.

Committee Amendment "A" (S-469) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **LABOR** on Resolve, To Increase Eligibility for Consumer-directed Personal Care Assistance Services To Promote Independence for Maine Citizens (EMERGENCY)

S.P. 748 L.D. 1904

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-465).**

Signed:

Senators:

EDMONDS of Cumberland
STANLEY of Penobscot

Representatives:

SMITH of Van Buren
HUTTON of Bowdoinham
HATCH of Skowhegan
PATRICK of Rumford
JACKSON of Fort Kent
WATSON of Bath

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

Signed:

Senator:

BLAIS of Kennebec

Representatives:

TREADWELL of Carmel
CRESSEY of Baldwin
HEIDRICH of Oxford
NUTTING of Oakland

Reports **READ**.

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

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

Divided Report

The Majority of the Committee on **NATURAL RESOURCES** on Bill "An Act To Amend the Dissolved Oxygen Standard and the Bacteria Standard for Class C Waters"

S.P. 743 L.D. 1899

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-467)**.

Signed:

Senators:

MARTIN of Aroostook
SAWYER of Penobscot

Representatives:

TWOMEY of Biddeford
SAVIELLO of Wilton
TOBIN of Windham
JOY of Crystal
ANNIS of Dover-Foxcroft
DAIGLE of Arundel

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "B" (S-468)**.

Signed:

Senator:

EDMONDS of Cumberland

Representatives:

KOFFMAN of Bar Harbor
HUTTON of Bowdoinham
MAKAS of Lewiston
THOMPSON of China

Reports **READ**.

Senator **MARTIN** of Aroostook moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-467)** Report.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-467)** Report.

SECOND READERS

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

House As Amended

Bill "An Act To Enact the Uniform Trust Code"

H.P. 678 L.D. 921
(C "A" H-795)

Bill "An Act To Include Disability Retirement Income in Retirement Income Eligible for Tax Exemption"

H.P. 1246 L.D. 1670
(C "A" H-787)

Bill "An Act To Expand Property Tax Exemptions for Veterans to Cooperative Housing"

H.P. 1250 L.D. 1674
(C "A" H-786)

Bill "An Act To Establish the Maine Jobs, Trade and Democracy Act" (EMERGENCY)

H.P. 1337 L.D. 1815
(C "A" H-783; H "A" H-801)

Resolve, Regarding Legislative Review of Portions of Chapter 16: Foster Home Licensing Rule Regarding Smoking by Foster Parents, a Major Substantive Rule of the Department of Human Services (EMERGENCY)

H.P. 1353 L.D. 1830
(C "A" H-798)

Resolve, Regarding Legislative Review of Chapter 355: Sand Dune Rules, a Major Substantive Rule of the Department of Environmental Protection (EMERGENCY)

H.P. 1375 L.D. 1849
(C "A" H-805)

Resolve, Regarding Legislative Review of Portions of Chapter 755: Health Insurance Classifications, Disclosure and Minimum Standards, a Major Substantive Rule of the Department of Professional and Financial Regulation, Bureau of Insurance (EMERGENCY)

H.P. 1388 L.D. 1865
(C "A" H-797)

Bill "An Act To Prohibit the Sale of Gasoline Containing MTBE"

H.P. 1390 L.D. 1870
(C "A" H-793)

Bill "An Act To Govern and Regulate Life Settlements"

H.P. 1411 L.D. 1907
(C "A" H-796)

Resolve, Regarding Legislative Review of Chapter 302: Rules for the Maine Microenterprise Initiative, a Major Substantive Rule of the Department of Economic Development (EMERGENCY)

H.P. 1415 L.D. 1914
(C "A" H-785)

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

Bill "An Act To Make Technical Corrections to Maine's Fish and Wildlife Laws"

H.P. 1265 L.D. 1743
(S "A" S-464 to C "A" H-781)

READ A SECOND TIME and **PASSED TO BE ENGROSSED AS AMENDED**, in **NON-CONCURRENCE**.

Sent down for concurrence.

Senate As Amended

Bill "An Act To Implement the Recommendations of the Community Preservation Advisory Committee Regarding the State Planning Office's Review of Growth Management Programs" (EMERGENCY)

S.P. 744 L.D. 1900
(C "A" S-461)

Bill "An Act To Promote Decision Making Within the Workers' Compensation Board" (EMERGENCY)

S.P. 750 L.D. 1909
(C "A" S-458)

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

Sent down for concurrence.

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

REPORTS OF COMMITTEES

Senate

Divided Report

Pursuant to Public Law and Resolve

The Majority of the Committee on **UTILITIES AND ENERGY** on Bill "An Act Relating to Certain Energy Responsibilities of the Public Utilities Commission"

S.P. 791 L.D. 1949

Reported that the same **Ought to Pass** Pursuant to Public Law 2003, chapter 497, section 4 and Resolve 2003, chapter 101, section 3.

Signed:

Senators:

HALL of Lincoln
YOUNGBLOOD of Penobscot

Representatives:

BLISS of South Portland
FLETCHER of Winslow
MOODY of Manchester
ADAMS of Portland
BERRY of Belmont
RICHARDSON of Skowhegan
RINES of Wiscasset

The Minority of the same Committee on the same subject reported that the same **Ought Not To Pass** Pursuant to Public Law 2003, chapter 497, section 4 and Resolve 2003, chapter 101, section 3.

Signed:

Representative:

GOODWIN of Pembroke

Reports **READ**.

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

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

REPORTS OF COMMITTEES

Senate

Divided Report

Pursuant to Public Law and Resolve

The Majority of the Committee on **UTILITIES AND ENERGY** on Bill "An Act Relating to Energy-related Building Standards"

S.P. 790 L.D. 1948

Reported that the same **Ought to Pass** Pursuant to Public Law 2003, chapter 497 and Resolve 2003, chapter 101, section 3.

Signed:

Senators:

HALL of Lincoln
YOUNGBLOOD of Penobscot

Representatives:

BLISS of South Portland
FLETCHER of Winslow
MOODY of Manchester
ADAMS of Portland
BERRY of Belmont
RICHARDSON of Skowhegan
RINES of Wiscasset

The Minority of the same Committee on the same subject reported that the same **Ought Not To Pass** Pursuant to Public Law 2003, chapter 497 and Resolve 2003, chapter 101, section 3.

Signed:

Representative:
GOODWIN of Pembroke

Reports **READ**.

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Encourage the Future of Maine's Dairy Industry"
H.P. 1445 L.D. 1945

Resolve, To Clarify Title to Land Related to the Waldo-Hancock
Bridge Replacement
H.P. 1447 L.D. 1947

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

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

Senator **CATHCART** of Penobscot was granted unanimous
consent to address the Senate on the Record.

Senator **CATHCART**: Thank you, Madame President, men and
women of the Senate. As you all know, March is Women's
History Month and each day we have had a handout in the
Senate recognizing a famous woman from history who
contributed so much to our state and our nation. Today I wanted
to give a special notice to our woman from history. She is Edith
Marion Patch. You have a pink sheet on your desk about her.
Not only was she the first woman president of the Entomological
Society of America, Edith Patch spent most of her adult life here
in Maine at the University of Maine.

Edith was born back in 1876 and she always had a
pioneering spirit. She loved nature. She loved to be outdoors
and exploring the woods. She developed a passionate interest in
bugs, insects, and butterflies. Her lifelong ambition became to
teach, do research, and write books because when she was in
kindergarten she found the book about insects that they were
taught from in school had incorrect information. Edith was just
appalled at that and said, 'when I grow up I'm going to write books
that teach children about insects.'

So, as a pioneer back in the late 18th century, Edith went to
the University of Minnesota and graduated in 1901. What was a
young woman with a degree in entomology to do at the beginning
of the 20th century? There were no jobs for her. She really
wanted to be a researcher and a writer. She taught school for a
couple of years and kept sending letters out around the country,
trying to find a suitable position where she could fulfill her dreams.
Low and behold, she finally got a letter back from the University of
Maine with what she called 'a peculiar offer.' It was a position of
voluntary assistant without compensation for one year. The
promise of that was if she worked out, if she did a good job, after
a year they would actually hire her and pay her a salary to be an
entomologist at the University. Edith Patch took that position at
the University of Maine Agricultural Experiment Station in Orono.
Of course, she proved herself and was granted a salary. She
worked for about four decades there. She earned a Master's
from the University of Maine and then a Doctorate from Cornell.
She published scientific articles, books for children, and worked
tirelessly to save the environment and reduce pesticide use.

I wanted to give this speech today because I think that most
of us in Maine are not aware of the contributions of Edith Marion
Patch to our state. The way I became aware of her was close to
ten years ago, in the previous budget crunch, when the University
was doing one of its downsizings. They owned the Edith Marion
Patch house and the gardens and lands there right on College
Avenue in Orono. The former president of the University of
Maine, finding that they just didn't have the money to maintain
this property, decided to demolish the house. Women and
scientists in Orono were just horrified and started trying to save
this house. We went to see the president and said, 'this woman
was a landmark woman for the State of Maine because she was
the first entomologist woman and the President of the National
Society and we have to save her house.' So a group was formed
called The Friends of Edith Marion Patch. I won't go on too long,
but one of the greatest things that this group has done is to
produce a wonderful cookbook, of which I have a copy. I know
that the Senate President Pro Tem is going to introduce my
special guests and shadow today, who happen to be the editor of
this great cookbook. Thank you for allowing me to make this
small speech on the record just to call attention to a great woman
pioneer in our state. Thank you, Madame President.

THE PRESIDENT PRO TEM: The Chair would ask Jo Carol
Alford of Orono, who is the editor of the Edith Patch Cookbook, to
rise and accept the greetings of the Senate. She is the guest
today and shadowing the Senator from Penobscot, Senator
Cathcart.

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

ORDERS OF THE DAY

Unfinished Business

The following matters in the consideration of which the Senate was engaged at the time of Adjournment had preference in the Orders of the Day and continued with such preference until disposed of as provided by Senate Rule 516.

The Chair laid before the Senate the following Tabled and Later (2/19/04) Assigned matter:

SENATE REPORTS - from the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act to Support Domestic Businesses in Publicly Funded Construction Projects"
S.P. 217 L.D. 608

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-386)** (7 members)

Minority - **Ought Not to Pass** (6 members)

Tabled - February 18, 2004, by Senator **TURNER** of Cumberland

Pending - motion by Senator **ROTUNDO** of Androscoggin to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report

(In Senate, February 18, 2004, Reports **READ**.)

THE PRESIDENT PRO TEM: The Chair recognizes the Senator from Cumberland, Senator Turner.

Senator **TURNER:** Thank you, Madame President, ladies and gentlemen of the Senate. This bill seeks to put a Band-Aid on the structural defects that are so often present in Maine's economy. Rather than to pass this bill, I would encourage you to vote against the majority report so we can move onto the minority report. I would remind you that structural defects such as high Workers' Compensation costs, unemployment costs, and the like are more the trouble than simply trying to provide a built-in advantage to a domestic bidder in a public construction project. Thank you very much.

THE PRESIDENT PRO TEM: The Chair recognizes the Senator from Androscoggin, Senator Rotundo.

Senator **ROTUNDO:** Thank you, Madame President, men and women of the Senate. I urge you to support the majority report. Two years ago I got a call from the owner of a small business in Lewiston. He's in the steel fabrication industry. He said to me, 'You know if the legislature doesn't do something about trying to mitigate the negative effects of trade agreements my industry will shortly be out of business and other industries will as well.' He talked about the unlevel playing field that trade agreements, such as NAFTA, create. This bill attempts to level the playing field for one manufacturing sector. It's a beginning. International trade is important to our state but it must be fair trade. I, for one, can't sit by and watch more manufacturing jobs leave the state. If we can help one sector of our manufacturing economy by passing this bill I will very pleased. I urge you all, please, to support the majority report that is now before you. Thank you.

THE PRESIDENT PRO TEM: The Chair recognizes the Senator from Kennebec, Senator Blais.

Senator **BLAIS:** Thank you, Madame President. I would like to pose a question through the Chair.

THE PRESIDENT PRO TEM: The Senator may pose his question.

Senator **BLAIS:** Thank you. What trade agreement are we talking about that has any bearing on this particular piece of legislation? Thank you.

THE PRESIDENT PRO TEM: The Senator from Kennebec, Senator Blais poses a question through the Chair to anyone who may wish to answer. The Chair recognizes the Senator from Androscoggin, Senator Rotundo.

Senator **ROTUNDO:** The business owners that I've been dealing with in the state have identified NAFTA in this particular instance. I would encourage you to talk to constituents of yours who are in the steel fabrication industry and they can talk to you very specifically about the effects of NAFTA on their business.

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

THE PRESIDENT PRO TEM: The Chair recognizes the Senator from Cumberland, Senator Turner.

Senator **TURNER:** Thank you, Madame President, ladies and gentlemen of the Senate. I would ask you to reflect back on the initial comments of the good Senator from Androscoggin, Senator Rotundo, when she talked about the need to level the playing field. That is exactly what this is all about, leveling the playing field. This legislation is nothing but a Band-Aid. It does not deal with the underlying structural impediments to Maine's businesses. I would urge that you vote against the pending motion. Thank you.

THE PRESIDENT PRO TEM: The Chair recognizes the Senator from Kennebec, Senator Blais.

Senator **BLAIS:** Thank you, Madame President, men and women of the Senate. I did look into this matter. I spoke to the sponsor of the bill. I spoke to some members of the committee. I asked explicitly exactly what was in play that caused this legislation to be brought forward. I understand that there is the perception that there is a lack of fairness between the State of Maine and some of the Providences in Canada. However, I was presented with zero evidence that NAFTA comes into play. There was some suggestion that there are some local laws in Canada's Providences that provide for a buy Canada or buy Quebec, which does give them some advantage. I think that there are other ways to deal with this problem besides an arbitrary 15% advantage that would be provided to Maine businesses. I think a reciprocity provision would have been a much better approach to this. I would concur with the good Senator from Cumberland, Senator Turner, that the problem that has given rise to this is the impediments that exist on Maine businesses because of high unemployment taxes, Workers' Compensation costs, and other high wage taxes in our state. If we are going to level the playing field, we need to focus in those areas first. Thank you.

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

Senator **BENNETT:** Thank you, Madame President and fellow members of the Senate. I agree with the previous speaker. I think that there are other things that we can do. I really see very little reason to object to the current proposal before us. I will be voting in favor of it. I do think one weakness is that it seems to single out an industry where there are others that similarly effected. I will be supporting the present motion and I hope that we can broaden the bill to encompass some other industries that are similarly affected by competitive pressures from across the boarder. Thank you, Madame President.

THE PRESIDENT PRO TEM: The pending question before the Senate is the motion by the Senator from Androscoggin, Senator Rotundo to Accept the Majority Ought to Pass as Amended Report. A Roll Call has been ordered. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#300)

YEAS: Senators: BENNETT, BRENNAN, BROMLEY, BRYANT, CATHCART, DAGGETT, DAMON, DAVIS, DOUGLASS, EDMONDS, GAGNON, GILMAN, HALL, HATCH, KNEELAND, LAFOUNTAIN, LEMONT, MARTIN, MAYO, MITCHELL, PENDLETON, ROTUNDO, SAVAGE, SHOREY, STANLEY, STRIMLING, WOODCOCK, YOUNGBLOOD, THE PRESIDENT PRO TEM - SHARON A. TREAT

NAYS: Senators: BLAIS, CARPENTER, NASS, SAWYER, TURNER, WESTON

29 Senators having voted in the affirmative and 6 Senators having voted in the negative, the motion by Senator **ROTUNDO** of Androscoggin to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, **PREVAILED**.

READ ONCE.

Committee Amendment "A" (S-386) **READ.**

On motion by Senator **BENNETT** of Oxford, **TABLED** until Later in Today's Session, pending **ADOPTION** of Committee Amendment "A" (S-386).

The Chair laid before the Senate the following Tabled and Later (2/19/04) Assigned matter:

HOUSE REPORTS - from the Committee on **TAXATION** on Bill "An Act To Adopt a Streamlined Sales and Use Tax Agreement That Allows for Local Option Taxes"

H.P. 552 L.D. 746

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-672)** (8 members)

Minority - **Ought Not to Pass** (5 members)

Tabled - February 19, 2004, by Senator **STANLEY** of Penobscot

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

(In House, February 18, 2004, the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-672).**)

(In Senate, February 19, 2004, Reports **READ.**)

THE PRESIDENT PRO TEM: The Chair recognizes the Senator from York, Senator Nass.

Senator **NASS:** Thank you, Madame President, men and women of the Senate. It is a little unusual to stand up in opposition to a report that only asks for a study committee. In that sense I'm also thankful that we have dodged this bullet, even though I'm on the minority here. This is all about the streamlined sales tax project, a project that was started in 2000 and was taken on by NCSL in response to the concern that the states were losing sales tax revenue to the internet or to catalog sales. It's not a new problem. It's been around for a while.

I'm taking this opportunity just to inform everybody here that, even though in the end I'm urging you to support the Ought to Pass report, I'm concerned about this. We ought not to leave this session and go home thinking that there is a source of revenue out there because the promise of this project is not going to be realized. It's a disaster. It's a disaster because of the nature of this sales tax system. We have 7,500 taxing jurisdictions in this country. The initial promise of the project was that somehow we could get down to a one rate - one state situation. Therefore, it could become manageable. All of the states sent representatives to participate in this effort, including Maine. The result was not one rate per state. The result was that we still have 7,500 rates out there. The promise also was that we could computerize this system. That has not happened. So going forward on this, which the study committee would do, we do not have anything, in my mind, that resembles a manageable system for dealing with internet sales. I think we all ought to know that. In fact, when you think about this, there is only one group that comes out of this with an advantage. That somebody is producing products in China or India or Ireland and shipping them into this country via the internet. They are not going to pay a sales tax on this. Every other way you look at this system, somebody in America is going to pay. It may result in more revenue for the State of Maine, but it's going to be a mess. I urge you to vote for the majority Ought to Pass as Amended report but hang on, this is going to be quite a ride. Thank you.

THE PRESIDENT PRO TEM: The Chair recognizes the Senator from Penobscot, Senator Stanley.

Senator **STANLEY:** Thank you, Madame President, ladies and gentlemen of the Senate. I rise today just to say that the title of the bill says that it is a local option tax. This has nothing to do

with local option tax. It is just the way the title of the bill came out. I couldn't agree more with the good Senator from York, Senator Nass, that this is something we ought to take a long hard look at. This is something that is the future and what we are looking at down the road. I urge you to support the Ought to Pass as Amended report. Thank you.

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

READ ONCE.

Committee Amendment "A" (H-672) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Chair laid before the Senate the following Tabled and Later (3/23/04) Assigned matter:

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

Tabled - March 23, 2004, by Senator **DAVIS** of Piscataquis

Pending - **ADOPTION OF COMMITTEE AMENDMENT "A" (S-442)**

(In Senate, March 23, 2004, Report **READ** and **ACCEPTED**. **READ ONCE.** Committee Amendment "A" (S-442) **READ**.)

THE PRESIDENT PRO TEM: The Chair recognizes the Senator from Cumberland, Senator Turner.

Senator **TURNER:** Thank you, Madame President, ladies and gentlemen of the Senate. This bill, as it came before us a week or so ago, caused some outrage on my part. While I am a little more calm at the moment, the outrage is still with me. Let me see if I can explain to you why.

The three Senators in this chamber who serve on Appropriations have had the distasteful experience of listening to the travails of the Baxter Compensation Authority. For those of you who are not aware, this is an authority that we have already funded with \$6 million of our money. They are back looking for at least another \$6 million and more. The root cause of the problem has to do with the physical and sexual abuse of students at the Baxter School for the Deaf. You might ask why does that have anything to do with this bill? We know for certain, at this point, that there is one member drawing retirement from the Maine State Retirement System. This individual resides in Florida. This gives us a very precise location as to his whereabouts. There is suspicion that there are others who are in that retirement system who have also abused, physically and sexually, students at the Baxter School for the Deaf. We don't yet know whether that is the case or not.

I find it curious that for 40 years our retirement system has had the ability to share this information with the public and now, with the adverse publicity of the Baxter School for the Deaf's compensation authority and the fact that we were able to find one individual by going to this public depository, that we now want to close that off. It is for that reason, and that reason only, that I would urge you to not accept the motion that is before us. I think I'll stop at this point and see what reaction we can generate. Thank you.

THE PRESIDENT PRO TEM: The Chair recognizes the Senator from Cumberland, Senator Edmonds.

Senator **EDMONDS:** Thank you, Madame President, men and women of the Senate. While I share the outrage of the good Senator from Cumberland, Senator Turner, regarding the harm caused at the Baxter School for the Deaf, this bill came before us and it is not my sense that it came in response to the Baxter School for the Deaf compensation fund request. I actually sponsored that bill. The challenge, I think, that we face is that no convictions were made in those horrible events. The statute of limitations had run out. Despite everyone's earnest desire that we find the perpetrators and convict them, that was not possible. Frankly, I can't see any legal way to carve out the possibility that those people are there. From our conversations in our committee with the retirement system, my sense was not that this was the case. Perhaps you could say that they wouldn't have stated that publicly and that maybe true. I had a feeling that there was a general sense of trying to reach a policy within the retirement system having to do with board members, trustees, benefit recipients, and active members in the retirement system. That is what it covers. That whole spectrum. In our committee we carved out trustees. We said those folks we feel need to be public. We sent a letter to another committee that is studying the general question of privacy. We made some recommendations. We said that we thought, in terms of present retiree recipients and active members who are all in one place, that having their information be kept confidential was a reasonable solution.

I completely agree with the good Senator's outrage. I wish there was something we could do. I bet everybody in this room wishes there was something we could do. I don't think preventing this bill from going forward is the solution. I urge your support of the majority report.

THE PRESIDENT PRO TEM: The Chair recognizes the Senator from Cumberland, Senator Turner.

Senator **TURNER:** Thank you, Madame President. At the risk of repeating some things that I've already said, I do hope that you will reflect on what you have heard here. Several members in this chamber have more than passing knowledge of what the Baxter Compensation Authority has tried to deal with. At least three of us are trying to figure out how we can find more money when there is no money to further compensate those who have been victimized. I continue to find it curious that this system had no concerns about this matter for 40 years. I recognize the good Senator from Cumberland, Senator Edmonds, is a sponsor on this bill, which I believe was brought to her by the Maine State Retirement System's Executive Director. The perpetrator is free only because of the statute of limitations. It is my strong suspicion that there are others in this depository of public information who are also guilty but will never be charged and

convicted because of the statute of limitations. Right now we know where one person is. The students who were abused by that individual know where he is. If you pass this law, they will probably find some way to get around the lack of information and go to other sources. If this perpetrator moves from Florida to Arizona or Florida to Alabama, they will know because this information, as it exists today, is public. I would urge you not to accept this report or pass the bill. Thank you.

The Chair ordered a Division. 21 Senators having voted in the affirmative and 14 Senators having voted in the negative, Committee Amendment "A" (S-442) **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Chair laid before the Senate the following Tabled and Later (3/25/04) Assigned matter:

Bill "An Act To Eliminate State Licensing of Boxers, Wrestlers and Transient Sellers"

S.P. 468 L.D. 1410
(C "A" S-377)

Tabled - March 25, 2004, by Senator **GAGNON** of Kennebec

Pending - motion by Senator **BROMLEY** of Cumberland to **RECEDE** and **CONCUR** (Roll Call Ordered)

(In Senate, February 10, 2004, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-377).**)

(In House, March 23, 2004, **PASSED TO BE ENGROSSED**, in **NON-CONCURRENCE**.)

THE PRESIDENT PRO TEM: The Chair recognizes the Senator from Somerset, Senator Hatch.

Senator **HATCH:** Thank you, Madame President, ladies and gentlemen of the Senate. I rise today to ask you to vote against the Recede and Concur. This was a very bad bill six years ago, it was a bad bill four years ago, it is a bad bill today. What this does, at this point with the amendment, is to mandate that we do away with any tough men competitions. Across the United States tough men competitions have begun to happen. They involve a multitude of sport endeavors, including boxing, wrestling, kick boxing, and all sorts of things. The initial bill is amended out. I think the whole bill should go, including the amendment. Originally it was to do away with licensing of the boxers and the commission itself. I have very grave reservations about doing away with the commission, the board that oversees boxing and wrestling in this state. Therefore, I would like to see the whole bill killed. I ask you to join me in voting against the Recede and Concur so we can indefinitely postpone this bill. Thank you.

THE PRESIDENT: The pending question before the Senate is the motion by the Senator from Cumberland, Senator Bromley to Recede and Concur. A Roll Call has been ordered. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#301)

YEAS: Senators: **BROMLEY**, **CATHCART**, **DAGGETT**, **GAGNON**, **HALL**, **KNEELAND**, **MAYO**, **NASS**, **SHOREY**, **TURNER**, **THE PRESIDENT PRO TEM** - **SHARON A. TREAT**

NAYS: Senators: **BENNETT**, **BLAIS**, **BRENNAN**, **BRYANT**, **CARPENTER**, **DAMON**, **DAVIS**, **DOUGLASS**, **EDMONDS**, **GILMAN**, **HATCH**, **LAFOUNTAIN**, **LEMONT**, **MARTIN**, **MITCHELL**, **PENDLETON**, **ROTUNDO**, **SAVAGE**, **SAWYER**, **STANLEY**, **STRIMLING**, **WESTON**, **WOODCOCK**, **YOUNGBLOOD**

11 Senators having voted in the affirmative and 24 Senators having voted in the negative, the motion by Senator **BROMLEY** of Cumberland to **RECEDE** and **CONCUR**, **FAILED**.

On motion by Senator **HATCH** of Somerset, the Senate **RECEDED**.

On further motion by same Senator, Bill and accompanying papers **INDEFINITELY POSTPONED**, in **NON-CONCURRENCE**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (3/29/04) Assigned matter:

HOUSE REPORTS - from the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Recruit and Retain College Graduates through Loan Repayment"

H.P. 1387 L.D. 1864

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-794)** (12 members)

Minority - **Ought Not to Pass** (1 member)
Tabled - March 29, 2004, by Senator **BENNETT** of Oxford

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

(In House, March 26, 2004, the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-794).**)

(In Senate, March 29, 2004, Reports **READ**.)

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

READ ONCE.

Committee Amendment "A" (H-794) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Chair laid before the Senate the following Tabled and Later (3/29/04) Assigned matter:

HOUSE REPORTS - from the Committee on **NATURAL RESOURCES** on Bill "An Act To Improve Subdivision Standards" H.P. 1195 L.D. 1617

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-792)** (10 members)

Minority - **Ought Not to Pass** (2 members)

Tabled - March 29, 2004, by Senator **GAGNON** of Kennebec

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

(In House, March 26, 2004, the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-792).**)

(In Senate, March 29, 2004, Reports **READ.**)

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

READ ONCE.

Committee Amendment "A" (H-792) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Chair laid before the Senate the following Tabled and Later (3/29/04) Assigned matter:

Bill "An Act Regarding Wildlife Habitat Conservation" H.P. 604 L.D. 827

Tabled - March 29, 2004, by Senator **BENNETT** of Oxford

Pending - **ADOPTION OF COMMITTEE AMENDMENT "A" (H-799)**, in concurrence

(In House, March 26, 2004, the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-799).**)

(In Senate, March 29, 2004, Reports **READ.** On motion by Senator **STANLEY** of Penobscot, the Majority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**, in concurrence. **READ ONCE.** Committee Amendment "A" (H-799) **READ.**)

Committee Amendment "A" (H-799) **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senate at Ease.

Senate called to order by President Pro Tem **SHARON A. TREAT** of Kennebec County.

Off Record Remarks

Senator **BRYANT** of Oxford was granted unanimous consent to address the Senate off the Record.

Off Record Remarks

On motion by Senator **GAGNON** of Kennebec, **ADJOURNED**, to Wednesday, March 31, 2004, at 10:00 in the morning.