

MAINE STATE LEGISLATURE

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Senate Legislative Record
One Hundred and Twenty-Second Legislature

State of Maine

Daily Edition

First Regular Session
December 4, 2004 to March 30, 2005

Pages 1 - 410

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

In Senate Chamber
Tuesday
January 11, 2005

Senate called to order by President Beth G. Edmonds of Cumberland County.

Prayer by Reverend David Butler of First Parish Congregational Church, UCC of Gorham.

REVEREND BUTLER: Good morning. Please join with me in the spirit of prayer.

Our God, in whose power the heavens move and the stars blaze, in whose grace hearts are lifted from despair and lives are freed from fear, in whose spirit all things are made new, be in this place and in these leaders today, in power, in grace, and in spirit. Let Your power fill this place with the energy for new ideas and bold truths and a deep care for what is good. Let Your grace fill these hearts with a compassion for those who need our society's help and a vision of a promise land of love and justice for all people. Let Your spirit move these public servants with such a passion that they will speak the words and do the deeds that will make this public forum a transforming force for good in our lives, in our communities, and in our world. Let that power and grace and spirit be felt here today as we gather and dare to presume that You gather here with us, now and forever. Amen.

Pledge of Allegiance led by Senator Philip L Bartlett II of Cumberland County.

Doctor of the day, Dr. Lawrence Mutty of Castine.

Reading of the Journal of Thursday, January 6, 2005.

Off Record Remarks

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Apply a System of Spending Limitations to State, County and Municipal Governments and School Administrative Units"

H.P. 33 L.D. 30

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

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

Bill "An Act To Provide for the Efficient Administration of Family Development Accounts"

H.P. 27 L.D. 24

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

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

Bill "An Act To Provide Justice to Those Found Not Guilty Due to Mental Disease or Defect and Decrease Costs to the State"

H.P. 32 L.D. 29

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

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

Bill "An Act To Clarify Eligibility for the Temporary Assistance for Needy Families Program"

H.P. 17 L.D. 14

Bill "An Act To Inform Patrons of Food Service Establishments about the Use of Latex Gloves in Food Preparation"

H.P. 18 L.D. 15

Bill "An Act To Amend the Certificate of Need Process"

H.P. 19 L.D. 16

Bill "An Act To Enhance Community Involvement Regarding Methadone Clinics"

H.P. 24 L.D. 21

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

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

Bill "An Act To Amend the Law Governing Hunting and Fishing Licenses for Maine National Guard Members"
H.P. 23 L.D. 20

Resolve, Directing the Commissioner of Inland Fisheries and Wildlife To Issue a Policy Clarifying Public Access Requirements for Ponds To Qualify for Fish Stocking Programs
H.P. 25 L.D. 22

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

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

Bill "An Act To Require That Licensed Pastoral Counselors Be Recognized as Licensed Professionals for Purposes of Insurance Reimbursement"
H.P. 30 L.D. 27

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

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

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

Bill "An Act To Educate Women on the Medical Risks Associated with Abortion"
H.P. 28 L.D. 25

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

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

Bill "An Act To Establish Charity Appreciation Week"
H.P. 26 L.D. 23

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

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

Bill "An Act To Clarify the Law Regarding Transfer Tax Liability for Deeds between Domestic Partners"
H.P. 22 L.D. 19

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

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

Bill "An Act To Require the Department of Transportation To Maintain the Morneault Road in Grand Isle"
H.P. 21 L.D. 18

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

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

H.P. Pursuant to Public Law
Health Care System and Health Security Board

The **Health Care System and Health Security Board**, pursuant to Public Law 2001, chapter 439, Pt. ZZZ, as amended by Public Law 2003, chapter 492 asked leave to report that the accompanying Resolve, To Reestablish the Health Care System and Health Security Board (EMERGENCY)
H.P. 35 L.D. 32

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

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

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

On motion by Senator **SULLIVAN** of York, **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES** and ordered printed pursuant to Joint Rule 218, in concurrence.

Pursuant to Statute
Maine Fire Protection Services Commission

The **Maine Fire Protection Services Commission**, pursuant to the Maine Revised Statutes, Title 5, section 3371 asked leave to report that the accompanying Resolve, To Fund a Study Regarding Health Care for Maine's Firefighters
H.P. 15 L.D. 10

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

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

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

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

**Pursuant to Statute
Department of Education**

The **Department of Education**, pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of the Repeal of Chapter 130: Rules for Equivalent Instruction Programs, a Major Substantive Rule That Has Been Provisionally Repealed by the Department of Education (EMERGENCY)

H.P. 13 L.D. 8

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

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

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

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

Off Record Remarks

**Pursuant to Statute
Department of Education**

The **Department of Education**, pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Chapter 40: Medication Administration in Maine Schools, a Major Substantive Rule of the Department of Education (EMERGENCY)

H.P. 16 L.D. 11

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

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

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

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

**Pursuant to Statute
Department of Health and Human Services, Office of
Substance Abuse**

The **Department of Health and Human Services, Office of Substance Abuse**, pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Chapter 11: Registration, Collection and Dissemination of Prescription Data Relating to Schedule II, III and IV Drugs, a Major Substantive Rule of the Department of Health and Human Services, Office of Substance Abuse (EMERGENCY)

H.P. 14 L.D. 9

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

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

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

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

**Pursuant to Statute
Governor's Office of Health Policy and Finance**

The **Governor's Office of Health Policy and Finance**, pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Chapter 101: Establishment of the Capital Investment Fund, a Major Substantive Rule of the Governor's Office of Health Policy and Finance (EMERGENCY)

H.P. 36 L.D. 33

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

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

Report **READ**.

On motion by Senator **SULLIVAN** of York, Report **REJECTED**.

On further motion by same Senator, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed pursuant to Joint Rule 218, in **NON-CONCURRENCE**.

Sent down for concurrence.

**Pursuant to Statute
Department of Labor**

The **Department of Labor**, pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Chapter 15: Rules Relating to Severance Pay, a Major Substantive Rule of the Department of Labor, Bureau of Labor Standards (EMERGENCY)

H.P. 12 L.D. 7

Be **REFERRED** to the Committee on **LABOR** and ordered printed pursuant to Joint Rule 218.

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

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

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

**Pursuant to Statute
Maine State Retirement System**

The **Maine State Retirement System**, pursuant to the Maine Revised Statutes, Title 5, section 17103, subsection 13 asked leave to report that the accompanying Bill "An Act To Establish the Administrative Operating Budget for the Maine State Retirement System for the Fiscal Year Ending June 30, 2006" (EMERGENCY)

H.P. 34 L.D. 31

Be **REFERRED** to the Committee on **LABOR** and ordered printed pursuant to Joint Rule 218.

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

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

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

COMMUNICATIONS

The Following Communication: S.C. 21

**OFFICE OF THE PRESIDENT
3 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0003**

January 4, 2005

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

Dear Secretary O'Brien:

Pursuant to my authority under Title 20-A MRSA, § 11002, I am pleased to appoint Senator Elizabeth Mitchell of Kennebec to the New England Board of Higher Education. She will be replacing Senator Mary Cathcart.

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

Sincerely,

S/Beth Edmonds
President of the Senate

READ and **ORDERED PLACED ON FILE**.

The Following Communication: S.C. 22

**OFFICE OF THE PRESIDENT
3 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0003**

January 4, 2005

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

Dear Secretary O'Brien:

Pursuant to my authority under Title 38, MRSA, Chapter 14-A, Section 1453-A, I am pleased to appoint Senator Scott Cowger of Kennebec to the Advisory Commission on Radioactive Waste and Decommissioning, representing a Senator on the Natural Resources Committee. He will be replacing Senator Sharon Treat.

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

Sincerely,

S/Beth Edmonds
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 23

**OFFICE OF THE PRESIDENT
3 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0003**

January 5, 2005

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

Dear Secretary O'Brien:

Pursuant to my authority under Joint Rule 351, I have made the following appointments to the Joint Select Committee on Joint Rules:

Senator John L. Martin of Aroostook, Chair
Senator Kenneth T. Gagnon of Kennebec
Senator Philip L. Bartlett II of Cumberland
Senator Peter Mills of Somerset
Senator Richard A. Nass of York

If you have any questions, please do not hesitate to contact me.

Sincerely,

S/Beth Edmonds
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 24

**OFFICE OF THE PRESIDENT
3 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0003**

January 5, 2005

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

Dear Secretary O'Brien:

Pursuant to my authority under Senate Rule 201.5, I have made the following appointments to the Committee on Engrossed Bills:

Senator John L. Martin of Aroostook, Chair
Senator Bill Diamond of Cumberland
Senator Christine Savage of Knox
Senator Richard W. Rosen of Hancock

If you have any questions, please do not hesitate to contact me.

Sincerely,

S/Beth Edmonds
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 25

**OFFICE OF THE PRESIDENT
3 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0003**

January 5, 2005

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

Dear Secretary O'Brien:

Pursuant to my authority under Senate Rule 201.6, I have made the following appointments to the Committee on Conduct and Ethics:

Senator Barry J. Hobbins of York, Chair
Senator Kenneth T. Gagnon of Kennebec
Senator Nancy B. Sullivan of York
Senator Chandler E. Woodcock of Franklin
Senator Dean F. Clukey of Aroostook

If you have any questions, please do not hesitate to contact me.

Sincerely,

S/Beth Edmonds
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 26

**OFFICE OF THE PRESIDENT
3 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0003**

January 5, 2005

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

Dear Secretary O'Brien:

Pursuant to my authority under Senate Rule 201.5, I have made the following appointments to the Committee on Bills in the Second Reading:

Senator Ethan Strimling of Cumberland, Chair
Senator Elizabeth M. Schneider of Penobscot
Senator Kevin L. Raye of Washington
David R. Hastings III of Oxford

If you have any questions, please do not hesitate to contact me.

Sincerely,

S/Beth Edmonds
President of the Senate

READ and ORDERED PLACED ON FILE.

SENATE PAPERS

Bill "An Act To Support the Department of Conservation, Bureau of Forestry's Aerial Fire Suppression Program"

S.P. 37 L.D. 95

Sponsored by Senator NUTTING of Androscoggin.
Cosponsored by Representative PINEAU of Jay and Senators: BRYANT of Oxford, RAYE of Penobscot, Representatives: CARR of Lincoln, FLOOD of Winthrop, LUNDEEN of Mars Hill, PIOTTI of Unity, SHERMAN of Hodgdon, SMITH of Monmouth.
Submitted by the Department of Conservation pursuant to Joint Rule 204.

On motion by Senator **NUTTING** of Androscoggin, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed.

Sent down for concurrence.

Bill "An Act To Authorize a General Fund Bond Issue in the Amount of \$75,000,000 for the Land for Maine's Future Fund"

S.P. 15 L.D. 35

Sponsored by Senator BRENNAN of Cumberland.
Cosponsored by Senator ANDREWS of York, Representative DUDLEY of Portland, Representative CUMMINGS of Portland and Senators: COWGER of Kennebec, President EDMONDS of Cumberland, GAGNON of Kennebec, MARTIN of Aroostook, ROTUNDO of Androscoggin, Representatives: BRAUTIGAM of Falmouth, Speaker RICHARDSON of Brunswick.

Resolve, To Establish a Demonstration Project To Create Mental Health and Substance Abuse Treatment Programs for Immigrant and Refugee Populations

S.P. 17 L.D. 37

Sponsored by Senator BRENNAN of Cumberland.
Cosponsored by Representative WALCOTT of Lewiston and Senators: BARTLETT of Cumberland, MAYO of Sagadahoc, NUTTING of Androscoggin, ROTUNDO of Androscoggin, STRIMLING of Cumberland, Representative: ADAMS of Portland.

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

Sent down for concurrence.

Bill "An Act To Increase the Adult Education State Subsidy by a Specific Percentage"

S.P. 38 L.D. 96

Sponsored by Senator ROTUNDO of Androscoggin.
Cosponsored by Senators: DAVIS of Piscataquis, NASS of York, Representatives: CUMMINGS of Portland, NASS of Acton, PINGREE of North Haven.

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

On motion by Senator **ROTUNDO** of Androscoggin, **TABLED** until Later in Today's Session, pending **REFERENCE**.

Bill "An Act to Prohibit Payment Card Skimming"

S.P. 23 L.D. 83

Sponsored by Senator SNOWE-MELLO of Androscoggin.
Cosponsored by Representative FLETCHER of Winslow and Senators: CLUKEY of Aroostook, DAVIS of Piscataquis, DIAMOND of Cumberland, ROSEN of Hancock, Representatives: GERZOFOSKY of Brunswick, MILLETT of Waterford, RICHARDSON of Skowhegan.

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

Sent down for concurrence.

Bill "An Act Regarding Interscholastic Athletics"

S.P. 26 L.D. 84

Sponsored by Senator BRENNAN of Cumberland.
Cosponsored by Representative CUMMINGS of Portland and Senators: MITCHELL of Kennebec, SCHNEIDER of Penobscot, Representative: HARLOW of Portland.

On motion by Senator **MITCHELL** of Kennebec, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.

Sent down for concurrence.

Bill "An Act To Suspend or Revoke Licenses and Permits Issued by the Department of Inland Fisheries and Wildlife to a Person Convicted of Operating under the Influence"
S.P. 21 L.D. 82

Sponsored by Senator **WOODCOCK** of Franklin.

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

Sent down for concurrence.

Bill "An Act To Give the Commissioner of Inland Fisheries and Wildlife the Authority To Allow the Operation of Snowmobiles Registered outside the State at Special Events Occurring in the State" (EMERGENCY)
S.P. 31 L.D. 89

Sponsored by Senator **MARTIN** of Aroostook.
Cosponsored by Representative **PARADIS** of Frenchville and Senators: **BRYANT** of Oxford, **WOODCOCK** of Franklin, Representatives: **JACKSON** of Fort Kent, **SMITH** of Van Buren, **TRAHAN** of Waldoboro, **WATSON** of Bath.

Committee on **INLAND FISHERIES AND WILDLIFE** suggested and ordered printed.

On motion by Senator **BRYANT** of Oxford, under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, without reference to a Committee.

Ordered sent down forthwith for concurrence.

Bill "An Act To Increase the Availability of Individual Health Insurance in Maine"
S.P. 28 L.D. 86

Sponsored by Senator **SNOWE-MELLO** of Androscoggin.
Cosponsored by Representative **FLETCHER** of Winslow and Senators: **COURTNEY** of York, **HASTINGS** of Oxford, Representatives: **CRESSEY** of Cornish, **GLYNN** of South Portland, **HAMPER** of Oxford, **MCKANE** of Newcastle, **SHIELDS** of Auburn, **VAUGHAN** of Durham.

Bill "An Act To Terminate Payments to the Maine Workers' Compensation Residual Market Pool from the Maine Insurance Guaranty Association" (EMERGENCY)
S.P. 39 L.D. 97

Sponsored by Senator **MAYO** of Sagadahoc.
Cosponsored by Representative **PERRY** of Calais and Senators: **MILLS** of Somerset, **SULLIVAN** of York.

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

Sent down for concurrence.

Bill "An Act Concerning Disability Retirement Benefits under the Maine State Retirement System"
S.P. 35 L.D. 93

Sponsored by Senator **MAYO** of Sagadahoc.
Cosponsored by Representative **HUTTON** of Bowdoinham and Senators: **BARTLETT** of Cumberland, **STRIMLING** of Cumberland, Representative: **TUTTLE** of Sanford.

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

Sent down for concurrence.

Bill "An Act Regarding the Gambling Control Board" (EMERGENCY)
S.P. 32 L.D. 90

Sponsored by Senator **PERRY** of Penobscot.
Cosponsored by Representative **HOTHAM** of Dixfield and Senators: **GAGNON** of Kennebec, **MAYO** of Sagadahoc, Representatives: **BROWN** of South Berwick, **FISHER** of Brewer, **GERZOFISKY** of Brunswick, **MOORE** of Standish, **PATRICK** of Rumford, **TUTTLE** of Sanford.
Submitted by the Department of Public Safety pursuant to Joint Rule 204.

Bill "An Act To Amend the Law Governing the Storage of Spirits"
S.P. 33 L.D. 91

Sponsored by Senator **MAYO** of Sagadahoc.
Cosponsored by Representative **PATRICK** of Rumford and Senator: President **EDMONDS** of Cumberland, Representatives: **BARSTOW** of Gorham, **HOTHAM** of Dixfield, **WEBSTER** of Freeport.

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

Sent down for concurrence.

LEGISLATIVE RECORD - SENATE, TUESDAY, JANUARY 11, 2005

Bill "An Act To Require That All Persons Engaging in Asbestos Abatement Activities Be Subject to Licensing and Certification Requirements"

S.P. 20 L.D. 40

Sponsored by Senator MAYO of Sagadahoc.

On motion by Senator **COWGER** of Kennebec, **REFERRED** to the Committee on **NATURAL RESOURCES** and ordered printed.

Sent down for concurrence.

Bill "An Act To Codify Senate Districts in Statute"

S.P. 40 L.D. 98

Sponsored by Senator GAGNON of Kennebec.
Cosponsored by Speaker RICHARDSON of Brunswick and Senators: BRENNAN of Cumberland, DAVIS of Piscataquis, President EDMONDS of Cumberland, WESTON of Waldo.

On motion by Senator **SCHNEIDER** of Penobscot, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

Sent down for concurrence.

Bill "An Act To Establish Moxie as Maine's Official Beverage"

S.P. 27 L.D. 85

Sponsored by Senator ROTUNDO of Androscoggin.
Cosponsored by Representative BERUBE of Lisbon and Senators: COWGER of Kennebec, President EDMONDS of Cumberland, GAGNON of Kennebec, NUTTING of Androscoggin, ROSEN of Hancock, Representatives: PINGREE of North Haven, THOMPSON of China, VAUGHAN of Durham.

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

On motion by Senator **SCHNEIDER** of Penobscot, **TABLED** until Later in Today's Session, pending **REFERENCE**.

Bill "An Act To Establish a Limited Sales-tax-free Shopping Week"

S.P. 24 L.D. 81

Sponsored by Senator WOODCOCK of Franklin.
Cosponsored by Representative BOWLES of Sanford and Senators: COURTNEY of York, NASS of York, ROSEN of Hancock.

Bill "An Act To Phase Out the Corporate Income Tax over a 5-year Period"

S.P. 29 L.D. 87

Sponsored by Senator WOODCOCK of Franklin.
Cosponsored by Senator: COURTNEY of York.

Bill "An Act To Provide for Sales Tax Exemption Reciprocity for School Groups Visiting Other Jurisdictions"

S.P. 34 L.D. 92

Sponsored by Senator MAYO of Sagadahoc.
Cosponsored by Representative PERCY of Phippsburg and Senator: GAGNON of Kennebec, Representatives: GERZOFISKY of Brunswick, GROSE of Woolwich, HUTTON of Bowdoinham.

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

Sent down for concurrence.

Bill "An Act To Promote Access to Transportation for Seniors"

S.P. 16 L.D. 36

Sponsored by Senator BRENNAN of Cumberland.
Cosponsored by Representative DUDLEY of Portland and Senators: BARTLETT of Cumberland, DAMON of Hancock, DIAMOND of Cumberland, STRIMLING of Cumberland, Representatives: ADAMS of Portland, BRAUTIGAM of Falmouth, DUPLESSIE of Westbrook, FISHER of Brewer.

Bill "An Act To Enhance Highway Safety"

S.P. 18 L.D. 38

Sponsored by Senator COURTNEY of York.
Cosponsored by Representatives: BIERMAN of Sorrento, CAMPBELL of Newfield, DUPREY of Hampden, WHEELER of Kittery.

Bill "An Act To Amend the Definition of Authorized Emergency Vehicle"

S.P. 19 L.D. 39

Sponsored by Senator COURTNEY of York.
Cosponsored by Representative WHEELER of Kittery and Senator: NASS of York, Representatives: BIERMAN of Sorrento, CAMPBELL of Newfield, CLOUGH of Scarborough, COLLINS of Wells, FLETCHER of Winslow, NASS of Acton.

Bill "An Act To Allow the Issuance of Vanity Plates for Buses" (EMERGENCY)

S.P. 22 L.D. 79

Sponsored by Senator BROMLEY of Cumberland.
Cosponsored by Representative CLOUGH of Scarborough.

LEGISLATIVE RECORD - SENATE, TUESDAY, JANUARY 11, 2005

Bill "An Act To Amend the Law Governing Use of Seat Belts"
S.P. 25 L.D. 80

Sponsored by Senator SAVAGE of Knox.
Cosponsored by Representative PARADIS of Frenchville,
Representative SAMPSON of Auburn and Senators: CLUKEY of
Aroostook, DAMON of Hancock, DAVIS of Piscataquis, TURNER
of Cumberland, Representatives: BROWNE of Vassalboro,
PINGREE of North Haven, RECTOR of Thomaston, RINES of
Wiscasset.

Bill "An Act To Eliminate Automobile Inspection Requirements"
S.P. 30 L.D. 88

Sponsored by Senator WOODCOCK of Franklin.

On motion by Senator DAMON of Hancock, REFERRED to the
Committee on TRANSPORTATION and ordered printed.

Sent down for concurrence.

Bill "An Act To Credit Utility Customers with Certain Amounts Paid
as Fines"

S.P. 36 L.D. 94

Sponsored by Senator BARTLETT of Cumberland.
Cosponsored by Representative BLISS of South Portland.
Submitted by the Office of Public Advocate pursuant to Joint Rule
204.

On motion by Senator BARTLETT of Cumberland, REFERRED
to the Committee on UTILITIES AND ENERGY and ordered
printed.

Sent down for concurrence.

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

Senate at Ease.

Senate called to order by the President.

RECESSED until the sound of the bell.

After Recess

Senate called to order by the President.

ORDERS OF THE DAY

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

Bill "An Act To Implement the School Finance and Tax Reform
Act of 2003"

S.P. 11 L.D. 12

Tabled - January 6, 2005, by Senator BRENNAN of Cumberland

Pending - **REFERENCE**

(Committee on TAXATION suggested and ordered printed.)

On motion by Senator BRENNAN of Cumberland, REFERRED to
the Committee on TAXATION.

Sent down for concurrence.

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

Bill "An Act To Establish Moxie as Maine's Official Beverage"
S.P. 27 L.D. 85

Tabled - January 11, 2005, by Senator SCHNEIDER of
Penobscot

Pending - **REFERENCE**

(Committee on STATE AND LOCAL GOVERNMENT suggested
and ordered printed.)

On motion by Senator SCHNEIDER of Penobscot, REFERRED to
the Committee on STATE AND LOCAL GOVERNMENT.

Sent down for concurrence.

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

PAPERS FROM THE HOUSE

Joint Order

The following Joint Order:

H.P. 108

ORDERED, the Senate concurring, that the Joint Select
Committee on Property Tax Reform shall report out, to the House,
the following 6 bills:

1. A constitutional resolution proposing an amendment to the
Constitution of Maine that would permit the Legislature to allow
current use valuation of waterfront land used for commercial
fishing;

2. A constitutional resolution proposing an amendment to the Constitution of Maine that would allow the Legislature to provide a local option homestead exemption;

3. A constitutional resolution proposing an amendment to the Constitution of Maine that would allow the Legislature to authorize a local option property tax assistance program that reflects a claimant's ability to pay;

4. A constitutional resolution proposing an amendment to the Constitution of Maine that would allow the Legislature to authorize a growth limitation on the valuation of small business land;

5. A constitutional resolution proposing an amendment to the Constitution of Maine that would allow the Legislature to authorize a higher mill rate assessment on secondary residential property; and

6. A bill to provide a schedule of school funding that provides 55% state coverage of the cost of essential programs and services over a period of 2 years.

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

READ.

Pursuant to Joint Rule 103, the affirmative vote of two-thirds of the members present and voting required for Passage. 32 Senators having voted in the affirmative and no Senators having votes in the negative, with 32 being more than two-thirds of the members present and voting, the Joint Order was **PASSED**, in concurrence.

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

PAPERS FROM THE HOUSE

House Papers

Resolve, To Require the Department of Conservation To Maintain Public Access To the Fire Tower on Rocky Mountain near Allagash

H.P. 58 L.D. 62

Bill "An Act To Amend Provisions of the Maine Land Use Regulation Commission Law"

H.P. 93 L.D. 117

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Expand the Maine Economic Improvement Fund"
H.P. 38 L.D. 42

Bill "An Act To Fund the Acquisition of Land by the Land for Maine's Future Board from the General Fund"
H.P. 74 L.D. 78

Bill "An Act To Promote Math and Science Education Learning Kindergarten to Grade 12"
H.P. 95 L.D. 119

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

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

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

PAPERS FROM THE HOUSE

House Papers

Resolve, To Reduce Forgery and Fraud in Obtaining Prescription Drugs

H.P. 45 L.D. 49

Bill "An Act To Support Payroll Processors" (EMERGENCY)
H.P. 55 L.D. 58

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Criminalize Harming a Dog Used for Law Enforcement Purposes"

H.P. 49 L.D. 53

LEGISLATIVE RECORD - SENATE, TUESDAY, JANUARY 11, 2005

Bill "An Act To Allow the Part-time Assignment of State Police Officers to Municipalities"

H.P. 78 L.D. 102

Bill "An Act To Require Cigarettes Sold in Maine To Be Fire-safe"

H.P. 80 L.D. 104

Bill "An Act To Provide Equity in the State Contribution to County Jail Expenses"

H.P. 82 L.D. 106

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Provide Free Tuition to Students Achieving Learning Results Standards"

H.P. 53 L.D. 57

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Provide Hunters 70 Years of Age or Older with Antlerless Deer Permits"

H.P. 39 L.D. 43

Bill "An Act To Ensure the Safe and Timely Retrieval of Wounded Bear"

H.P. 44 L.D. 48

Bill "An Act To Ban Remote-control Hunting"

H.P. 46 L.D. 50

Bill "An Act To Allow the Use of Crossbows for Hunting"

H.P. 63 L.D. 67

Bill "An Act To Require the Turkey Season To Include the Last 2 Weeks of April"

H.P. 96 L.D. 120

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Prohibit Credit Card Companies from Charging Late Fees on Certain Accounts"

H.P. 37 L.D. 41

Bill "An Act To Protect Consumers from Unfair Cancellation of Property Insurance Coverage"

H.P. 61 L.D. 65

Bill "An Act To Promote Health Insurance Coverage for Employees of Small Businesses"

H.P. 87 L.D. 111

Bill "An Act To Provide a Mandate-free Health Insurance Policy"

H.P. 90 L.D. 114

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Allow Insurers To Limit Their Uninsured Motorist Coverage to Persons Listed on the Policy"

H.P. 98 L.D. 122

Bill "An Act To Require Health Insurance Policies To Provide Coverage for Physical, Occupational and Speech Therapy"

H.P. 103 L.D. 127

Bill "An Act To Establish a Single-payor Health Care System"

H.P. 106 L.D. 130

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

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

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

PAPERS FROM THE HOUSE

House Papers

Resolve, To Encourage Parents To Choose To Dedicate a Portion of Child Support Payments to College Investment Accounts

H.P. 47 L.D. 51

Bill "An Act To Authorize a Judge To Order Involuntary Commitment of a Person with Mental Illness Not Taking Prescribed Medication"

H.P. 57 L.D. 61

Bill "An Act To Establish the Fully Informed Jury Act"

H.P. 79 L.D. 103

Bill "An Act To Amend the Laws Pertaining to Temporary Guardianship"

H.P. 81 L.D. 105

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

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

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Reduce Workers' Compensation Costs for Small Business Employers"

H.P. 50 L.D. 54

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Ensure the Maintenance of Veterans' Cemeteries"

H.P. 60 L.D. 64

Bill "An Act To Reimburse Philip Wolley for Litigation Expenses Incurred in Connection with His Termination and Reinstatement as a State Employee"

H.P. 62 L.D. 66

Bill "An Act To Amend the Laws Governing the Funding of State Special Elections"

H.P. 66 L.D. 70

Bill "An Act To Require Valid Identification for All Purchases of Liquor"

H.P. 73 L.D. 77

Resolve, Requiring the Secretary of State To Develop Voting Systems Standards (EMERGENCY)

H.P. 76 L.D. 100

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Require That Accelerated Campaign Finance Reports Be Completed by Both Clean Election and Nonparticipating Candidates"

H.P. 85 L.D. 109

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.

Bill "An Act Concerning Multiple-item Bond Issues"

H.P. 99 L.D. 123

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 **APPROPRIATIONS AND FINANCIAL AFFAIRS**, in **NON-CONCURRENCE**.

Sent down for concurrence.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Promote Sound Science in Climate Change Policy"

H.P. 68 L.D. 72

Bill "An Act To Include Specific Bodies of Water within Class C Standards"

H.P. 75 L.D. 99

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Reform County Government"

H.P. 40 L.D. 44

Bill "An Act To Use the Buying Power of the State To Purchase Heating Oil for Low-income and Elderly Residents"

H.P. 59 L.D. 63

Bill "An Act To Eliminate Daylight Saving Time"

H.P. 64 L.D. 68

Bill "An Act To Prohibit the Federal Government from Owning Property in the State Not Specifically Authorized in the United States Constitution"

H.P. 69 L.D. 73

Bill "An Act To Amend the Membership of the InforME Board"

H.P. 77 L.D. 101

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Improve Communication, Cooperation and Efficiencies in State Government"

H.P. 97 L.D. 121

Resolve, Authorizing the City of Gardiner To Refinance Certain Temporary Bond Anticipation Notes Issued for Its Wastewater Project (EMERGENCY)

H.P. 102 L.D. 126

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

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

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

PAPERS FROM THE HOUSE

House Papers

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Facilitate the Repeal of the Taxation of Personal Property Valued at \$1,000 or More

H.P. 52 L.D. 56

Bill "An Act To Increase the Property Tax Exemption for Veterans"

H.P. 70 L.D. 74

Bill "An Act To Authorize Municipalities To Give Property Tax Relief to Volunteer Firefighters and Emergency Medical Services Personnel"

H.P. 71 L.D. 75

Bill "An Act To Conform Maine Estate Tax Law with Federal Estate Tax Laws"

H.P. 88 L.D. 112

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act Enabling Municipalities To Establish Municipal Land Banks Funded by Local Option Real Estate Transfer Taxes"
H.P. 91 L.D. 115

Bill "An Act To Provide Tax Relief for People with Functional Limitations"
H.P. 94 L.D. 118

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

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

Resolve, To Rename Chick Road in Lebanon and Sanford after the Late State Representative Howard Chick
H.P. 41 L.D. 45

Bill "An Act To Require the State To Provide Winter Maintenance on State Aid Highways"
H.P. 43 L.D. 47

Bill "An Act To Repeal the Authority of the Department of Transportation To Assess Impact Fees on New Businesses"
H.P. 54 L.D. 59

Bill "An Act To Amend the Law Pertaining to Nitrous Oxide Systems"
H.P. 67 L.D. 71

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Allow Animal Control Officers and Individuals Who Collect Trash To Use Flashing Amber Lights on Their Vehicles"
H.P. 89 L.D. 113

Bill "An Act To Require Informational Signs on the Maine Turnpike for The Theater at Monmouth"
H.P. 100 L.D. 124

Bill "An Act To Create a License Plate for the Elks Organization"
H.P. 104 L.D. 128

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Require Permission of Customers before a Phone Company Can Bill Retroactively"
H.P. 42 L.D. 46

Bill "An Act To Allow Timothy Gousse To Purchase Water from the Gardiner Water District"
H.P. 101 L.D. 125

Come from the House, **REFERRED** to the Committee on **UTILITIES AND ENERGY** and ordered printed.

On motion by Senator **BARTLETT** of Cumberland, **REFERRED** to the Committee on **UTILITIES AND ENERGY** and ordered printed, in concurrence.

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

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

Senator **BRENNAN** of Cumberland was granted unanimous consent to address the Senate off the Record.

Senator **NUTTING** of Androscoggin was granted unanimous consent to address the Senate off the Record.

Senator **BROMLEY** of Cumberland was granted unanimous consent to address the Senate off the Record.

Off Record Remarks

On motion by Senator **BRENNAN** of Cumberland, **ADJOURNED**, to Thursday, January 13, 2005, at 10:00 in the morning.