

# 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  
February 1, 2005

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

Prayer by Reverend Tim Pemper of the Hartland First Baptist  
Church of Hartland.

**REVEREND PEMPER:** Let us pray. Dear Lord, together we  
recognize You this morning as the Creator of heaven and earth.  
We're so grateful that we can bow down before Your presence  
and acknowledge You in our lives as well as in this building.  
Lord, we know that, as spiritual and political leaders we can do  
nothing in this state and ultimately in this nation, unless we first  
recognize You and humble ourselves before Your authority.

Lord, we love our state and love our nation and it is our  
desire to go forward in Your work. We pray that You will give us  
wisdom and understanding where we are ignorant. Lord, give us  
boldness and firmness where we are weak. Give us courage in  
the midst of a nation that lacks conviction. Lord, give us love and  
mercy where we are cold and indifferent. Most of all, give us a  
servant's heart, for that is what we are. We know that success is  
not measured by the number of servants one has but rather how  
many people one serves.

Lord, we pray that You will protect our soldiers, for they fight  
for the cause of world freedom. We ask that You bring them back  
to us and to their families safely and quickly. Yet, Lord, we long  
for peace but yet we know that there will be no lasting true peace  
until we wake up in Your presence as a redeemed people,  
through faith in our Lord, Jesus Christ.

Father, be with each man and be with each woman today.  
We graciously accept our responsibility and we strive to fulfill it  
with spiritual dignity. We pray that this day will be the beginning  
of a profitable session, where good things are accomplished.  
Lord, these men and women work very hard and they are away  
from their homes. We pray that You would protect and take care  
of their spouses and their children and their families while they do  
Your work. We pray that You will honor our state in direct  
proportion to how we honor You. In Jesus' name. Amen.

Pledge of Allegiance led by Senator Scott W. Cowger of  
Kennebec County.

Doctor of the day, Dr. Paul Liebow of Bucksport.

Reading of the Journal of Thursday, January 27, 2005.

Off Record Remarks

Out of order and under suspension of the Rules, on motion by  
Senator **BRENNAN** of Cumberland, the following Senate Order:  
S.O. 14

Ordered, that a message be sent to the House of Representatives  
proposing a Convention of the two branches of the Legislature be  
held at 10:30 this morning in the Hall of the House for the purpose  
of extending to the Honorable Leigh I. Saufley, Chief Justice of  
the Supreme Judicial Court, an invitation to attend and to make  
such communication as pleases her.

**READ and PASSED.**

The Chair appointed the Senator from Cumberland, Senator  
**BRENNAN** to deliver the message to the House of  
Representatives. The Sergeant-At-Arms escorted the Senator to  
the House of Representatives.

Subsequently, the Senator from Cumberland, Senator **BRENNAN**  
reported that he had delivered the message with which he was  
charged.

**PAPERS FROM THE HOUSE**

**Non-Concurrent Matter**

Bill "An Act To Repeal the Excise Tax on Motor Vehicles"  
H.P. 240 L.D. 316

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

In House, January 19, 2005 **REFERRED** to the Committee on  
**TAXATION**.

In Senate, January 25, 2005, **REFERRED** to the Committee on  
**TRANSPORTATION** in **NON-CONCURRENCE**.

Comes from the House, that Body **INSISTED**.

On motion by Senator **DAMON** of Hancock, the Senate  
**INSISTED**.

**House Papers**

Bill "An Act To Require Veterinarians To Provide Vaccine  
Disclosure Forms"

H.P. 314 L.D. 429

Bill "An Act To Allow the Department of Conservation To Create Dedicated Accounts for Sales of Merchandise and Acceptance of Donations"

H.P. 318 L.D. 433

Resolve, To Improve Access to Emergency Services in State Parks and in the Maine Wildlife Park

H.P. 323 L.D. 438

Bill "An Act To Remove an Access Gate from State-owned Land in Pittston Academy Grant, T2 R4 NBKP"

H.P. 335 L.D. 457

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

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

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Bill "An Act To Protect Unborn Children from Acts of Violence"

H.P. 201 L.D. 262

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

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

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Bill "An Act To Exempt Certain Religious, Nonpublic, Postsecondary Institutions from Licensure"

H.P. 309 L.D. 424

Resolve, To Place a Moratorium on School Administrative Units' Local Assessment Systems

H.P. 311 L.D. 426

Come 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.

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Bill "An Act To Provide Health Care Savings Accounts and Health Care Management in MaineCare"

H.P. 327 L.D. 442

Bill "An Act To Simplify Application for Benefits and Services under the Department of Health and Human Services"

H.P. 329 L.D. 451

Resolve, To Direct the Department of Health and Human Services To Establish a Procedure for the Timely Assessment of an Older Individual's Need for Mental Health Services

H.P. 336 L.D. 458

Bill "An Act To Require That Certain Health Care Staff Be Certified in CPR and To Require That Nursing Homes Be Equipped with Automated External Defibrillators"

H.P. 338 L.D. 460

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.

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Bill "An Act To Establish a 3-day Field Trial Competition on Bobcats"

H.P. 305 L.D. 420

Bill "An Act To Improve the Water Quality of Hall Pond in Paris"

H.P. 306 L.D. 421

Bill "An Act To Increase the Maximum Number of Days of the Muzzle-loading Hunting Season"

H.P. 312 L.D. 427

Bill "An Act To Grant Limited Reciprocity to Nonresident ATV Users"

H.P. 316 L.D. 431

Bill "An Act To Assist the Mobility of the Disabled in Hunting and Outdoor Recreation"

H.P. 331 L.D. 453

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

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

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Bill "An Act To Increase from 90 to 120 Days the Time Frame To File Contractor Liens"

H.P. 317 L.D. 432

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

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

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Bill "An Act To Allow Food Service Workers for Public Schools To Collect Unemployment Benefits"

H.P. 308 L.D. 423

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Bill "An Act To Amend the Laws Relating to Unemployment Compensation"

H.P. 310 L.D. 425

Bill "An Act To Modify the Obligation To Bargain under the Municipal Public Employees Labor Relations Law"

H.P. 315 L.D. 430

Bill "An Act To Conform Maine Law to Federal Overtime Standards"

H.P. 320 L.D. 435

Come 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.

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Bill "An Act To Remove the Restriction on the Number of Liquor Licenses Issued"

H.P. 307 L.D. 422

Bill "An Act To Make Disputed Ballots in State Elections Public"

H.P. 334 L.D. 456

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.

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Bill "An Act To Clarify Maine's Authority To Enforce Its Marine Resources Laws"

H.P. 319 L.D. 434

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

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

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Bill "An Act To Provide the Portland Harbor Commission with the Authority To Arrest"

H.P. 264 L.D. 351

Committee on **MARINE RESOURCES** suggested and ordered printed.

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

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

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Bill "An Act To Require a Nonpartisan Legislature"

H.P. 313 L.D. 428

RESOLUTION, To Amend the Constitution of Maine To Change the Number of Senators to 2 from Each County

H.P. 325 L.D. 440

Bill "An Act To Create a Paperless Legislature and Encourage More Working-income Legislators by Allocating Savings Resulting from a Reduction in the Size of the Legislature"

H.P. 333 L.D. 455

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Reduce the Size of the Legislature

H.P. 339 L.D. 461

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.

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Bill "An Act To Encourage Cooperation between School Districts"

H.P. 328 L.D. 443

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

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

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Bill "An Act To Eliminate Estate Taxes on Family-owned Businesses"

H.P. 321 L.D. 436

Bill "An Act To Provide a Sales Tax Holiday"

H.P. 330 L.D. 452

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.

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Bill "An Act To Prohibit Private Nonmedical Institutions from Passing Along the Service Provider Tax to Residents"

H.P. 332 L.D. 454

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

Comes from the House, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**.

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

Bill "An Act To Exempt Certain Tires from the Speed Rating Requirements"

H.P. 303 L.D. 418

Bill "An Act To Create a License Plate for the National Rifle Association"

H.P. 304 L.D. 419

Bill "An Act To Create an Agriculture Recognition License Plate"

H.P. 322 L.D. 437

Bill "An Act To Implement the Recommendations of the Commission To Study Public Health Concerning Alternative Roadways"

H.P. 324 L.D. 439

Bill "An Act To Change the Fine Structure for Overweight Hauling Vehicles"

H.P. 326 L.D. 441

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.

Bill "An Act To Amend the Mexico Sewer District Charter"

H.P. 337 L.D. 459

Comes 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.

**Joint Orders**

The following Joint Order:

H.P. 297

ORDERED, the Senate concurring, that the Joint Rules be amended by amending Joint Rule 314, subsection 4 to read:

4. Policy Committee Recommendations. Each policy committee shall provide the Joint Standing Committee on

Appropriations and Financial Affairs with the policy committee's recommendations regarding the relevant part of the Governor's budget. These recommendations must be delivered within a time period set by the chairs of the Joint Standing Committee on Appropriations and Financial Affairs after consultation with the chairs of the policy committee taking into consideration previously scheduled public hearings of the policy committee. The chairs of the Joint Standing Committee on Appropriations and Financial Affairs shall notify the presiding officers of the dates established for reporting policy committees' recommendations. ~~The recommendations must be made within the budgetary constraints set by the Joint Standing Committee on Appropriations and Financial Affairs.~~  
; and be it further

ORDERED, that the Joint Rules be amended by amending Joint Rule 314, subsection 6 to read:

6. Decision-making Authority. The Joint Standing Committee on Appropriations and Financial Affairs shall consider the policy committees' budget recommendations during the deliberations of the Joint Standing Committee on Appropriations and Financial Affairs ~~but retains sole decision-making authority on budget matters.~~ If the policy committee's biennial budget recommendation pursuant to subsection 4 is unanimous among the members of the policy committee, then the Joint Standing Committee on Appropriations and Financial Affairs shall abide by that recommendation and may not alter the recommendation.

Comes from the House, **READ** and **REFERRED** to the Joint Select Committee on **JOINT RULES**.

**READ.**

On motion by Senator **MARTIN** of Aroostook, **TABLED** until Later in Today's Session, pending **PASSAGE**, in **NON-CONCURRENCE**.

**COMMUNICATIONS**

The Following Communication: S.C. 48

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

January 31, 2005

The Honorable Beth G. Edmonds,  
President of the Senate  
3 State House Station  
Augusta, ME 04333  
The Honorable John Richardson,  
Speaker of the House  
2 State House Station  
Augusta, ME 04333

Dear President Edmonds and Speaker Richardson,

Pursuant to MRSA Title 29-A, Section 460, the Secretary of State is charged with providing specially designed motor vehicle registration plates for members of the Legislature. Further, MRSA Title 29-A, Section 460, Paragraph 4 states: "The Secretary of State shall determine the color, shape, size, lettering and numbering of the official registration plates...." As you know, beginning with the 122<sup>nd</sup> Legislature, a new design was effected.

There have been a number of concerns expressed about the new design; that it is not distinctive, and that it is difficult to differentiate the Legislative plate from standard-issue designs of other states. Further, the numbers are difficult to read at a distance, a difficulty exacerbated by normal soiling associated with winter driving. Given these and other difficulties, I have made the determination that the new design will be discontinued. The official legislative plate is not a vanity plate; indeed, it is an important portal for inviting citizen engagement with members of the Legislature as they travel around their districts and the entire state. The current design has not satisfied that function.

By March 1<sup>st</sup>, 2005, my office will issue registration plates similar to the style that has been traditionally produced. By March 15<sup>th</sup>, the plates that were issued beginning December 1<sup>st</sup>, 2004, will no longer be valid for use. Members may retain possession of them. A one-time replacement fee of \$2.00 will be assessed members for administrative costs associated with issuance of the replacement plate.

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

Sincerely,

S/Matthew Dunlap  
Secretary of State

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: S.C. 47

**STATE OF MAINE  
DEPARTMENT OF ATTORNEY GENERAL  
6 STATE HOUSE STATION  
AUGUSTA, MAINE 04333**

January 28, 2005

Honorable Beth Edmonds  
President of the Senate  
Honorable John Richardson  
122<sup>nd</sup> Maine Legislature  
State House  
Augusta, ME 04333

Dear President Edmonds and Speaker Richardson:

Enclosed, pursuant to the provisions of 2003 Public Laws, Chapter 673, Part NNN, is the report of the Attorney General's Office to the Legislature concerning discrimination against people who are homeless in Maine.

Thank you for your consideration of these materials. Please do not hesitate to call if you should have any questions on these issues or my recommendations.

Sincerely,

S/G. Steven Rowe  
Attorney General

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

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**SENATE PAPERS**

Bill "An Act Requiring Dog Owners To Obtain Dog License Vouchers at the Time of Obtaining Rabies and Other Immunizations"

S.P. 164 L.D. 538

Sponsored by Senator ANDREWS of York.

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

Sent down for concurrence.

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Bill "An Act To Make the 3rd Violation of OUI a Class C Crime"  
S.P. 149 L.D. 462

Sponsored by Senator MITCHELL of Kennebec.  
Cosponsored by Representative: GERZOFISKY of Brunswick.

Bill "An Act To Prevent Convicted Felons from Possessing Firearms"

S.P. 156 L.D. 530

Sponsored by Senator SAVAGE of Knox.  
Cosponsored by Representative MCKENNEY of Cumberland and Senators: ANDREWS of York, TURNER of Cumberland, Representatives: BOWEN of Rockport, MAZUREK of Rockland, RECTOR of Thomaston.

Bill "An Act To Clarify the Authority of the Maine State Police"  
S.P. 160 L.D. 534

Sponsored by Senator STRIMLING of Cumberland.

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

Sent down for concurrence.

---

Resolve, To Amend MaineCare Eligibility for the Workers with Disabilities Option

S.P. 150 L.D. 463

Sponsored by Senator MAYO of Sagadahoc.  
Cosponsored by Representative LERMAN of Augusta, Representative PINGREE of North Haven and Senator: BRENNAN of Cumberland, Representatives: BURNS of Berwick, GROSE of Woolwich, LEWIN of Eliot, WALCOTT of Lewiston, WEBSTER of Freeport.

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

Sent down for concurrence.

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Bill "An Act To Limit the Harvesting of Eels in Maine Rivers"

S.P. 157 L.D. 531

Sponsored by Senator DAMON of Hancock.  
Cosponsored by Representative KAELIN of Winterport and Senators: ANDREWS of York, SULLIVAN of York, Representatives: ADAMS of Portland, DUGAY of Cherryfield, PERCY of Phippsburg.

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

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

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Bill "An Act To Prohibit Certain Uses of a Financial Institution's Name"

S.P. 151 L.D. 464

Sponsored by Senator MAYO of Sagadahoc.  
Cosponsored by Senator SULLIVAN of York, Representative PERRY of Calais and Senators: ANDREWS of York, DIAMOND of Cumberland, STRIMLING of Cumberland, Representatives: GLYNN of South Portland, RICHARDSON of Warren.

Bill "An Act To Exempt Insurers of Commercial Vehicle Fleets from the Requirement of Notification to the Secretary of State When Insurance Is Cancelled"

S.P. 154 L.D. 528

Sponsored by Senator SAVAGE of Knox.  
Cosponsored by Representative McKENNEY of Cumberland and Senators: DAVIS of Piscataquis, WESTON of Waldo, Representatives: BOWEN of Rockport, MAZUREK of Rockland, RECTOR of Thomaston.

Bill "An Act To Amend the Laws Related to Cancellation and Nonrenewal of Insurance"

S.P. 167 L.D. 541

Sponsored by Senator MAYO of Sagadahoc.  
Cosponsored by Representative FISCHER of Presque Isle and Senator: SULLIVAN of York, Representatives: BRAUTIGAM of Falmouth, LINDELL of Frankfort, MARRACHÉ of Waterville, McKANE of Newcastle, PERRY of Calais.

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

Sent down for concurrence.

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Bill "An Act To Clarify the Rate of Interest on Awards for Workers' Compensation Benefits"

S.P. 166 L.D. 540

Sponsored by Senator MILLS of Somerset.

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

Sent down for concurrence.

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Bill "An Act To Authorize the Commissioner of Marine Resources To Regulate the Use of Alternative Bait in Marine Fisheries"

S.P. 153 L.D. 527

Sponsored by Senator DAMON of Hancock.  
Cosponsored by Representative DUGAY of Cherryfield and Senator: SULLIVAN of York, Representatives: ADAMS of Portland, ASH of Belfast, EDER of Portland.

Bill "An Act To Create a Scallop Spat License"

S.P. 162 L.D. 536

Sponsored by Senator DAMON of Hancock.

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

Sent down for concurrence.

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Resolve, To Declare That April 6, 2005 Be National Day of Hope (EMERGENCY)

S.P. 158 L.D. 532

Sponsored by Senator ANDREWS of York.  
Cosponsored by Representative LEWIN of Eliot and Senators: COURTNEY of York, RAYE of Washington, ROSEN of Hancock, SAVAGE of Knox, Representatives: CAMPBELL of Newfield, CUMMINGS of Portland, TWOMEY of Biddeford.



Bill "An Act Authorizing Municipalities To Establish Walking Trails"  
S.P. 165 L.D. 539

Sponsored by Senator GAGNON of Kennebec.  
Cosponsored by Representative MARLEY of Portland and  
Senators: ROTUNDO of Androscoggin, SCHNEIDER of  
Penobscot, Representatives: BLISS of South Portland,  
FLETCHER of Winslow.

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

Sent down for concurrence.

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Off Record Remarks

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Bill "An Act To Tax Gambling Winnings of Nonresidents"  
S.P. 159 L.D. 533

Sponsored by Senator STRIMLING of Cumberland.

Bill "An Act To Clarify for Tax Purposes That Manure Removal  
and Storage Are Operations Directly Involved in the Raising and  
Care of Livestock"

S.P. 161 L.D. 535

Sponsored by Senator WESTON of Waldo.  
Cosponsored by Representative MILLETT of Waterford and  
Senators: DOW of Lincoln, NUTTING of Androscoggin, RAYE of  
Washington, SAVAGE of Knox, SNOWE-MELLO of  
Androscoggin, WOODCOCK of Franklin, Representatives: CARR  
of Lincoln, McKENNEY of Cumberland.

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

Sent down for concurrence.

Bill "An Act To Allow Vehicles Owned by Sanitary or Sewer  
Districts To Use Municipal License Plates"  
S.P. 155 L.D. 529

Sponsored by Senator SAVAGE of Knox.

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

Sent down for concurrence.

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At this point a message was received from the House of  
Representatives, borne by Representative CUMMINGS of  
Portland informing the Senate that the House concurred with the  
proposition for a Convention of the two branches of the

Legislature to be held in the Hall of the House at 10:30 in the  
morning for the purpose of extending to the Honorable Leigh I.  
Saulley, Chief Justice of the Supreme Judicial Court, an invitation  
to attend and to make such communication as pleases her.

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**Pursuant to Statutes  
Maine Human Rights Commission**

Senator HOBBS for the **Maine Human Rights Commission**,  
pursuant to the Maine Revised Statutes, Title 5, section 4566,  
subsection 11 asked leave to report that the accompanying Bill  
"An Act Relating to Animals in Food Stores and Restaurants"  
S.P. 163 L.D. 537

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

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

On motion by Senator **HOBBS** of York, **REFERRED** to the  
Committee on **JUDICIARY** and ordered printed pursuant to Joint  
Rule 218.

Sent down for concurrence.

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All matters thus acted upon, with exception of those matters being  
held, were ordered sent down forthwith for concurrence.

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Off Record Remarks

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

After Convention

In Senate Chamber

Senate called to order by the President

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**ENACTORS**

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

**Constitutional Amendment**

RESOLUTION, Proposing an Amendment to the Constitution of  
Maine To Allow the Legislature To Authorize a Growth Limitation  
on the Taxable Value of Homestead Land

H.P. 7 L.D. 2  
(C "A" H-3)

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

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**Constitutional Amendment**

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Permit the Legislature To Allow the Current Use Valuation of Waterfront Land Used for or That Supports Commercial Fishing Activities

H.P. 224 L.D. 299

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

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

**COMMUNICATIONS**

The Following Communication: S.C. 49

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

January 25, 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 Joint Rule 371, I am pleased to appoint the following people to the Government Oversight Committee, the committee having oversight responsibility for the Office of Program Evaluation and Government Accountability:

Senator Ken Gagnon of Kennebec, Chair

Senator Elizabeth Mitchell of Kennebec

Senator Joseph Perry of Penobscot

Senator Kevin Raye of Washington

Senator Dana Dow of Lincoln

Senator Jonathan Courtney of York

If you have any questions regarding these appointments please contact my office.

Sincerely,

S/Beth Edmonds  
President of the Senate

**READ and ORDERED PLACED ON FILE.**

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Senator **SNOWE-MELLO** of Androscoggin was granted unanimous consent to address the Senate off the Record.

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Senator **MAYO** of Sagadahoc was granted unanimous consent to address the Senate off the Record.

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Off Record Remarks

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

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On motion by Senator **BRENNAN** of Cumberland, **ADJOURNED**, to Thursday, February 3, 2005, at 10:00 in the morning.