

MAINE STATE LEGISLATURE

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Senate Legislative Record
One Hundred and Twentieth Legislature
State of Maine

Volume 1

First Regular Session
December 6, 2000 to May 23, 2001

Pages 1 - 911

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

In Senate Chamber
Thursday
January 18, 2001

Senate called to order by President Michael H. Michaud of Penobscot County.

Prayer by Reverend Jodi Cohen of First Universalist Church in Auburn.

REVEREND COHEN: Let us join together in prayer. Let us pray.

Most sacred spirit of all that is holy and true, You who are both ourselves and more than ourselves, please help us to be open to Your presence now. We offer thanks this morning for the rising of the sun and the slow awakening of all that surrounds us. The returning of the light reminds us of one of the great truths, that each new day is ours to do with as we will. Help us to use this day well with eyes and hearts clear of distractions and spirits lifted up by hope born anew.

We offer thanks for the passion that moves us to do this work. It is not always easy to walk the path that has been chosen by those gathered here. It is a road that may feel, at times, nearly covered over with frustration, misunderstanding or confusion. But it is a worthy path to walk and a powerful one. Help us to remember in our times of frustration that the fire that burns within each person here to do good is more powerful than anything that might temporarily stand in its way. Our passion and commitment will help us to persevere.

We offer thanks for community, both the community of public servants gathered here as well as for the larger community which we have committed ourselves to serving. We are reminded in looking about this room that there is a holiness within each individual which needs be honored and respected. Help us to remember in word and deed that, though we may be divided over matters of the physical realm, we are united in spirit. We do not walk alone but instead walk together, perhaps choosing different paths but moving always towards the same goals. Peace, justice, mercy, hope and the victory of love over hatred, ignorance and fear.

Let us also remember at this time Senator Kneeland's son, Keith, who was in a serious snowmobiling accident a few nights ago. Our hearts are with Keith and we pray for a swift and gentle recovery.

May we immerse ourselves in the bounties of this day, this work and this gathering, knowing that we are blessed and blessed again as we give and receive of the spirit. Amen and blessed be.

Reading of the Journal of Tuesday, January 16, 2001.

Out of order and under suspension of the Rules, on motion by President Pro Tem **BENNETT** of Oxford, the following Joint Order: S.P. 52

ORDERED, the House concurring, that when the House and Senate Adjourn they do so until Tuesday, January 23, 2001, at 6:30 in the evening.

READ and PASSED.

Under suspension of the Rules, ordered sent down forthwith for concurrence.

Off Record Remarks

COMMUNICATIONS

The Following Communication: S.C. 24

**STATE OF MAINE
120TH LEGISLATURE**

January 8, 2001

Honorable Angus S. King, Jr.
Governor of Maine
1 State House Station
Augusta, ME 04333

Dear Governor King:

We are pleased to invite you to deliver the State of the State message at a Joint Session of the 120th Maine Legislature on Tuesday, January 23, 2001 at 7:00 p.m.

We look forward to seeing you then.

Sincerely,

S/Michael H. Michaud
President of the Senate

S/Michael V. Saxl
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 25

**STATE OF MAINE
DEPARTMENT OF PROFESSIONAL
AND FINANCIAL REGULATION
BUREAU OF BANKING
36 STATE HOUSE STATION
AUGUSTA, MAINE 04333**

January 15, 2001

The Honorable Michael Michaud
President of the Senate
Maine Senate
State House Station 3
Augusta, Maine 04333

Dear President Michaud:

In accordance with Title 9-B MRSA §217, as amended, I am submitting the "Annual Report from the Superintendent of the Bureau of Banking to the Legislature".

Over the past year, Maine's banks and credit unions continued to enjoy solid performance, with good earnings and capital growth spurred on by a steadfastly robust Maine and U.S. economy. However, there are clear signs of a slowdown in the economy at both the national and local levels which indicate the need for renewed regulatory caution for the future.

With the passage of federal financial modernization, or the Gramm-Leach-Bliley Act of 1999, long-standing barriers to affiliation between banks, securities firms, and insurance companies were dismantled. During this time, burgeoning growth in the establishment of Internet web sites has also become prevalent as financial institutions seek ways to deliver increasingly diverse products and services in a fast and convenient manner. These phenomena have heightened the focus on the right to privacy of consumers' nonpublic personal information. Over the past year, federal functional regulators have finalized extensive rules setting national standards to protect an individual's right to privacy of nonpublic personal information. Those rules create additional operational and disclosure requirements that must be implemented by the financial services community within the next six months.

Maine's Universal Bank Charter continues to spark considerable interest, particularly with respect to Maine's specialty bank charter opportunities. Significant interest has also been expressed by a variety of groups considering the formation of "virtual" institutions, or banks that operate exclusively over the World Wide Web. Over the past year, the Bureau has approved several applications for charter conversions, bank mergers or acquisitions, and formation of limited purpose banks, contributing to the growth in state supervised bank or credit union assets.

Copies of this report have been provided to the members of the Joint Standing Committee on Banking and Insurance. This report will also be available in electronic format on the Bureau of Banking's World Wide Web Home Page at <http://www.MaineBankingReg.org>.

Very truly yours,

S/Howard R. Gray, Jr.
Superintendent

READ and with accompanying papers ORDERED PLACED ON FILE.

SENATE PAPERS

Bill "An Act to Fund the Maine Biomedical Research Program"
S.P. 42 L.D. 210

Sponsored by Senator GOLDTHWAIT of Hancock.
Cosponsored by Representative BRUNO of Raymond and President Pro Tem BENNETT of Oxford, Senators: CATHCART of Penobscot, KNEELAND of Aroostook, President MICHAUD of Penobscot, Representatives: NASS of Acton, ROSEN of Bucksport, Speaker SAXL of Portland, TESSIER of Fairfield.

REFERRED to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed.

Sent down for concurrence.

Bill "An Act to Ensure Statewide Assistance to Maine's Homeless Youth"

S.P. 50 L.D. 218

Sponsored by Senator LONGLEY of Waldo.
Cosponsored by Representative BROOKS of Winterport and Senators: BROMLEY of Cumberland, CATHCART of Penobscot, GAGNON of Kennebec, ROTUNDO of Androscoggin, TREAT of Kennebec, Representatives: DUGAY of Cherryfield, JONES of Greenville, KANE of Saco.

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

On motion by Senator **DAGGETT** of Kennebec, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**.

Sent down for concurrence.

Bill "An Act to Amend the Uninsured Motor Vehicle Coverage Requirements"

S.P. 40 L.D. 208

Sponsored by Senator ABROMSON of Cumberland.
Cosponsored by Representative MAYO of Bath.

Bill "An Act to Clarify Mixed Automobile Insurance"

S.P. 45 L.D. 213

Sponsored by Senator ABROMSON of Cumberland.
Cosponsored by Representative MAYO of Bath and Senator LAFOUNTAIN of York.

Bill "An Act to Clarify Insurance Coverage for Victims of Domestic Violence"

S.P. 49 L.D. 217

Sponsored by Senator LONGLEY of Waldo.
Cosponsored by Representative O'NEIL of Saco and Senators: ABROMSON of Cumberland, DOUGLASS of Androscoggin, LAFOUNTAIN of York, Representatives: DUDLEY of Portland, SULLIVAN of Biddeford.

REFERRED to the Committee on **BANKING AND INSURANCE** and ordered printed.

Sent down for concurrence.

Bill "An Act Regarding Out-of-district Placement"
S.P. 47 L.D. 215

Sponsored by Senator FERGUSON of Oxford.
Cosponsored by Representative GOOLEY of Farmington and
Senators: SMALL of Sagadahoc, CARPENTER of York,
GOLDTHWAIT of Hancock, SHOREY of Washington, TURNER
of Cumberland, YOUNGBLOOD of Penobscot, Representatives:
CHIZMAR of Lisbon, GAGNE of Buckfield.

REFERRED to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.

Sent down for concurrence.

Bill "An Act to Offer Greater Financial Incentives Promoting
Quality Child Care"
S.P. 48 L.D. 216

Sponsored by Senator LONGLEY of Waldo.
Cosponsored by Representative BROOKS of Winterport and
Representatives: DUGAY of Cherryfield, KANE of Saco,
O'BRIEN of Augusta.

Bill "An Act to Expand the Cub Care Program and to Establish
the Bear Care Program"
S.P. 51 L.D. 219

Sponsored by Senator LONGLEY of Waldo.
Cosponsored by Representative MAYO of Bath and
Senators: BROMLEY of Cumberland, CATHCART of Penobscot,
NUTTING of Androscoggin, ROTUNDO of Androscoggin,
Representatives: BROOKS of Winterport, FULLER of
Manchester, KANE of Saco, MAILHOT of Lewiston, MENDROS
of Lewiston, Speaker SAXL of Portland.

REFERRED to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

Sent down for concurrence.

Bill "An Act to Increase Health Insurance Benefits for Retired
Teachers"
S.P. 43 L.D. 211

Sponsored by Senator CATHCART of Penobscot.
Cosponsored by Representative BELANGER of Caribou and
Senators DAVIS of Piscataquis, KILKELLY of Lincoln,
EDMONDS of Cumberland, NUTTING of Androscoggin, RAND of
Cumberland, TREAT of Kennebec, Representatives: FULLER of
Manchester, MacDOUGALL of North Berwick, MENDROS of
Lewiston, PARADIS of Frenchville, POVICH of Ellsworth,

CANAVAN of Waterville, DAVIS of Falmouth, NORTON of
Bangor, THOMAS of Orono.

REFERRED to the Committee on **LABOR** and ordered printed.

Sent down for concurrence.

Bill "An Act to Amend the Laws Governing Campaign
Contributions"
S.P. 46 L.D. 214

Sponsored by Senator DAVIS of Piscataquis.
Cosponsored by Representative MENDROS of Lewiston and
Senators: FERGUSON of Oxford, KNEELAND of Aroostook,
WOODCOCK of Franklin, Representatives: GOOLEY of
Farmington, SNOWE-MELLO of Poland.

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

Sent down for concurrence.

Resolve, Authorizing the Commissioner of Administrative and
Financial Services to Purchase Land in Charleston, Maine
S.P. 39 L.D. 207

Sponsored by Senator DAVIS of Piscataquis.
Cosponsored by Representative KASPRZAK of Newport and
Senator: McALEVEY of York, Representatives: BRUNO of
Raymond, CARR of Lincoln, CHIZMAR of Lisbon, CLARK of
Millinocket, LESSARD of Topsham, POVICH of Ellsworth,
SHERMAN of Hodgdon.
Submitted by the Department of Administrative and Financial
Services pursuant to Joint Rule 204.

REFERRED to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

Sent down for concurrence.

Bill "An Act to Increase the Amount Transferred through State-
municipal Revenue Sharing"
S.P. 41 L.D. 209

Sponsored by Senator GAGNON of Kennebec.
Cosponsored by Representative MURPHY of Berwick and
Senators: BROMLEY of Cumberland, EDMONDS of Cumberland,
LEMONT of York, ROTUNDO of Androscoggin, Representatives:
BUCK of Yarmouth, ETNIER of Harpswell, KOFFMAN of Bar
Harbor, LEMOINE of Old Orchard Beach.

REFERRED to the Committee on **TAXATION** and ordered printed.

Sent down for concurrence.

Bill "An Act to Improve Child Care Funding"

S.P. 44 L.D. 212

Sponsored by Senator LONGLEY of Waldo.
Cosponsored by Representative MENDROS of Lewiston and
Representative: MURPHY of Berwick.

REFERRED to the Committee on **TRANSPORTATION** and
ordered printed.

Sent down for concurrence.

Senate at Ease.

Senate called to order by the President.

Off Record Remarks

Under suspension of the Rules, all matters thus acted upon, with
exception of those matters being held, were ordered sent down
forthwith for concurrence.

ORDERS

Joint Order

On motion by Senator **SHOREY** of Washington, the following
Joint Order: S.P. 53

ORDERED, the House concurring, that the Joint Rules be
amended by amending Joint Rule 301, subsection 5 to read:

5. Other Tasks. Performing other tasks assigned to them,
including, but not limited to, reviewing specific provisions of law,
conducting studies on assigned topics, issuing reports on policy
and legal issues of interest to the Legislature, reporting out
specific legislation pursuant to joint order and authorizing the
annual budgets of certain counties.

There are 17 joint standing committees, which must be
appointed at the commencement of the first regular session and
which exercise jurisdiction in the following areas:

- Agriculture, conservation and forestry
- Appropriations and financial affairs
- Banking and insurance
- Business, research and economic development
- Criminal justice
- Education and cultural affairs
- Health and human services
- Inland fisheries and wildlife
- Judiciary
- Labor
- Legal and veterans affairs

- Marine resources
- Natural resources
- State and local government
- Taxation
- Transportation
- Utilities and energy

READ.

THE PRESIDENT: The Chair recognizes the Senator from
Washington, Senator Shorey.

Senator **SHOREY:** Thank you, Mr. President. Mr. President,
men and women of the Senate. The Joint Select Committee on
Rules spent time working on many proposed rule changes and
came up with suggestions that they felt would best serve the
120th Legislature. One the suggestions that came forth was that
they rename the Business and Economic Development
Committee to Business, Research and Economic Development.
Research and economic development is very important to the
businesses of Maine and research and development is very
important to the future of Maine. We must support research and
development to continue to move our economy forward. After
two sessions as a Select Committee, the time has come for
research and development to become a permanent part of the
Business and Economic Development Committee. It's a natural
progression which will offer the proper oversight of this very
important aspect of our economic health and will ensure the
continuity of research and development. So I would as you to
support this joint order. Thank you.

On motion by Senator **SHOREY** of Washington, **PASSED.**

Under suspension of the Rules, ordered sent down forthwith for
concurrence.

ORDERS OF THE DAY

Unfinished Business

The following matter 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
(1/16/01) Assigned matter:

Bill "An Act to Provide Services to People with Autism"
H.P. 138 L.D. 149

Tabled - January 16, 2001, by Senator **TREAT** of Kennebec

Pending - **REFERENCE**

(In House, January 16, 2001, **REFERRED** to the Committee on
APPROPRIATIONS AND FINANCIAL AFFAIRS and ordered
printed.)

On motion by Senator **DAGGETT** of Kennebec, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed, in **NON-CONCURRENCE**.

Under suspension of the Rules, ordered sent down forthwith for concurrence.

Senate at Ease.

Senate called to order by the President.

Off Record Remarks

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

President Pro Tem **BENNETT** of Oxford was granted unanimous consent to address the Senate off the Record.

Off Record Remarks

Senator **SAVAGE** of Knox was granted unanimous consent to address the Senate off the Record.

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

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

President Pro Tem **BENNETT** of Oxford was granted unanimous consent to address the Senate off the Record.

On motion by Senator **DAGGETT** of Kennebec, **RECESSED** until 10:55 in the morning.

After Recess

Senate called to order by the President.

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

ORDERS

Joint Orders

On motion by Senator **ROTUNDO** of Androscoggin, the following Joint Order: S.P. 54

ORDERED, the House concurring, that the Joint Standing Committee on Appropriations and Financial Affairs shall report out, to the Senate, no later than February 15, 2001, a bill that increases general purpose aid spending for fiscal year 2001-02 by 5%.

READ.

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

Senator **ROTUNDO:** Mr. President, men and women of the Senate, I feel that it's critical that local communities know what level of General Purpose Aide they will be receiving early on so that they can budget and plan effectively for their needs for the coming year. I hope you will join me in passing this order.

THE PRESIDENT: The Chair recognizes the Senator from Sagadahoc, Senator Small.

Senator **SMALL:** Thank you, Mr. President. Men and women of the Senate, I want to thank the good Senator from Androscoggin, Senator Rotundo, for putting in the Joint Order. This is really, I believe, very critical for our school districts back home. For many years, when we've been up here, we've either been debating the funding formula or trying to put additional monies in it. So we've held off on making a commitment to these school districts, often times until June or in some cases, I think, it was even the beginning of July. It makes it very difficult for our Superintendents, School Boards and administrators back home to try to set a budget and go to town meetings and raise the dollars. I am very pleased that we are having bipartisan support on this issue, to try to address this issue early since it does seem to have wide spread support for the 5% increase. I think it would serve this body well and the other body. Most importantly, I think it would serve our constituents well to take this issue and deal with it directly. So I again want to thank the good Senator for putting this in and I hope that my colleagues will join in supporting this. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Hancock, Senator Goldthwait.

Senator **GOLDTHWAIT:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I was quite surprised to find this order arrive here without any advance warning. As the Chair of the Committee that it would affect, I just want to tell you a little bit about what I think the impact of passing this Joint Order might be. We are very, very early in the process of deliberating just how we are going to manage a significant structural gap in this budget. We have an emergency budget before us now which has, basically, one large substantive issue. We had a very large

hearing on that the other day in which a great degree of concern was expressed about the impacts of that emergency budget and an upcoming budget on those programs and the intent on the part of many people to protect those. Now we have an order that would require the Standing Committee on Appropriations and Financial Affairs to lock in a very large piece of spending, not that any of us wouldn't like to provide that amount for the schools. However, in a year when we have both a very large structural gap and we also have a very preliminary sense that the reprojected coming on the first of March might not be favorable, this is a very significant portion of the budget to cast in concrete before we even have the budget proposal in our hands. The statutory deadline for reporting out the General Purpose Aide amount is the 15th of March, I believe. We intend to do that by way of passing out an entire part one budget that week. The problem that has fallen on the schools and the towns is that when we don't meet that statutory deadline and we go into April, May or June and the towns don't know what they have to spend. That, indeed, is a significant problem. But if we meet that statutory deadline, the schools will have advance warning of what they have to spend. I am issuing fair warning here that if we are going to lock in such a significant piece of this budget this early, anyone who is not a school or who does not have one of the programs that we've already heard in the emergency budget, better watch out because we will be after every one of you looking for something in the neighborhood of \$250 million. To me this is a very preliminary move to make. I am not sure why we bother having an Appropriations Committee if we are going to establish this sort of fiscal principle off the top, on the floor, with no warning and no discussion. I would urge you to join me in opposing this order. Thank you.

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

THE PRESIDENT: The Chair recognizes the Senator from Somerset, Senator Mills.

Senator **MILLS:** Mr. President and men and women of the Senate, I have harkened to and I respect greatly the views expressed by the good Senator from Hancock and the warnings that she has given us all. I have sat in that committee with her the last several weeks and have heard the same difficulties that she has articulated. On the other hand, it seems to me that it does no harm for us to start a motion in the machinery or the process to make it possible, at least, for these two chambers to report a special bill on GPA alone at the 5% level. For that reason I would urge that we support the motion of the Senator from Androscoggin because we may need this vehicle as time goes on. If we are able to do a Part I budget by March 15th, if we're able to put all the pieces together and satisfy the different constituencies, fine. But if we're not able to do it, I think that it will be the sentiment of most of us in these chambers that we ought to, for once, abide by our own law and satisfy the needs and the desires of 494 communities and 186 school districts who need to get their budgets in order. They can know how many teachers to hire or fire by next September. They can begin the long range planning that they need to do and not have to start it up, or gear it up, as late as July, which is often the case. Many of us in this chamber have served on school boards and town councils or as selectmen or selectpersons or whatever. We are all familiar, I think, with some of the problems that are encountered at the local

level. A law designed to alleviate that situation by getting this money, at least this pass-through money, out to these towns and school districts in a timely fashion. We seldom comply with our own law. If we can comply with it by doing an entire Part I budget, great. But if we're not able to do so, I predict that most of us are going to want to take the number that has been set by the Governor's budget and get that out to the towns so they can put it to good use. The other thing is this, it isn't enough just to say that the GPA should increase by 5%. There is a formula behind that number. The money has to be distributed in some way. We have to decide whether there is going to be a cushion for some of the towns that will lose money. How much should be in the cushion? By what measure should it be? By what means should it be funded? By what means should it be distributed? Are we going to continue to comply with the guidelines that are in current law about setting the mil rate for distribution? We need to address the discount rate on programs and debt service costs. There is a great deal of complexity in this formula and the Education Committee and the Appropriations Committee both need to start to work on it now, I mean like next week, we're going to get to a formula that will support the added 5% distribution and get it out. I think it would be a big mistake if we drift through the spring and find ourselves, in May, debating not only all the things that are in the budget, but also the intricacies of the school funding formula. I think it would be great if we could deal with those complexities of the formula early, assemble the package together, and have it ready for issuance. If there is an adverse revenue reprojected in February, we will know about it in time to stop this bill. This bill doesn't have to go out before we know what is in that reprojected. But if we don't start the machinery for getting this bill out now and get people to work on the formula, it may be too late to do it later on. For all of those reasons, I urge support on the pending motion from the good Senator from Androscoggin.

THE PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Douglass.

Senator **DOUGLASS:** Women and men of the Senate, I speak in favor of the pending motion. It's unusual when we have bipartisan support for a bill that involves money. This is one of them. That is because the school districts of our state have made great strides in the past several years. In fact, we're one of the leaders in the nation in education. I'm very proud of that. I want to continue this. However, as we face declining revenues in this year and in the rest of this biennium, I think that we are going to have to make some hard decisions. Those decisions will take time. It's very important that the school districts of our state know what amount they will have to work with. This helps them in planning for the future. It's stability for the children to know how many classrooms they are going to have in their next school year and all sorts of information on programs they will be able to provide or not provide. I urge your support because this is a measure that the Governor believes is warranted and I hear much support for it out in our communities as well as here in this body. I do know that it's quite unusual for us to take such action and to recommend a bill to the Appropriations Committee so strongly. That's what this is, a recommendation. But I think it's warranted in case because we will then have certainty on an issue on which we have little division. Let's talk about the matters on which we expect to have division and do that thoughtfully. We can take our time, without feeling rushed because the school districts need to know about this matter for

planning the next school year. So I hope you will join me in supporting the current motion.

THE PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Cathcart.

Senator **CATHCART:** Thank you, Mr. President. Mr. President, men and women of the Senate, I rise to urge you to support this order. With all due respect to my good Senate Chair of Appropriations, I was also a little taken aback when I saw this order because it seems to take away the deliberation that the Appropriations Committee generally gives to these matters. But I think in this case it has such over-riding importance. Our people in our school districts and our town officials need to know how much funding there is going to be for our schools so that they can plan their budgets for the next year. I feel we have an obligation to continue the kind of funding and the general level of funding we have been doing in the past couple of years. Having served on the Education Committee, I know what a struggle it is that we have every time with the school funding formula. I really believe that the formula that we have now is a good formula. It has been of benefit to particularly two very small towns, Alton and Greenbush, who are among the ten poorest towns in the state, in state evaluation. I want those people to know how much money they are going to have coming for their schools so that they can plan according. I do not want to see us let the children of our state down. I urge you to go ahead and support this order. Thank you, Mr. President.

THE PRESIDENT: The Chair recognizes the Senator from Hancock, Senator Goldthwait.

Senator **GOLDTHWAIT:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I just want to add a few brief comments if I may. First of all, it is important that our schools have that information by March 15th and I have every intention that they will. With your cooperation, I know that will happen. Let me make it perfectly clear that I hope that we end up at 5% for GPA. That is not the issue here. Of course there is support for this in our communities. What community wouldn't want to know that they are assured of a 5% increase in GPA. The Senator from Somerset, Senator Mills, said that this does no harm and I disagree very strenuously with that statement for this reason. The state budget is all about balance. We know that every time we pass a budget, we will get far more requests for spending than we can fund. What you will do with an affirmative vote on this Joint Order is disenfranchise every other program and service in the State of Maine. You are denying them the opportunity to come to us and make a case as to why their program and service is important to the people that they serve and to have the opportunity to balance their needs with all of the other needs in the budget. That is the way this process happens. You know that. We are telling them that we are setting this priority up front and in this year, with the deficit that we have, it may mean that nothing else gets funding. You are eliminating due process for every other service and program that is not public education. So please consider this vote very carefully. Thank you.

THE PRESIDENT: The pending question before the Senate is the motion by the Senator from Androscoggin, Senator Rotundo to Pass the Joint Order. 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 (#2)

YEAS: Senators: BENNETT, BROMLEY, CARPENTER, CATHCART, DAGGETT, DAVIS, DOUGLASS, EDMONDS, GAGNON, KILKELLY, LAFOUNTAIN, LEMONT, LONGLEY, MARTIN, MCALEVEY, MILLS, MITCHELL, NUTTING, O'GARA, PENDLETON, RAND, ROTUNDO, SAVAGE, SAWYER, SHOREY, SMALL, TREAT, TURNER, WOODCOCK, YOUNGBLOOD, THE PRESIDENT -MICHAEL H. MICHAUD

NAYS: Senators: ABROMSON, FERGUSON, GOLDTHWAIT, KNEELAND

31 Senators having voted in the affirmative and 4 Senators having voted in the negative **PASSED.**

Sent down for concurrence.

On motion by Senator **CARPENTER** of York, the following Joint Order: **S.P. 55**

ORDERED, the House concurring, that the Joint Standing Committee on Inland Fisheries and Wildlife report out, to the Senate, a bill that promotes and enhances disabled persons' access to hunting, fishing and trapping opportunities.

READ and PASSED.

Sent down for concurrence.

Off Record Remarks

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

Senator **SHOREY** of Washington was granted unanimous consent to address the Senate off the Record.

Off Record Remarks

Under suspension of the Rules, on motion by President Pro Tem **BENNETT** of Oxford, all matters thus acted upon were ordered sent down forthwith for concurrence.

On motion by President Pro Tem **BENNETT** of Oxford,
ADJOURNED, pursuant to the Joint Order, to Tuesday, January
23, 2001, at 6:30 in the evening.