

# 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  
February 22, 2001

Senate called to order by President Pro Tem Richard A. Bennett of Oxford County.

Prayer by Reverend Michelle Grube of Peoples United Methodist Church of Union.

**REVEREND GRUBE:** Let us pray. Eternal God, in whose appointment our life stands and who committed our work to us, we come before You this morning committing ourselves to You as we begin another day. We come thanking You for the newness of this day and the opportunity that we have to serve You and all Your people. Give us this day Your grace so that we may contribute to truly establishing Maine as the example of the way life should be everywhere. I pray this morning, Oh God, that You might give to these men and women the gifts, grace and talents they need to hear You and follow Your will. As you allowed Samuel to dream and hear Your call to service, I pray that You will give these, Your servants, fresh dreams and visions of the future of our state, allowing them to continually hear Your call. As you gave courage and strength to David to persevere, I pray that You will give these Senators a portion of that strength and courage so that they might not be content to seek the false comfort of easy answers, but will persevere to do the hard work of seeking Your will with each new decision. And as You gave wisdom to Solomon to build up and successfully lead the people of Israel, I pray that You might also give these men and women a portion of that wisdom so that they might make bold, responsible and just decisions for all Your people in Maine. Eternal One, creator of all humanity, we also pray that You will help us to see, listen and understand the people we serve. Often we see only the masses, but You, Oh God, see individuals, each with names and unique identities. Often we see only persons who appear ordinary and average, but You see these as Your children, having extraordinary potential. Often we see only people whom we place in varying categories of worth, depending on race, class, creed and age, but whom You see as worthy, no matter what category they may fall. Help us, Oh God, to see the individual in the masses, to work with persons to develop each ones' extraordinary potential and to honor the worthiness of each person. Now we look to You, Oh Holy One, to be present with us throughout this day of deliberation and decision making. Hear our prayers, for it is in Your name that we lift them before You. Amen.

Doctor of the day, Phil Tedrick, D.O. of Readfield.

Reading of the Journal of Tuesday, February 20, 2001.

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Off Record Remarks

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Out of order and under suspension of the Rules, on motion by Senator **SMALL** of Sagadahoc, the following Joint Order:  
S.P. 313

**ORDERED**, the House concurring, that when the House and Senate Adjourn they do so until Wednesday, February 28, 2001, at 10:00 in the morning.

**READ and PASSED.**

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

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PAPERS FROM THE HOUSE

**Non-Concurrent Matter**

Resolve, Directing the Office of Policy and Legal Analysis and the Office of the Revisor of Statutes to Prepare a Recodification of the Inland Fisheries and Wildlife Laws

S.P. 88 L.D. 315

In Senate, January 30, 2001, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed.

Comes from the House, Bill and accompanying paper **INDEFINITELY POSTPONED**, in **NON-CONCURRENCE**.

On motion by Senator **CARPENTER** of York, the Senate **RECEDED** and **CONCURRED**.

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**Non-Concurrent Matter**

Bill "An Act to Create a Farmland and Open Space for the Community Board"

H.P. 598 L.D. 753

In the House on February 13, 2001, **REFERRED** to Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed.

In Senate, February 15, 2001, **REFERRED** to the Committee on **NATURAL RESOURCES** and ordered printed, in **NON-CONCURRENCE**.

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

On motion by Senator **KNEELAND** of Aroostook, the Senate **RECEDED** and **CONCURRED**.

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**House Papers**

Resolve, to Transfer State Property to the City of Bangor  
H.P. 738 L.D. 957

Bill "An Act to Protect a Farmer's Right to Farm"  
H.P. 741 L.D. 960

Resolve, to Establish the Maine Agri-tourism Program  
H.P. 793 L.D. 1037

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

**REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed, in concurrence.

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Bill "An Act to Define and Ensure Coverage of Basic Health Services by Health Maintenance Organizations"  
H.P. 749 L.D. 968

Bill "An Act to Protect Nongroup and Small Group Insureds"  
H.P. 765 L.D. 984

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

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

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Bill "An Act to Prohibit the Solicitation of Prearranged Funeral Services"  
H.P. 722 L.D. 942

Bill "An Act Relating to Rent-to-own Purchases"  
H.P. 731 L.D. 951

Resolve, to Establish the Commission to Study Ownership Patterns in Maine (EMERGENCY)  
H.P. 767 L.D. 986

Bill "An Act to Change Certain Educational Requirements and Make Title Changes for Licensed Social Workers"  
H.P. 768 L.D. 987

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

**REFERRED** to the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** and ordered printed, in concurrence.

Bill "An Act to Create a Uniform Standard for Disposal of Property Seized by Law Enforcement Agencies"  
H.P. 721 L.D. 941

Bill "An Act to Excuse Animal Control Officers from Attending the Maine Criminal Justice Academy"  
H.P. 726 L.D. 946

Bill "An Act to End Internet Crime"  
H.P. 737 L.D. 956

Bill "An Act to Allow Compassionate Leave to State Prisoners"  
H.P. 773 L.D. 1017

Bill "An Act to Impose Community Service on a Person Convicted of Assaulting a Sports Official"  
H.P. 775 L.D. 1019

Bill "An Act to Strengthen the Sex Offender Laws"  
H.P. 786 L.D. 1030

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

**REFERRED** to the Committee on **CRIMINAL JUSTICE** and ordered printed, in concurrence.

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Bill "An Act to Protect Occupants from Diesel Exhaust Emitted by School Buses"  
H.P. 744 L.D. 963

Bill "An Act to Waive Immunization Requirements for Students Participating in Distance Programs"  
H.P. 748 L.D. 967

Bill "An Act to Reduce Tuition at Postsecondary Education Institutions of the State for Students Who Maintain a 3.0 Grade Point Average in High School"  
H.P. 758 L.D. 977

Resolve, to Designate Regional Rare Book, Manuscript and Vital Records Depositories  
H.P. 776 L.D. 1020

Bill "An Act to Implement the Recommendations of the Maine Millennium Commission on Hunger and Food Security Concerning Child Nutrition Services"  
H.P. 788 L.D. 1032

Bill "An Act to Increase Access to Higher Education"  
H.P. 799 L.D. 1043

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

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

LEGISLATIVE RECORD - SENATE, THURSDAY, FEBRUARY 22, 2001

Bill "An Act to Expand Benefits Under the Elderly Low-cost Drug Program"

H.P. 742 L.D. 961

Bill "An Act to Add Cancer Drugs to the Elderly Low-cost Drug Program"

H.P. 745 L.D. 964

Resolve, Extending the Reporting Deadline for the Maine Millennium Commission on Hunger and Food Security  
H.P. 777 L.D. 1021

Bill "An Act to Require Full Disclosure of Prescription Drug Marketing Costs"

H.P. 778 L.D. 1022

Bill "An Act to Extend the Youth in Need of Services Oversight Committee" (EMERGENCY)

H.P. 780 L.D. 1024

Bill "An Act to Make Child Care More Accessible for Parents in Transition From Welfare to Work"

H.P. 789 L.D. 1033

Bill "An Act to Implement the Recommendation of the Maine Millennium Commission on Hunger and Food Security Concerning Recapitalization of the Vehicle Revolving Fund for Low-Income Families Administered by the Department of Human Services"

H.P. 796 L.D. 1040

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

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

Bill "An Act to Correct Errors in the Laws Regarding Court Unification" (EMERGENCY)

H.P. 732 L.D. 952

Bill "An Act Relating to Discovery Procedures under the Maine Unfair Trade Practices Act"

H.P. 733 L.D. 953

Bill "An Act to Amend the Protection from Abuse and Protection from Harassment Laws"

H.P. 734 L.D. 954

Bill "An Act to Ensure Accountability in the Department of Human Services"

H.P. 736 L.D. 955

Bill "An Act to Amend the Maine Tort Claims Act"

H.P. 747 L.D. 966

Bill "An Act to Create the Civil Rights in Public Employment, Education and Contracting Act"

H.P. 755 L.D. 974

Bill "An Act to Amend the Civil Court Procedure as it Pertains to Execution Liens"

H.P. 774 L.D. 1018

Bill "An Act to Allow a Person to Take the Bar Examination without Attending Law School"

H.P. 781 L.D. 1025

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

**REFERRED** to the Committee on **JUDICIARY** and ordered printed, in concurrence.

Bill "An Act to Enhance the Quality and Accessibility of HIV Services and Prevention Services"

H.P. 779 L.D. 1023

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

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

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

Bill "An Act to Ensure that the Annual Inflation Adjustment for Partial Compensation for Injuries occurring Prior to November 20, 1987 is Fully Recognized and Paid"

H.P. 723 L.D. 943

Bill "An Act to Exempt Retired Persons Who Work as Substitute Teachers from Paying into the Maine State Retirement System"

H.P. 752 L.D. 971

Bill "An Act to Establish an Exemption to the Exclusivity Provisions of the Maine Workers' Compensation Act of 1992"

H.P. 756 L.D. 975

Bill "An Act Concerning Workers' Compensation Examinations"

H.P. 757 L.D. 976

Bill "An Act to Require an Additional Labor Representative on the Board of Trustees of the Maine State Retirement System"

H.P. 760 L.D. 979

Bill "An Act to Amend the Laws Governing the Maine Unemployment Insurance Commission"

H.P. 762 L.D. 981

Bill "An Act Regarding Health Insurance for Firefighters"

H.P. 771 L.D. 1015

Bill "An Act to Change the Compensation of the Panel of Mediators"

H.P. 795 L.D. 1039

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

**REFERRED** to the Committee on **LABOR** and ordered printed, in concurrence.

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Off Record Remarks

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Resolve, Establishing a Minimum Pay Grade Increase for State Police Officers (EMERGENCY)

H.P. 743 L.D. 962

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

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

On motion by Senator **EDMONDS** of Cumberland, **REFERRED** to the Committee on **LABOR** and ordered printed, in **NON-CONCURRENCE**.

Sent down for concurrence.

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Bill "An Act to Establish Uniform Election Filing Deadlines for Legislative and gubernatorial Candidates"

H.P. 790 L.D. 1034

Bill "An Act to Require Proof of Liquor Liability Insurance Upon Demand by a Municipality" (EMERGENCY)

H.P. 791 L.D. 1035

Bill "An Act to Amend the Election Laws"

H.P. 798 L.D. 1042

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

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

---

Bill "An Act Relating to Daily Catch Limits for Scallops" (EMERGENCY)

H.P. 746 L.D. 965

Bill "An Act to Permit Intrafamily Transfer of Lobster Tags"

H.P. 750 L.D. 969

Bill "An Act to Restrict Daily Sea Urchin Taking" (EMERGENCY)

H.P. 754 L.D. 973

Bill "An Act to Set the Lobster License Sale Date"

H.P. 783 L.D. 1027

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

**REFERRED** to the Committee on **MARINE RESOURCES** and ordered printed, in concurrence.

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Bill "An Act to Increase the Personnel and Air Quality Oversight of School Construction"

H.P. 725 L.D. 945

Bill "An Act to Fund the Cleanup of Illegal Dumping Sites"

H.P. 787 L.D. 1031

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

**REFERRED** to the Committee on **NATURAL RESOURCES** and ordered printed, in concurrence.

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Bill "An Act to Require Committee Approval for Certain Purchases Proposed by the Land for Maine's Future Board"

H.P. 769 L.D. 1013

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

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

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

---

Bill "An Act to Require Legislative Approval of Certain Land Purchases by the Land for Maine's Future Board"

H.P. 770 L.D. 1014

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

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

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

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Bill "An Act to Promote Efficiency in County Government in the Androscoggin County Budget Process"

H.P. 763 L.D. 982

Resolve, Requiring the Maine Municipal Association, the Maine County Commissioners Association and the Office of the Governor to Establish a Permanent Statewide Intergovernmental Advisory Commission

H.P. 794 L.D. 1038

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

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

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Resolve, Creating a Governance System for Unorganized Towns  
H.P. 766 L.D. 985

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

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

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Bill "An Act to Provide Equity in the Payment of Excise Tax on Rented Equipment"  
H.P. 724 L.D. 944

Bill "An Act to Fairly Distribute the Payment of Real Estate Transfer Taxes"  
H.P. 729 L.D. 949

Bill "An Act to Limit the Use of Property Taxes to Fund Education"  
H.P. 751 L.D. 970

Bill "An Act to Provide Property Tax Relief to Senior and Disabled Citizens of the State"  
H.P. 761 L.D. 980

Bill "An Act to Conform the Maine Tax Laws for 2000 with the United States Internal Revenue Code" (EMERGENCY)  
H.P. 784 L.D. 1028

Bill "An Act to Amend the Law Pertaining to Tax Exemptions for Public and Private Pensions"  
H.P. 785 L.D. 1029

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

**REFERRED** to the Committee on **TAXATION** and ordered printed, in concurrence.

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Bill "An Act Creating a Pilot Project to Provide Video Camera Surveillance at Intersections in Ellsworth"  
H.P. 728 L.D. 948

Bill "An Act to Eliminate the Fees Imposed on Purple Heart Recipients for Special Registration Plates"  
H.P. 730 L.D. 950

Bill "An Act to Amend the Laws Governing the Registration of Farm Trucks and Require the Secretary of State to Respond to Inquiries from the Public"  
H.P. 739 L.D. 958

Bill "An Act to Provide Specialty Plates for Modified Show Vehicles"  
H.P. 753 L.D. 972

Bill "An Act to Revise Driver Education Laws"  
H.P. 764 L.D. 983

Bill "An Act to Provide George J. Mitchell and William S. Cohen Lifetime License Plates"  
H.P. 782 L.D. 1026

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

**REFERRED** to the Committee on **TRANSPORTATION** and ordered printed, in concurrence.

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Bill "An Act to Amend the Laws Governing Public Easements and the Discontinuance of Town Ways"  
H.P. 772 L.D. 1016

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

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

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

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Bill "An Act to Change the Assessment for Sprinkler Systems to a Per-use basis"  
H.P. 740 L.D. 959

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

**REFERRED** to the Committee on **UTILITIES AND ENERGY** and ordered printed, in concurrence.

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**Joint Order**

The following Joint Order: H.P. 735

**ORDERED**, the Senate concurring, that the Revisor of Statutes shall deliver by March 7, 2001, to the Clerk of the House or Secretary of the Senate all bills or resolves filed prior to the cloture date. Said bills or resolves shall be fully drafted as of that date. The Revisor of Statutes is authorized to hire such temporary staff as necessary to carry out this order.

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

**READ**.

On motion by Senator **TREAT** of Kennebec, **TABLED** until Later in Today's Session, pending **PASSAGE**, in concurrence.

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**COMMUNICATIONS**

The Following Communication: S.P. 341

**120<sup>TH</sup> MAINE LEGISLATURE**

February 22, 2001

Hon. Betheda G. Edmonds  
Senate Chair, Joint Standing Committee on Labor  
Hon. Zachary E. Matthews  
House Chair, Joint Standing Committee on Labor  
120<sup>th</sup> Legislature  
Augusta, ME 04333

Dear Senator Edmonds and Representative Matthews:

Please be advised that Governor Angus S. King, Jr. has nominated Eunice C. Mercier of Augusta and Peter M. Leslie of Cape Elizabeth for appointment as members of the Maine State Retirement Board of Trustees.

Pursuant to Title 5, M.R.S.A. §17102, these nominations will require review by the Joint Standing Committee on Labor and confirmation by the Senate.

Sincerely,

S/Michael H. Michaud                      S/Michael V. Saxl  
President of the Senate                      Speaker of the House

**READ** and with accompanying papers **REFERRED** to the Committee on **LABOR**.

Sent down for concurrence.

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The Following Communication: S.P. 342

**120<sup>TH</sup> MAINE LEGISLATURE**

February 22, 2001

Hon. Norman K. Ferguson, Jr.  
Senate Chair, Joint Standing Committee on  
Utilities and Energy  
Hon. William R. Savage  
House Chair, Joint Standing Committee on  
Utilities and Energy  
120<sup>th</sup> Legislature  
Augusta, ME 04333

Dear Senator Ferguson and Representative Savage:

Please be advised that Governor Angus S. King, Jr. has nominated Stephen L. Diamond of Gardiner for reappointment as Commissioner of the Public Utilities Commission.

Pursuant to Title 35-A, M.R.S.A. §105, this nomination will require review by the Joint Standing Committee on Utilities and Energy and confirmation by the Senate.

Sincerely,

S/Michael H. Michaud                      S/Michael V. Saxl  
President of the Senate                      Speaker of the House

**READ** and with accompanying papers **REFERRED** to the Committee on **UTILITIES AND ENERGY**.

Sent down for concurrence.

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The Following Communication: S.C. 58

**THE SENATE OF MAINE  
OFFICE OF THE PRESIDENT**

February 15, 2001

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

Dear Secretary O'Brien:

Please be advised that I have made the following appointments:

Child Care Advisory Council; Pursuant to 22 MRSA, §3739:  
Senator Peggy Pendleton of Cumberland County

Council on Children and Families; Pursuant under P.L. 1999,  
Chapter 785:  
Senator Beth Edmonds of Cumberland County

Commission to Study the Establishment of an Environmental  
Leadership; Pursuant under 1999 Resolves, Chapter 134:  
Senator W. Tom Sawyer of Penobscot County, Senate Chair  
Senator Kenneth Lemont of York County  
Senator Lynn Bromley of Cumberland County

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

Sincerely,

S/Michael H. Michaud  
President of the Senate

**READ** and **ORDERED PLACED ON FILE**.

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The Following Communication: S.C. 62

**120<sup>TH</sup> LEGISLATURE  
JOINT STANDING COMMISSION ON JUDICIARY**



LEGISLATIVE RECORD - SENATE, THURSDAY, FEBRUARY 22, 2001

February 15, 2001

The Honorable Michael H. Michaud  
President of the Senate of Maine  
120th Maine Legislature  
State House  
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 120th Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of the Honorable Roland Beaudoin of Falmouth, for appointment as a Maine District Court Judge.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	2	Ferguson of Oxford, Rand of Cumberland
	Representatives	9	Bull of Freeport, Jacobs of Turner, LaVerdiere of Wilton, Madore of Augusta, Mitchell of Vassalboro, Muse of South Portland, Sherman of Hodgdon, Simpson of Auburn, Waterhouse of Bridgton
NAYS		0	
ABSENT		2	Sen. McAlevey of York, Rep. Mendros of Lewiston

Eleven members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of the Honorable Roland Beaudoin of Falmouth, for appointment as a Maine District Court Judge be confirmed.

Signed,

S/Anne M. Rand  
Senate Chair

S/Charles C. LaVerdiere  
House Chair

**READ and ORDERED PLACED ON FILE.**

The President Pro Tem laid before the Senate the following: "Shall the recommendation of the Committee on **JUDICIARY** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 120<sup>th</sup> Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

The Chair noted the absence of the Senator from Penobscot, President **MICHAUD**, and the Senator from Aroostook, Senator **MARTIN** and further excused the same Senators from today's Roll Call votes.

**ROLL CALL (#6)**

YEAS: Senators: None

NAYS: Senators: **ABROMSON, CARPENTER, CATHCART, DAGGETT, DAVIS, DOUGLASS, EDMONDS, FERGUSON, GAGNON, GOLDTHWAIT, KILKELLY, KNEELAND, LAFOUNTAIN, LEMONT, LONGLEY, MCALEVEY, MITCHELL, O'GARA, PENDLETON, ROTUNDO, SAVAGE, SAWYER, SHOREY, SMALL, TREAT, TURNER, WOODCOCK, YOUNGBLOOD, THE PRESIDENT PRO TEM - RICHARD A. BENNETT**

ABSENT: Senators: **BROMLEY, MILLS, NUTTING, RAND**

EXCUSED: Senators: **MARTIN, MICHAUD**

No Senator having voted in the affirmative and 29 Senators having voted in the negative, with 4 Senators being absent and 2 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of the Honorable **Roland Beaudoin** of Falmouth, for appointment as a Maine District Court Judge was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

The Following Communication: S.C. 63

**120<sup>TH</sup> LEGISLATURE**

February 9, 2001

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

Dear Secretary O'Brien:

Pursuant to our authority under Title 10, Section 929-A, we have appointed Senator Susan W. Longley of Waldo County, Senator Kevin Shorey of Washington County, Representative Paul L. Tessier of Fairfield and Representative Richard W. Rosen of Bucksport to the Maine Economic Growth Council.

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

Sincerely,

S/Michael H. Michaud  
President of the Senate

S/Angus S. King, Jr.  
Governor

S/Michael V. Saxl  
Speaker of the House

**READ and ORDERED PLACED ON FILE.**

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**SENATE PAPERS**

Bill "An Act to Clarify the Sale of Farm-produced Foods"  
S.P. 334 L.D. 1141

Sponsored by Senator NUTTING of Androscoggin.  
Cosponsored by Representative McKEE of Wayne and Senators:  
GOLDTHWAIT of Hancock, KILKELLY of Lincoln,  
Representatives: HAWES of Standish, PINEAU of Jay, VOLENIK  
of Brooklin.

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

Sent down for concurrence.

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Bill "An Act to Appropriate Funds for the Capital Riverfront  
Improvement District"  
S.P. 302 L.D. 1049

Sponsored by Senator DAGGETT of Kennebec.  
Cosponsored by Representative MITCHELL of Vassalboro and  
Representatives: MADORE of Augusta, O'BRIEN of Augusta.

Bill "An Act to Improve the Literacy of Adults in the State"  
S.P. 320 L.D. 1088

Sponsored by Senator PENDLETON of Cumberland.  
Cosponsored by Representative BERRY of Livermore and  
Senators: ABROMSON of Cumberland, SMALL of Sagadahoc,  
Representatives: BELANGER of Caribou, BRANNIGAN of  
Portland, MAILHOT of Lewiston.

Bill "An Act to Provide Annual Support to the Maine Rural  
Development Council and its Community Capacity Building Work  
in Distressed Areas of the State"  
S.P. 335 L.D. 1142

Sponsored by President MICHAUD of Penobscot.  
Cosponsored by Representative BERRY of Livermore and  
Senators: KILKELLY of Lincoln, MARTIN of Aroostook, SHOREY  
of Washington, YOUNGBLOOD of Penobscot, Representatives:  
GOOLEY of Farmington, JONES of Greenville, TESSIER of  
Fairfield.

Bill "An Act to Enhance Economic Development Capacity"  
S.P. 337 L.D. 1144

Sponsored by President MICHAUD of Penobscot.  
Cosponsored by Speaker SAXL of Portland and Senators:  
GOLDTHWAIT of Hancock, KILKELLY of Lincoln, MARTIN of  
Aroostook, SHOREY of Washington, YOUNGBLOOD of  
Penobscot, Representatives: BERRY of Livermore, JONES of  
Greenville, TESSIER of Fairfield.

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

Sent down for concurrence.

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Bill "An Act to Expand the Use of Tobacco Settlement Funds to  
Support Existing School-based Health Centers"  
S.P. 325 L.D. 1093

Sponsored by Senator NUTTING of Androscoggin.  
Cosponsored by Representative FULLER of Manchester and  
Senators: LONGLEY of Waldo, TREAT of Kennebec,  
Representatives: BERRY of Livermore, BROOKS of Winterport,  
GREEN of Monmouth, JACOBS of Turner, MCKEE of Wayne.

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

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

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Bill "An Act to Prohibit Negative Option Sales Without a  
Consumer's Express Agreement"  
S.P. 324 L.D. 1092

Sponsored by Senator SHOREY of Washington.  
Cosponsored by Representative RICHARDSON of Brunswick  
and Senators: McALEVEY of York, SMALL of Sagadahoc,  
TURNER of Cumberland, Representatives: BUNKER of Kossuth  
Township, MORRISON of Baileyville.  
Submitted by the Department of the Attorney General pursuant to  
Joint Rule 204.

Committee on **BUSINESS AND ECONOMIC DEVELOPMENT**  
suggested and ordered printed.

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

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Bill "An Act to Allow Victims of Crimes More Access to Inmate  
Records"  
S.P. 303 L.D. 1050

Sponsored by Senator McALEVEY of York.  
Cosponsored by Representatives: BUNKER of Kossuth  
Township, O'BRIEN of Augusta.

Bill "An Act to Increase the Penalty for Criminal Homicide Caused by a Person Operating a Motor Vehicle While Under the Influence"

S.P. 316 L.D. 1084

Sponsored by Senator PENDLETON of Cumberland.

Bill "An Act to Create the Crime of Fleeing from a Motor Vehicle Stopped by Police"

S.P. 319 L.D. 1087

Sponsored by Senator McALEVEY of York.  
Cosponsored by Representative WATERHOUSE of Bridgton and Senator: PENDLETON of Cumberland, Representatives: DUGAY of Cherryfield, DUPREY of Hampden, MacDOUGALL of North Berwick.

Bill "An Act to Increase the Crime Classification of the Crime of Misuse of Identification"

S.P. 330 L.D. 1098

Sponsored by Senator McALEVEY of York.  
Cosponsored by Representative WATERHOUSE of Bridgton and Senators: PENDLETON of Cumberland, SHOREY of Washington, Representatives: BROOKS of Winterport, DUGAY of Cherryfield, DUPREY of Hampden, MacDOUGALL of North Berwick, TARAZEWICH of Waterboro.

Bill "An Act to Permit Involuntary Medication of Mentally Ill Persons Residing in Department of Corrections Facilities"

S.P. 331 L.D. 1099

Sponsored by Senator DAVIS of Piscataquis.  
Cosponsored by Representative WHEELER of Bridgewater and Senator: KNEELAND of Aroostook, Representatives: BELANGER of Caribou, COLLINS of Wells, GERZOFKY of Brunswick, PERKINS of Penobscot, PINKHAM of Lamoine, SNOWE-MELLO of Poland, TOBIN of Dexter.  
Submitted by the Department of Corrections pursuant to Joint Rule 204.

**REFERRED** to the Committee on **CRIMINAL JUSTICE** and ordered printed.

Sent down for concurrence.

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Bill "An Act to Improve Taxpayer Equity in School Funding"

S.P. 321 L.D. 1089

Sponsored by Senator ABROMSON of Cumberland.  
Cosponsored by Representative ETNIER of Harpswell and Senators: LaFOUNTAIN of York, LEMONT of York, PENDLETON of Cumberland, Representatives: BRANNIGAN of Portland, BULL of Freeport, SKOGLUND of St. George.

Bill "An Act to Repeal the Requirement that School Employees be Fingerprinted"

S.P. 322 L.D. 1090

Sponsored by Senator DAVIS of Piscataquis.  
Cosponsored by Representative WATERHOUSE of Bridgton, President MICHAUD of Penobscot, Representative PARADIS of Frenchville, and President Pro Team BENNETT of Oxford, Senators: KNEELAND of Aroostook, SAVAGE of Knox, Representatives: CARR of Lincoln, McNEIL of Rockland, MENDROS of Lewiston, MURPHY of Kennebunk, TWOMEY of Biddeford.

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

Sent down for concurrence.

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Resolve, to Improve Staffing in Health Care Settings

S.P. 317 L.D. 1085

Sponsored by Senator PENDLETON of Cumberland.  
Cosponsored by Representative FULLER of Manchester and Senators: GOLDTHWAIT of Hancock, KILKELLY of Lincoln, RAND of Cumberland, Representatives: ANDREWS of York, COLWELL of Gardiner, KANE of Saco, O'BRIEN of Augusta, SCHNEIDER of Durham.

Resolve, to Require Medicaid Reimbursement to Persons with Brain Injuries

S.P. 326 L.D. 1094

Sponsored by Senator NUTTING of Androscoggin.  
Cosponsored by Representative BERRY of Livermore.

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

Sent down for concurrence.

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Bill "An Act to Allow Principals of Limited Liability Corporations to Appear in Court in Forcible Entry and Detainer Cases"

S.P. 336 L.D. 1143

Sponsored by Senator DAGGETT of Kennebec.  
Cosponsored by Representative TUTTLE of Sanford.

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

Sent down for concurrence.

Resolve, Directing the Maine State Retirement System to Report on the Establishment of a Universal Special Retirement Plan for Law Enforcement Officers

S.P. 304 L.D. 1051

Sponsored by Senator DAVIS of Piscataquis.  
Cosponsored by Representative LESSARD of Topsham and Senator McALEVEY of York, President MICHAUD of Penobscot, Senator SMALL of Sagadahoc, Representatives: BULL of Freeport, CARR of Lincoln, NORBERT of Portland, POVICH of Ellsworth, WHEELER of Bridgewater.

Bill "An Act to Amend the State's Overtime Law"

S.P. 314 L.D. 1082

Sponsored by Senator PENDLETON of Cumberland.  
Cosponsored by Representative MATTHEWS of Winslow and Senators: EDMONDS of Cumberland, GOLDTHWAIT of Hancock, KILKELLY of Lincoln, McALEVEY of York, RAND of Cumberland, Representatives: ANDREWS of York, FULLER of Manchester, MAYO of Bath.

Bill "An Act to Improve Limits on Mandatory Overtime"

S.P. 318 L.D. 1086

Sponsored by Senator DOUGLASS of Androscoggin.  
Cosponsored by Representative HUTTON of Bowdoinham and Senator: EDMONDS of Cumberland, Representatives: BRYANT of Dixfield, BUNKER of Kossuth Township, DUPLESSIE of Westbrook, MAYO of Bath, PATRICK of Rumford, PINEAU of Jay.

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

Sent down for concurrence.

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Bill "An Act to Regulate Push Polling"

S.P. 308 L.D. 1055

Sponsored by President Pro Tem BENNETT of Oxford.

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Revoke Voting Rights of Convicted Felons while in Prison

S.P. 311 L.D. 1058

Sponsored by President Pro Tem BENNETT of Oxford.  
Cosponsored by Representative LOVETT of Scarborough, Representative ANDREWS of York and Representative: CRESSEY of Baldwin.

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

Sent down for concurrence.

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Bill "An Act Concerning the Lobster Management Fund"

S.P. 323 L.D. 1091

Sponsored by Senator LEMONT of York.  
Cosponsored by Representative LEMOINE of Old Orchard Beach.

Submitted by the Department of Marine Resources pursuant to Joint Rule 204.

Resolve, to Clarify the 3-mile Fishing Waters in Saco Bay

S.P. 333 L.D. 1140

Sponsored by Senator LEMONT of York.  
Cosponsored by Senator: PENDLETON of Cumberland, Representative: PINKHAM of Lamoine.

**REFERRED** to the Committee on **MARINE RESOURCES** and ordered printed.

Sent down for concurrence.

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Bill "An Act to Authorize State Agencies to Arrange for Direct Billing of Hotel Rooms for State Business"

S.P. 315 L.D. 1083

Sponsored by Senator PENDLETON of Cumberland.  
Cosponsored by Representative McDONOUGH of Portland and Senators: DAGGETT of Kennebec, DAVIS of Piscataquis, KNEELAND of Aroostook, ROTUNDO of Androscoggin, Representatives: COLWELL of Gardiner, HATCH of Skowhegan, McLAUGHLIN of Cape Elizabeth.

Resolve, Authorizing the Commissioner of Administrative and Financial Services to Sell or Lease the Interests of the State in the Jacob Abbott House and the Reed Auditorium Properties, Located at the Stevens School Campus in Hallowell

S.P. 338 L.D. 1145

Sponsored by Senator PENDLETON of Cumberland.  
Cosponsored by Senator: TREAT of Kennebec, Representatives: COWGER of Hallowell, McDONOUGH of Portland, MURPHY of Berwick, WATSON of Farmingdale.  
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.

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Bill "An Act to Ensure Independent Decision Making in Appeals of Denials of Abatement of Property Taxes"

S.P. 307 L.D. 1054

Sponsored by Senator KILKELLY of Lincoln.  
Cosponsored by Representative DUNLAP of Old Town and Senator: MARTIN of Aroostook, Representative: LESSARD of Topsham.

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

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

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Bill "An Act to Give the Legislative Council Discretion in Appointing Members to the Revenue Forecasting Commission" (EMERGENCY)

S.P. 339 L.D. 1146

Sponsored by President **MICHAUD** of Penobscot. (GOVERNOR'S BILL)  
Cosponsored by Representative **BRUNO** of Raymond.

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

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

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

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Bill "An Act to Prorate Excise Tax on Commercial Vehicles that are Rented"

S.P. 305 L.D. 1052

Sponsored by Senator **McALEVEY** of York.  
Cosponsored by Representative **McNEIL** of Rockland and Senators: **KNEELAND** of Aroostook, **SHOREY** of Washington, Representatives: **BUNKER** of Kossuth Township, **GERZOFKY** of Brunswick, **POVICH** of Ellsworth.

Bill "An Act to Enforce the Taxation of Building Materials and Modular Homes"

S.P. 309 L.D. 1056

Sponsored by President Pro Tem **BENNETT** of Oxford.  
Cosponsored by Senator: **KNEELAND** of Aroostook, Representatives: **BUMPS** of China, **CLARK** of Millinocket, **DUGAY** of Cherryfield, **FISHER** of Brewer, **GREEN** of Monmouth, **WINSOR** of Norway.

Bill "An Act to Clarify the Definition of "Charitable Institution" for Purposes of Property Tax Exemption"

S.P. 310 L.D. 1057

Sponsored by Senator **KNEELAND** of Aroostook.  
Cosponsored by Representatives: **ASH** of Belfast, **BELANGER** of Caribou, **BUMPS** of China, **DESMOND** of Mapleton, **GAGNE** of Buckfield, **McNEIL** of Rockland, **MURPHY** of Kennebunk, **WESTON** of Montville.

Bill "An Act to Amend the Public Property Tax Exemption"

S.P. 328 L.D. 1096

Sponsored by Senator **O'GARA** of Cumberland.  
Cosponsored by Representative **HAWES** of Standish and Senators: **KNEELAND** of Aroostook, President **MICHAUD** of Penobscot, Representatives: **BUCK** of Yarmouth, **BUMPS** of China, **GAGNE** of Buckfield, **McGOWAN** of Pittsfield, **MURPHY** of Berwick, **PERRY** of Bangor.

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

Sent down for concurrence.

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Bill "An Act to Clarify the Release of Driver's License Information"  
S.P. 306 L.D. 1053

Sponsored by Senator **McALEVEY** of York.

Bill "An Act to Amend the Law on Local Bridge Reconstruction"  
S.P. 327 L.D. 1095

Sponsored by Senator **FERGUSON** of Oxford.  
Cosponsored by Representative **JODREY** of Bethel and Senator: **MITCHELL** of Penobscot, Representatives: **GAGNE** of Buckfield, **RICHARDSON** of Brunswick.

Bill "An Act to Provide Nesting Areas for Ospreys Displaced by Department of Transportation Bridge Repair" (EMERGENCY)  
S.P. 329 L.D. 1097

Sponsored by Senator **SMALL** of Sagadahoc.  
Cosponsored by Representative **ETNIER** of Harpswell.

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

Sent down for concurrence.

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Bill "An Act Concerning Private Line Extensions Provided by Central Maine Power Company"  
S.P. 312 L.D. 1059

Sponsored by Senator **TURNER** of Cumberland.  
Cosponsored by Representative **McKENNEY** of Cumberland.

Bill "An Act to Ensure Access to Energy Markets for Maine's Small Hydroelectric Facilities"  
S.P. 332 L.D. 1139

Sponsored by Senator **EDMONDS** of Cumberland.  
Cosponsored by Senators: **BROMLEY** of Cumberland, **DOUGLASS** of Androscoggin, **KILKELLY** of Lincoln, **LONGLEY** of Waldo, **O'GARA** of Cumberland.

**REFERRED** to the Committee on **UTILITIES AND ENERGY** and ordered printed.

Sent down for concurrence.

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Under suspension of the Rules, all matters thus acted upon were ordered sent down forthwith for concurrence.

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**ORDERS**

**Joint Order**

On motion by Senator **DAGGETT** of Kennebec, the following Joint Order:

S.P. 340

ORDERED, the House concurring, that the Joint Standing Committee on Legal and Veterans Affairs review the first election cycle under the Maine Clean Election Act. In studying the issue, the committee shall solicit testimony from Legislators, 2000 candidates and any other concerned parties. The Commission on Governmental Ethics and Election Practices shall provide necessary information, including a financial breakdown. The committee shall report out, to the Senate, a bill implementing the committee's recommendations no later than April 15, 2002.

**READ and PASSED.**

Sent down for concurrence.

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**REPORTS OF COMMITTEES**

**House**

**Ought to Pass**

The Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act to Establish Maine Lighthouse Week" (EMERGENCY)  
H.P. 102 L.D. 106

Reported that the same **Ought to Pass**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.

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

**READ ONCE.**

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.**

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**ORDERS OF THE DAY**

**Unfinished Business**

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

The Chair laid before the Senate the following Tabled and Later (2/15/01) Assigned matter:

Bill "An Act to Amend the Laws Governing the Kennebec County Advisory Budget Committee"

H.P. 615 L.D. 800

Tabled - February 15, 2001, by Senator **DAGGETT** of Kennebec

Pending - **REFERENCE**

(In House, February 13, 2001, **REFERRED** to Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.)

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

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The Chair laid before the Senate the following Tabled and Later (2/15/01) Assigned matter:

Bill "An Act to Improve End-of-life Care in the State"

H.P. 617 L.D. 802

Tabled - February 15, 2001, by Senator **DAGGETT** of Kennebec

Pending - **REFERENCE**

(In House, February 13, 2001, **REFERRED** to Committee on **BANKING AND INSURANCE** and ordered printed.)

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

(See action later today.)

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The Chair laid before the Senate the following Tabled and Specially (2/20/01) Assigned matter:

Bill "An Act to Hold Persons Incarcerated in County Jails Accountable for Certain Costs Associated with Their Incarceration"

H.P. 401 L.D. 522

Tabled - February 20, 2001, by Senator **MCALLEVEY** of York

Pending - **REFERENCE**

(In House, February 6, 2001, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**.)

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

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

Bill "An Act to Enhance the Quality and Accessibility of HIV Services and Prevention Services"

H.P. 779 L.D. 1023

Tabled - February 22, 2001, by Senator **TREAT** of Kennebec

Pending - **REFERENCE**

(In House, February 20, 2001, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**.)

On motion by Senator **LONGLEY** of Waldo, **REFERRED** to the Committee on **JUDICIARY** and ordered printed, in **NON-CONCURRENCE**.

Sent down for concurrence.

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Senate at Ease.

Senate called to order by President Pro Tem **RICHARD A. BENNETT** of Oxford.

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On motion by Senator **LONGLEY** of Waldo, the Senate **RECONSIDERED** whereby it **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**, in **NON-CONCURRENCE**, the following:

Bill "An Act to Improve End-of-life Care in the State"  
H.P. 617 L.D. 802

(In House, February 13, 2001, **REFERRED** to Committee on **BANKING AND INSURANCE** and ordered printed.)

(In Senate, February 22, 2001, on motion by Senator **LAFOUNTAIN** of York, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed, in **NON-CONCURRENCE**.)

On further motion by same Senator, **TABLED 1** Legislative Day, pending motion by Senator **LAFOUNTAIN** of York to **REFER** to the Committee on **HEALTH AND HUMAN SERVICES**, in **NON-CONCURRENCE**.

(See action later today.)

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

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

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On motion by Senator **DAVIS** of Piscataquis, **RECESSED** until 11:30 in the morning.

After Recess

Senate called to order by President Pro Tem **RICHARD A. BENNETT** of Oxford.

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

#### PAPERS FROM THE HOUSE

##### House Paper

Bill "An Act to Provide Additional Resources to the Oxford County Fair Society"

H.P. 831 L.D. 1103

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

**REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed, in concurrence.

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

#### PAPERS FROM THE HOUSE

##### House Papers

Bill "An Act to Adjust the Funding for Designated Regional Emergency Medical Services Councils" (EMERGENCY)  
H.P. 842 L.D. 1114

Bill "An Act to Fund Uncollectible, Outstanding Accounts Receivable of 28 Community and Indian Health Centers"  
H.P. 855 L.D. 1127

Bill "An Act to Deappropriate Funds for Dues of the Legislature and Governor and Out-of-State Travel by the Legislature"  
H.P. 860 L.D. 1132

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

**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**

Bill "An Act Concerning Motor Vehicle Dealer Sale Practices"  
H.P. 845 L.D. 1117

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

**REFERRED** to the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** and ordered printed, in concurrence.

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Bill "An Act to Ensure that Parents of Children Prescribed Psychotropic Drugs Receive Adequate Information"  
H.P. 818 L.D. 1072

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

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

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Bill "An Act to Enable Low-income and Moderate-income Families to Conserve Energy in Their Homes"  
H.P. 866 L.D. 1138

Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** suggested and ordered printed.

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

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

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

**PAPERS FROM THE HOUSE**

**House Papers**

Bill "An Act to Establish the Maine Firefighter Training Fund"  
H.P. 804 L.D. 1048

Bill "An Act to Relieve Counties from the Expense and Responsibility of Transporting Certain Prisoners Between Correctional Facilities and Courts"  
H.P. 805 L.D. 1060

Bill "An Act to Protect Children and Elderly or Incapacitated Adults"  
H.P. 811 L.D. 1066

Bill "An Act to Amend the Laws Pertaining to Juvenile Offenders"  
H.P. 814 L.D. 1069

Bill "An Act to Protect Maine's Elderly from Theft and Fraud"  
H.P. 823 L.D. 1077

Bill "An Act to Adopt a New Interstate Compact Regarding Adults Who are on Probation or Parole"  
H.P. 827 L.D. 1081

Bill "An Act to Limit Access to Firearms by Those Subject to Protection from Abuse Orders"  
H.P. 847 L.D. 1119

Bill "An Act Concerning Runaways"  
H.P. 851 L.D. 1123

Resolve, Directing the Department of Corrections to Include in its Plan for a Long-term Care or Hospice Facility Administered by the Department of Corrections Resources and Costs Necessary to Provide Long-term or Hospice Care to County Jail Inmates and Presentence Detainees  
H.P. 856 L.D. 1128

Bill "An Act to Provide for a Minimum Sentence and Limit the Use of Plea Bargaining in the Death of a Child 6 Years of Age or Younger"  
H.P. 858 L.D. 1130

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

**REFERRED** to the Committee on **CRIMINAL JUSTICE** and ordered printed, in concurrence.

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

**PAPERS FROM THE HOUSE**

**House Papers**

Bill "An Act Concerning Teacher Certification for Targeted Need Areas"  
H.P. 803 L.D. 1047

Bill "An Act to Allow Municipal Officers to Negotiate Employment Contracts with School Employees"  
H.P. 828 L.D. 1100

Bill "An Act to Establish a Subsidy for Maine Performing Artists at Maine Fairs"  
H.P. 861 L.D. 1133

Bill "An Act to Create Equity Among all Children in Need of Special Education or Supportive Services"  
H.P. 862 L.D. 1134



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

**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**

Resolve, to Exclude Certain Income Earned by Personal Care Assistants from Eligibility Requirements for State Assistance  
H.P. 835 L.D. 1107

Resolve, to Promote More Flexible Use of the Long-term Care Workforce  
H.P. 852 L.D. 1124

Resolve, Directing the Department of Human Services to Adjust the Cap on Direct-care Staff Costs for Residential Care Facilities  
H.P. 853 L.D. 1125

Bill "An Act to Clarify the Relationship between State Agencies and Faith-based Organizations Regarding Charitable Choice Options"  
H.P. 865 L.D. 1137

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

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

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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 the Use of Dogs or Bait While Hunting Bear"  
H.P. 812 L.D. 1067

Bill "An Act to Restrict the Commercial Harvest of Snapping Turtles in Order to Ensure Sustainability of the Resource"  
H.P. 824 L.D. 1078

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

**REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed, in concurrence.

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

**PAPERS FROM THE HOUSE**

**House Papers**

Bill "An Act to Clarify the Laws Relating to Corporate and Other Entities"  
H.P. 813 L.D. 1068

Bill "An Act to Prohibit the Exclusion of Legal Counsel as a Condition of Settlement"  
H.P. 817 L.D. 1071

Bill "An Act to Require that any Proceedings Initiated by the Department of Human Services to Terminate Parental Rights Be Open"  
H.P. 820 L.D. 1074

Bill "An Act to Protect Families by Easing the Standard of Proof for Certain Child Protection Hearings"  
H.P. 825 L.D. 1079

Bill "An Act to Amend Article 9-A of the Uniform Commercial Code" (EMERGENCY)  
H.P. 826 L.D. 1080

Bill "An Act to Increase the Civil Liability of Parents for the Criminal Conduct of their Children"  
H.P. 839 L.D. 1111

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

**REFERRED** to the Committee on **JUDICIARY** and ordered printed, in concurrence.

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

**PAPERS FROM THE HOUSE**

**House Papers**

Bill "An Act to Amend the Membership of the Workers' Compensation Board"  
H.P. 810 L.D. 1065

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

**REFERRED** to the Committee on **LABOR** and ordered printed, in concurrence.

Bill "An Act to Address the Critical Shortage of Teachers and School Administrators in Maine Public Schools"  
H.P. 830 L.D. 1102

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

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

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

**PAPERS FROM THE HOUSE**

**House Papers**

Resolve, Authorizing Arnold Smith to Sue the State  
H.P. 822 L.D. 1076

Bill "An Act to Bring Fairness to the Maine Clean Elections Act"  
H.P. 829 L.D. 1101

Bill "An Act to Provide Fairness in Lottery Ticket Sales"  
H.P. 832 L.D. 1104

Bill "An Act to Bring Parity to the Candidate Signature Requirement"  
H.P. 834 L.D. 1106

Bill "An Act to Allow Oral Campaigning by Candidates at the Polls"  
H.P. 840 L.D. 1112

Bill "An Act to Provide a Standard Residency Requirement for the Purpose of Registering to Vote"  
H.P. 854 L.D. 1126

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

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

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Bill "An Act to Provide Compensation to a Person Detained on the Basis of a Warrant Issued in Error"  
H.P. 819 L.D. 1073

Committee on **LEGAL AND VETERANS AFFAIRS** suggested and ordered printed.

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

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

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 the Cost of Disposal for Municipalities and Encourage the Recycling of Electronic Equipment"  
H.P. 833 L.D. 1105

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

**REFERRED** to the Committee on **NATURAL RESOURCES** and ordered printed, in concurrence.

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

**PAPERS FROM THE HOUSE**

**House Papers**

Bill "An Act to Honor Maine's French Heritage"  
H.P. 844 L.D. 1116

Bill "An Act to Enact the Paperwork Reduction Act"  
H.P. 846 L.D. 1118

Bill "An Act to Allow Municipalities to Advertise Legal Notices in Weekly Newspapers"  
H.P. 859 L.D. 1131

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

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

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

**PAPERS FROM THE HOUSE**

**House Papers**

Bill "An Act to Exempt Bottled Water from State Sales Tax"  
H.P. 800 L.D. 1044

Bill "An Act Relating to the Taxation of Food"  
H.P. 802 L.D. 1046

Bill "An Act to Reduce Tree Growth Tax Benefits to Landowners Who Employ Migrant Workers"  
H.P. 806 L.D. 1061

Bill "An Act to Reduce Tree Growth Tax Benefits to Landowners Who Restrict Access to Their Land"

H.P. 807 L.D. 1062

Bill "An Act to Exempt Maine State Retirement System Employee Contributions from State Income Tax"

H.P. 808 L.D. 1063

Bill "An Act Regarding the Assessment and Collection of Real Estate Property Taxes"

H.P. 836 L.D. 1108

Bill "An Act to Clarify Conditions of Eligibility for Property Tax Exemptions for Benevolent and Charitable Institutions"

H.P. 837 L.D. 1109

Bill "An Act to Eliminate the Tax on Mahogany Quahogs"

H.P. 838 L.D. 1110

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Permit a Parcel of Land to be Withdrawn from the Maine Tree Growth Tax Program after 20 Years Without Penalty

H.P. 841 L.D. 1113

Bill "An Act to Exempt a Portion of Certain Pensions From the State Income Tax"

H.P. 843 L.D. 1115

Bill "An Act to Allow an Income Tax Deduction for the Cost of Health Insurance Premiums"

H.P. 857 L.D. 1129

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

**REFERRED** to the Committee on **TAXATION** and ordered printed, in concurrence.

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

**PAPERS FROM THE HOUSE**

**House Papers**

Resolve, to Direct the Secretary of State's Office to Institute an Organ and Tissue Donor Registry

H.P. 848 L.D. 1120

Bill "An Act to Exempt Clergy from Using a Social Security Number on a Driver's License"

H.P. 850 L.D. 1122

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

**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 Flexibility in Regulation of Telephone Utilities"

H.P. 849 L.D. 1121

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

**REFERRED** to the Committee on **UTILITIES AND ENERGY** and ordered printed, in concurrence.

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Bill "An Act to Ban the Permitting or Expansion of Existing Sewage Outfalls into the Ocean"

H.P. 801 L.D. 1045

Committee on **UTILITIES AND ENERGY** suggested and ordered printed.

Comes from the House, **REFERRED** to the Committee on **NATURAL RESOURCES**.

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

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**ORDERS OF THE DAY**

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

Bill "An Act to Provide Compensation to a Person Detained on the Basis of a Warrant Issued in Error"

H.P. 819 L.D. 1073

Tabled - February 22, 2001, by Senator **TREAT** of Kennebec

Pending - **REFERENCE**

(Committee on **LEGAL AND VETERANS AFFAIRS** suggested and ordered printed.)

(In House, February 22, 2001, **REFERRED** to the Committee on **JUDICIARY**.)

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

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

**ENACTORS**

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

**Emergency Measure**

An Act to Give the Legislative Council Discretion in Appointing Members to the Revenue Forecasting Commission  
S.P. 339 L.D. 1146

This being an Emergency Measure and having received the affirmative vote of 28 Members of the Senate, with no Senators having voted in the negative, and 28 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President Pro Tem, was presented by the Secretary to the Governor for his approval.

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

**PAPERS FROM THE HOUSE**

**House Paper**

Bill "An Act to Treat All Children with Dignity"  
H.P. 864 L.D. 1136

Committee on **BANKING AND INSURANCE** suggested and ordered printed.

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

**REFERRED** to the Committee on **JUDICIARY** and ordered printed, in concurrence.

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**ORDERS OF THE DAY**

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

Bill "An Act to Address the Critical Shortage of Teachers and School Administrators in Maine Public Schools"  
H.P. 830 L.D. 1102

Tabled - February 22, 2001, by Senator **EDMONDS** of Cumberland

Pending - **REFERENCE**

(In House, February 22, 2001, **REFERRED** to the Committee on **LABOR** and ordered printed.)

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

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Under unanimous consent, the Chair laid before the Senate the following Tabled and Specially (3/5/01) Assigned matter:

Bill "An Act to Improve End-of-life Care in the State"  
H.P. 617 L.D. 802

Tabled - February 22, 2001, by Senator **LONGLEY** of Waldo

Pending - motion by Senator **LAFOUNTAIN** of York to **REFER** to the Committee on **HEALTH AND HUMAN SERVICES**, in **NON-CONCURRENCE**

(In House, February 13, 2001, **REFERRED** to Committee on **BANKING AND INSURANCE** and ordered printed.)

(In Senate, February 22, 2001, on motion by Senator **LAFOUNTAIN** of York, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed, in **NON-CONCURRENCE**. Subsequently, on motion by Senator **LONGLEY** of Waldo, **RECONSIDERED**.)

Senator **LAFOUNTAIN** of York requested and received leave of the Senate to withdraw his motion to **REFER** to the Committee on **HEALTH AND HUMAN SERVICES**, in **NON-CONCURRENCE**.

On further motion by same Senator, **REFERRED** to the Committee on **BANKING AND INSURANCE** and ordered printed, in concurrence.

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Senate at Ease.

Senate called to order by President Pro Tem **RICHARD A. BENNETT** of Oxford.

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On motion by Senator **SMALL** of Sagadahoc, **ADJOURNED**, pursuant to the Joint Order, to Wednesday, February 28, 2001, at 10:00 in the morning.