

MAINE STATE LEGISLATURE

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Senate Legislative Record
One Hundred and Twentieth Legislature
State of Maine

Volume 1

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

Off Record Remarks

In Senate Chamber
Wednesday
February 28, 2001

Senate called to order by Joy J. O'Brien, Secretary of the Senate.

Senator **NUTTING** of Androscoggin was appointed to serve as President Pro-Tem for the session.

The Secretary requested the Sergeant-At-Arms escort the Senator from Androscoggin, Senator **NUTTING** to the rostrum where he assumed the duties as President Pro Tem.

Senate called to order by President Pro Tem **JOHN M. NUTTING** of Androscoggin County.

Prayer by Senator W. Tom Sawyer, Jr. of Penobscot County.

SENATOR SAWYER: Thank you, Senator, ladies and gentlemen of the Senate. As we are about to contemplate the peoples' business today, I ask that we prayerfully contemplate the following. The first is by Lowell Kjensted, who is a minister from Enfield, and the second is from Stephen Grellett, a gentleman from Holland. May we be in the spirit of prayer.

'We arrived here today on roads that we did not build, in vehicles we did not manufacture, using fuel we did not extract from the earth nor refine, wearing clothing that we did not sew. We'll nourish our bodies with food that we did not grow, prepare, nor serve. We sit at desks and chairs we did not construct. We hear these words over devices whose workings we do not understand. We are grateful for these tens of thousands of items we use daily without thought. But we are most grateful for the enterprise system that makes them possible.'

And from Mr. Grellett: 'We shall pass this way but once. Any goodness we can do, any kindness we can show any human being, let us do it now and not defer it for we shall not pass this way again.'

Lord, we ask that you help us to keep others in our minds as we proceed with the peoples' business. Amen.

Pledge of Allegiance led by Senator Chandler E. Woodcock of Franklin County.

Doctor of the day, William Bergen, D.O., Presque Isle.

Reading of the Journal of Thursday, February 22, 2001.

Out of order and under suspension of the Rules, on motion by Senator **SMALL** of Sagadahoc, the following Joint Order:
S.P. 357

ORDERED, the House concurring, that when the House and Senate stand Adjourned they do so until Monday, March 5, 2001, at 10:00 in the morning.

READ and PASSED.

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

The Chair noted the absence of the Senator from Penobscot, President **MICHAUD**, the Senator from Oxford, President Pro Tem **BENNETT**, the Senator from Kennebec, Senator **DAGGETT**, the Senator from Kennebec, Senator **TREAT**, the Senator from Piscataquis, Senator **DAVIS**, and the Senator from York, Senator **LAFOUNTAIN** and further excused the same Senators from today's Roll Call votes.

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Provide Universal Health Insurance Coverage"
H.P. 797 L.D. 1041

Committee on **HEALTH AND HUMAN SERVICES** suggested and ordered printed.

Comes from the House, **REFERRED** to the Committee on **BANKING AND INSURANCE**.

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

Resolve, to Create the Commission to Study the Relationship Between Alcohol Sales and Substance Abuse in the State of Maine

H.P. 759 L.D. 978

Comes 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 to Create a State Program for the Testing of Marine Dredge Spoils and Disposal of Contaminated Spoils"
H.P. 792 L.D. 1036

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

Comes from the House, **REFERRED** to the Committees on **MARINE RESOURCES** and **NATURAL RESOURCES**.

On motion by Senator **MARTIN** of Aroostook, **REFERRED** to the Committee on **MARINE RESOURCES** and ordered printed, in **NON-CONCURRENCE**.

Sent down for concurrence.

Bill "An Act to Authorize the State and Participating Municipalities to Pool Health Care in a Joint Venture"
H.P. 616 L.D. 801

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

Comes from the House, **REFERRED** to the Committee on **BANKING AND INSURANCE**.

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

**Pursuant to Statutes
Criminal Law Advisory Commission**

The **Criminal Law Advisory Commission**, pursuant to the Maine Revised Statutes, Title 17-A, section 1354, subsection 2 asked leave to report that the accompanying Bill "An Act Creating the New Crime of Aggravated Attempted Murder"
H.P. 867 L.D. 1147

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

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

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

REFERRED to the Committee on **CRIMINAL JUSTICE** and ordered printed pursuant to Joint Rule 218, in concurrence.

**Pursuant to Statutes
Family Law Advisory Commission**

The **Family Law Advisory Commission**, pursuant to the Maine Revised Statutes, Title 19-A, section 354, subsection 2 asked leave to report that the accompanying Bill "An Act to Require Background Checks for Adoptions"
H.P. 815 L.D. 1070

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

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

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

REFERRED to the Committee on **JUDICIARY** and ordered printed pursuant to Joint Rule 218, in concurrence.

Joint Orders

The following Joint Order: H.P. 720

ORDERED, the Senate concurring, that the Joint Select Commission to Examine the Laws Governing the Operation of Emergency Vehicles is established as follows.

1. Commission established. The Joint Select Commission to Examine the Laws Governing the Operation of Emergency Vehicles, referred to in this order as the "commission," is established.

2. Membership. The commission consists of 11 members appointed as follows.

A. The President of the Senate shall appoint 2 members from the Senate. One must be a member of the Joint Standing Committee on Criminal Justice and the other must be a member of the Joint Standing Committee on Transportation.

B. The Speaker of the House of Representatives shall appoint 6 members from the House of Representatives as follows:

(1) One must be a member of the Joint Standing Committee on Criminal Justice;

(2) One must be a member of the Joint Standing Committee on Transportation;

(3) At least one must have experience in the field of emergency medical services;

(4) At least one must have experience in the field of fire service; and

(5) At least one must have experience in the field of law enforcement.

C. The Governor, after consulting with the Commissioner of Public Safety, shall appoint 3 members as follows:

(1) One must have experience in the field of emergency medical services;

(2) One must have experience in the field of fire service; and

(3) One must have experience in the field of law enforcement.

3. Chairs. The first Senate member named is the Senate chair and the first House member named is the House chair.

4. Appointments; convening commission. All appointments must be made no later than 30 days following the effective date of this order. The appointing authorities shall notify the Executive Director of the Legislative Council upon making their appointments. When the appointment of all members is complete, the chairs of the commission shall call and convene the first meeting of the commission no later than 60 days following the effective date of this order.

5. Duties. The commission shall review any necessary changes to laws governing the operation of emergency vehicles, including, but not limited to, the use of emergency lights, the general operation of emergency vehicles and the training of operators of emergency vehicles.

6. Staff assistance. Upon approval of the Legislative Council, the Office of Policy and Legal Analysis shall provide necessary staffing services to the commission.

7. Compensation. Members of the commission are entitled to receive the legislative per diem as defined in the Maine Revised Statutes, Title 3, section 2 and reimbursement for travel and other necessary expenses for attendance at meetings of the commission.

8. Report. The commission shall submit a report along with any recommended legislation to the Joint Standing Committee on Criminal Justice and the Joint Standing Committee on Transportation no later than January 2, 2002. Following receipt of the report, the Joint Standing Committee on Criminal Justice and the Joint Standing Committee on Transportation may introduce legislation to the Second Regular Session of the 120th Legislature. If the commission requires an extension of time to make its report, it may apply to the Legislative Council, which may grant the extension.

9. Commission budget. The chairs of the commission, with assistance from the commission staff, shall administer the commission's budget. Within 10 days after its first meeting, the commission shall present a work plan and proposed budget to the Legislative Council for its approval. The commission may not incur expenses that would result in the commission exceeding its approved budget.

Upon request from the commission, the Executive Director of the Legislative Council or the Executive Director's designee shall provide the commission chair and staff with a status report on the study budget, expenditures incurred and paid and available funds.

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

READ.

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

The following Joint Order: H.P. 816

ORDERED, the Senate concurring, that the Joint Standing Committee on Inland Fisheries and Wildlife report out, to the House, a bill concerning the reauthorization of the Commission to Study the Needs and Opportunities Associated with the Production of Salmonid.

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

READ and **PASSED**, in concurrence.

COMMUNICATIONS

The Following Communication: S.P. 381

**120TH LEGISLATURE
SENATE OF MAINE
OFFICE OF THE PRESIDENT**

February 26, 2001

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

Dear Madam Secretary:

Pursuant to Joint Rule 354, I am pleased to appoint the following individuals to the Joint Select Committee on Joint Rules.

Senator Lloyd LaFountain of York, Chair
Senator John L. Martin of Aroostook
Senator Michael McAlevey of York
Senator Chandler Woodcock of Franklin
Senator Edward Youngblood of Penobscot

Please let me know if you have any questions regarding these appointments.

Sincerely,

S/Michael H. Michaud
President of the Senate

READ and **ORDERED PLACED ON FILE**.

Sent down for concurrence.

The Following Communication: S.C. 65

**120TH LEGISLATURE
JOINT STANDING COMMITTEE ON
LEGAL AND VETERANS AFFAIRS**

February 20, 2001

Honorable Michael H. Michaud, President of the Senate
Honorable Michael V. Saxl, Speaker of the House
120th Maine Legislature
State House
Augusta, Maine 04333

Dear President Michaud and Speaker Saxl:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Legal and Veterans Affairs has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 20 An Act to Increase the Pay-out Limit for Bingo Events

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

Sincerely,

S/Sen. Neria R. Douglass S/Rep. John L. Tuttle, Jr.
Senate Chair House Chair

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

The Following Communication: S.C. 67

**120TH LEGISLATURE
JOINT STANDING COMMITTEE ON TRANSPORTATION**

February 20, 2001

Honorable Michael H. Michaud, President of the Senate
Honorable Michael V. Saxl, Speaker of the House
120th Maine Legislature
State House
Augusta, Maine 04333

Dear President Michaud and Speaker Saxl:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Transportation has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 140 An Act to Require the Commissioner of Transportation to Accelerate Repairs that Improve Access Roads to Rural Areas of the State

L.D. 148 Resolve, Directing the Department of Transportation to Place Signs for Chamberlain Freedom Park on Existing Signposts on Interstates 95 and 395

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,

S/Sen. Christine R. Savage S/Rep. Charles D. Fisher
Senate Chair House Chair

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

The Following Communication: S.C. 68

**120TH LEGISLATURE
JOINT STANDING COMMITTEE ON
BANKING AND INSURANCE**

February 20, 2001

Honorable Michael H. Michaud, President of the Senate
Honorable Michael V. Saxl, Speaker of the House
120th Maine Legislature
State House
Augusta, Maine 04333

Dear President Michaud and Speaker Saxl:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Banking and Insurance has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 100 Resolve, to Study the Expansion of Private Prescription Drug Insurance for Maine's Elderly

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

Sincerely,

S/Sen. Lloyd P. LaFountain III S/Rep. Christopher P. O'Neil
Senate Chair House Chair

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

The Following Communication: S.C. 69

**120TH LEGISLATURE
JOINT STANDING COMMITTEE ON
STATE AND LOCAL GOVERNMENT**

February 20, 2001

Honorable Michael H. Michaud, President of the Senate
Honorable Michael V. Saxl, Speaker of the House
120th Maine Legislature
State House
Augusta, Maine 04333

Dear President Michaud and Speaker Saxl:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on State and Local Government has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 58 RESOLUTION, Proposing an Amendment to the Constitution of Maine to Provide for the Direct Popular Election of the Attorney General
- L.D. 63 RESOLUTION, Proposing an Amendment to the Constitution of Maine to Provide 4-year Terms for Senators and Members of the House of Representatives

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,

S/Sen. Peggy A. Pendleton S/Rep. Martha A. Bagley
Senate Chair House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 70

**120TH LEGISLATURE
JOINT STANDING COMMITTEE ON TAXATION**

February 20, 2001

Honorable Michael H. Michaud, President of the Senate
Honorable Michael V. Saxl, Speaker of the House
120th Maine Legislature
State House
Augusta, Maine 04333

Dear President Michaud and Speaker Saxl:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Taxation has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 138 An Act to Exempt Sales of Clothing from Tax for 2 Weeks in August
- L.D. 171 An Act to Require the State to Reimburse Communities and Unorganized Territories for Loss of Tax Revenue when the State Purchases 100 Acres or More of Land

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,

S/Sen. Kenneth T. Gagnon S/Rep. Bonnie Green
Senate Chair House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 71

**120TH LEGISLATURE
JOINT STANDING COMMITTEE ON
HEALTH AND HUMAN SERVICES**

February 20, 2001

Honorable Michael H. Michaud, President of the Senate
Honorable Michael V. Saxl, Speaker of the House
120th Maine Legislature
State House
Augusta, Maine 04333

Dear President Michaud and Speaker Saxl:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Health and Human Services has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 35 An Act Regarding the Rights of Parents and Other Family Members of Adults with Mental Retardation
- L.D. 90 An Act to Clarify the Provision of Mental Health Services
- L.D. 137 An Act to Provide Accountability in the Handling of Funds for Consumers of Mental Health Services

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,

S/Sen. Susan W. Longley S/Rep. Thomas J. Kane
Senate Chair House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 72

**120TH LEGISLATURE
JOINT STANDING COMMITTEE ON NATURAL RESOURCES**

February 23, 2001

Honorable Michael H. Michaud, President of the Senate
Honorable Michael V. Saxl, Speaker of the House
120th Maine Legislature
State House
Augusta, Maine 04333

Dear President Michaud and Speaker Saxl:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee Natural Resources has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 239 An Act to Amend the Laws Concerning Wetlands Use

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

Sincerely,

S/Sen. John L. Martin S/Rep. Scott W. Cowger
Senate Chair House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 73

**120TH MAINE LEGISLATURE
JOINT STANDING COMMITTEE ON
APPROPRIATIONS AND FINANCIAL AFFAIRS**

February 23, 2001

Honorable Michael H. Michaud, President of the Senate
Honorable Michael V. Saxl, Speaker of the House
120th Maine Legislature
State House
Augusta, Maine 04333

Dear President Michaud and Speaker Saxl:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Appropriations and Financial Affairs has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 136 An Act to Increase the Adult Education State Subsidy by a Specific Percentage

L.D. 146 An Act to Promote High Technology Training Programs in Maine Schools

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,

S/Sen. Jill M. Goldthwait
Senate Chair

S/Rep. Randall L. Berry
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 74

**120TH MAINE LEGISLATURE
JOINT STANDING COMMITTEE ON BANKING AND
INSURANCE**

February 23, 2001

Honorable Michael H. Michaud, President of the Senate
Honorable Michael V. Saxl, Speaker of the House
120th Maine Legislature
State House
Augusta, Maine 04333

Dear President Michaud and Speaker Saxl:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Banking and Insurance has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 142 An Act to Ensure that Persons Issuing Bad Checks are Solely Responsible for Overdraft Charges

L.D. 175 An Act to Require a Separate Long-term Care Insurance License

L.D. 208 An Act to Amend the Uninsured Motor Vehicle Coverage Requirements

L.D. 256 An Act to Limit the Interest Rate Charged on Debt to 29 Percent

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,

S/Sen. Lloyd P. LaFountain III S/Rep. Christopher P. O'Neil
Senate Chair House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 75

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

February 26, 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 3 MRSA §901-A, we are pleased to appoint the Honorable Richard J. "Spike" Carey of Belgrade and Gary Crocker of West Gardiner to the State House and Capitol Parks Commission.

Please let us know if there are any questions regarding these appointments.

Sincerely,

S/Michael H. Michaud
President of the Senate

S/Michael V. Saxl
Speaker of the House

READ and ORDERED PLACED ON FILE.

Off Record Remarks

SENATE PAPERS

Bill "An Act to Facilitate the Creation of Boat Launch Sites in the Maine Land Use Regulation Commission's Jurisdiction"
S.P. 350 L.D. 1164

Sponsored by Senator MARTIN of Aroostook.
Cosponsored by Representative DUNLAP of Old Town and Senator: KILKELLY of Lincoln, Representatives: CARR of Lincoln, CLARK of Millinocket, DUGAY of Cherryfield, McGLOCKLIN of Embden, MICHAUD of Fort Kent, SHERMAN of Hodgdon, TRAHAN of Waldoboro.

Bill "An Act to Amend the Animal Welfare Laws"
S.P. 356 L.D. 1170

Sponsored by Senator NUTTING of Androscoggin.
Cosponsored by Representative GOOLEY of Farmington and Senator: KNEELAND of Aroostook, Representatives: CARR of Lincoln, PINEAU of Jay.
Submitted by the Department of Agriculture, Food and Rural Resources pursuant to Joint Rule 204.

Bill "An Act to Refine the Subdivision and Redistricting Authority of the Maine Land Use Regulation Commission"
S.P. 360 L.D. 1198

Sponsored by Senator KILKELLY of Lincoln.
Cosponsored by Representative McKEE of Wayne and Senator: KNEELAND of Aroostook, Representatives: BERRY of Livermore, BUNKER of Kossuth Township, DUNLAP of Old Town, JODREY of Bethel, LaVERDIERE of Wilton.
Submitted by the Department of Conservation pursuant to Joint Rule 204.

Bill "An Act to Amend Certain Laws Pertaining to the Maine Land Use Regulation Commission"
S.P. 365 L.D. 1203

Sponsored by Senator KNEELAND of Aroostook.
Cosponsored by Representative CLARK of Millinocket and Senator: KILKELLY of Lincoln, Representative: JODREY of Bethel.

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

Sent down for concurrence.

Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$15,000,000 to Fund a Cost Sharing Program for the Construction of Parking Garages in Regional Service Center Communities"
S.P. 352 L.D. 1166

Sponsored by Senator SAWYER of Penobscot.
Cosponsored by Representative MENDROS of Lewiston and Senators: ABROMSON of Cumberland, O'GARA of Cumberland, Representatives: BAKER of Bangor, BLANCHETTE of Bangor, DUPLESSIE of Westbrook, NORBERT of Portland, PERRY of Bangor.

Bill "An Act to Provide Funding to Continue the State Meat Inspection Program"
S.P. 377 L.D. 1215

Sponsored by Senator KILKELLY of Lincoln.
Cosponsored by President MICHAUD of Penobscot and Senators: KNEELAND of Aroostook, NUTTING of Androscoggin, Representatives: CARR of Lincoln, COWGER of Hallowell, HAWES of Standish, McKEE of Wayne, PINEAU of Jay, VOLENIK of Brooklin.

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

Sent down for concurrence.

Bill "An Act to Create Uniform Underwriting Standards for Determining Eligibility for Certain Group Policies"
S.P. 379 L.D. 1217

Sponsored by Senator GOLDTHWAIT of Hancock.
Cosponsored by Representative BERRY of Livermore.

Bill "An Act Related to the Financial Regulation of Health Maintenance Organizations"
S.P. 387 L.D. 1284

Sponsored by Senator LaFOUNTAIN of York.
Cosponsored by Representative O'NEIL of Saco and Senators: ABROMSON of Cumberland, DOUGLASS of Androscoggin, NUTTING of Androscoggin, Representatives: DUDLEY of Portland, MAYO of Bath.

Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.

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

Sent down for concurrence.

Off Record Remarks

Bill "An Act to Amend the Laws Governing the Examination of Electricians"

S.P. 343 L.D. 1157

Sponsored by Senator SHOREY of Washington. Cosponsored by Representative DUGAY of Cherryfield and Representatives: BAGLEY of Machias, BUNKER of Kossuth Township, GOODWIN of Pembroke, MORRISON of Baileyville, SOCTOMAH of the Passamaquoddy Tribe.

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

Sent down for concurrence.

Off Record Remarks

Bill "An Act to Increase Effectiveness within the Department of Corrections when Serving Warrants of Arrest for Persons Charged with Probation and Parole Violations"

S.P. 345 L.D. 1159

Sponsored by Senator McALEVEY of York.

Bill "An Act Concerning the Sentencing of Persons to County Jails"

S.P. 354 L.D. 1168

Sponsored by Senator McALEVEY of York. Cosponsored by Representative WATERHOUSE of Bridgton and Representatives: MUSE of South Portland, SHERMAN of Hodgdon, TUTTLE of Sanford.

Bill "An Act to Require the State to Provide Flags for Persons Who Are Listed on the Memorials Located on State Street in Augusta"

S.P. 363 L.D. 1201

Sponsored by Senator DAVIS of Piscataquis. Cosponsored by Representative NORBERT of Portland and Senator ABROMSON of Cumberland, President Pro Tem BENNETT of Oxford, Senators: KILKELLY of Lincoln, NUTTING of Androscoggin, SAWYER of Penobscot, SMALL of Sagadahoc, Representatives: CARR of Lincoln, TOBIN of Dexter.

Bill "An Act to Allow Families to Request Flags for Deceased Police Officers and Firefighters that have not Died in the Line of Duty"

S.P. 364 L.D. 1202

Sponsored by Senator DAVIS of Piscataquis. Cosponsored by Representative NORBERT of Portland and Senator ABROMSON of Cumberland, President Pro Tem BENNETT of Oxford, Senators: KILKELLY of Lincoln, KNEELAND of Aroostook, SAWYER of Penobscot, SMALL of Sagadahoc, Representatives: CARR of Lincoln, TOBIN of Dexter.

Bill "An Act to Amend the Criminal Laws with Regard to Animal Welfare"

S.P. 386 L.D. 1283

Sponsored by Senator LaFOUNTAIN of York. Cosponsored by Senator DAVIS of Piscataquis and Senators: ABROMSON of Cumberland, DAGGETT of Kennebec, DOUGLASS of Androscoggin, KILKELLY of Lincoln, McALEVEY of York, Representatives: MAYO of Bath, SULLIVAN of Biddeford.

Bill "An Act to Make Refusing a Blood-alcohol Test a Crime"

S.P. 392 L.D. 1288

Sponsored by Senator DAVIS of Piscataquis. Cosponsored by Representative DUNLAP of Old Town and Senators: FERGUSON of Oxford, SHOREY of Washington, SMALL of Sagadahoc, Representatives: CLARK of Millinocket, FISHER of Brewer, MURPHY of Kennebunk, SHERMAN of Hodgdon, USHER of Westbrook.

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

Sent down for concurrence.

Bill "An Act to Extend Landowner Limited Liability to Environmental Liability"

S.P. 390 L.D. 1286

Sponsored by Senator MARTIN of Aroostook. Cosponsored by Representative CRABTREE of Hope and Senators: KNEELAND of Aroostook, NUTTING of Androscoggin, Representatives: CARR of Lincoln, DUNLAP of Old Town, GOOLEY of Farmington.

Committee on **CRIMINAL JUSTICE** suggested and ordered printed.

On motion by Senator **McALEVEY** of York, **TABLED 1** Legislative Day, pending **REFERENCE**.

Bill "An Act to Accelerate the Construction of New Schools"
S.P. 349 L.D. 1163

Sponsored by Senator TURNER of Cumberland.
Cosponsored by Representative FOSTER of Gray and Senator:
WOODCOCK of Franklin.

Bill "An Act to Encourage the Use of Locally Grown Foods in
School Food Service Programs"
S.P. 376 L.D. 1214

Sponsored by Senator KILKELLY of Lincoln.
Cosponsored by Representative VOLENIK of Brooklin and
Senators: KNEELAND of Aroostook, NUTTING of Androscoggin,
Representatives: CARR of Lincoln, COWGER of Hallowell,
DUNLAP of Old Town, FOSTER of Gray, HAWES of Standish,
PINEAU of Jay.

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

Sent down for concurrence.

Bill "An Act to Disclose Prescription Drug Marketing Activities"
S.P. 353 L.D. 1167

Sponsored by Senator TREAT of Kennebec.
Cosponsored by Representative MAYO of Bath and Senators:
DAGGETT of Kennebec, LONGLEY of Waldo, MARTIN of
Aroostook, President MICHAUD of Penobscot, Representatives:
KANE of Saco, LEMOINE of Old Orchard Beach, MADORE of
Augusta, Speaker SAXL of Portland.

Bill "An Act to Plan for the Delivery of Developmental Disabilities
and Autism Services"
S.P. 370 L.D. 1208

Sponsored by Senator LONGLEY of Waldo.

Bill "An Act to Assist Families in Meeting their Basic Needs"
(EMERGENCY)
S.P. 371 L.D. 1209

Sponsored by Senator RAND of Cumberland.
Cosponsored by Representative DUDLEY of Portland and
President MICHAUD of Penobscot, Representatives: BERRY of
Livermore, LAVERRIERE-BOUCHER of Biddeford, CHICK of
Lebanon, JONES of Greenville, KANE of Saco, MURPHY of
Berwick, O'BRIEN of Augusta.

Resolve, to Create the Task Force to Study the Various Effects of
Maine's Long-term Care System (EMERGENCY)
S.P. 378 L.D. 1216

Sponsored by Senator LONGLEY of Waldo.
Cosponsored by Representative KANE of Saco and Senators:
CATHCART of Penobscot, EDMONDS of Cumberland,
ROTUNDO of Androscoggin.

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

Sent down for concurrence.

Bill "An Act to Allow a Hunter to Take a Deer of Either Sex in
Black Powder Season"
S.P. 369 L.D. 1207

Sponsored by Senator DAVIS of Piscataquis.
Cosponsored by Representative CLARK of Millinocket and
Senators: FERGUSON of Oxford, KNEELAND of Aroostook,
NUTTING of Androscoggin, WOODCOCK of Franklin,
Representatives: GOODWIN of Pembroke, McGLOCKLIN of
Embden, TOBIN of Dexter, WATERHOUSE of Bridgton.

Bill "An Act to Allow the Transfer of Antlerless Deer Permits"
S.P. 372 L.D. 1210

Sponsored by Senator DAVIS of Piscataquis.
Cosponsored by Representative SAVAGE of Buxton and
Senators: CARPENTER of York, FERGUSON of Oxford,
KILKELLY of Lincoln, KNEELAND of Aroostook, TURNER of
Cumberland, WOODCOCK of Franklin, Representatives: TOBIN
of Dexter, USHER of Westbrook.

Bill "An Act to Amend the Hunting Laws Relating to Blaze
Orange"
S.P. 375 L.D. 1213

Sponsored by Senator WOODCOCK of Franklin.

Bill "An Act to Require Hikers to Wear Blaze Orange during
Hunting Season"
S.P. 382 L.D. 1279

Sponsored by Senator SAVAGE of Knox.

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

Sent down for concurrence.

Bill "An Act to Preserve the Life and Health of Women"
S.P. 366 L.D. 1204

Sponsored by Senator KNEELAND of Aroostook.
Cosponsored by Senator: DAVIS of Piscataquis,
Representatives: TOBIN of Dexter, WHEELER of Bridgewater.

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

Sent down for concurrence.

Bill "An Act to Amend the Requirements of the Workers' Compensation Law"

S.P. 355 L.D. 1169

Sponsored by Senator TURNER of Cumberland.
Cosponsored by Representative FOSTER of Gray and Senators: SAWYER of Penobscot, SHOREY of Washington, YOUNGBLOOD of Penobscot.

Bill "An Act to Amend the Limits on Earnable Compensation for State Employee Retirement"

S.P. 359 L.D. 1197

Sponsored by Senator GAGNON of Kennebec.
Cosponsored by Representative RICHARD of Madison and Senators: BROMLEY of Cumberland, O'GARA of Cumberland, Representative: FULLER of Manchester.

Bill "An Act to Improve Enforcement of Wage and Hour, Safety and Other Labor Laws"

S.P. 367 L.D. 1205

Sponsored by Senator EDMONDS of Cumberland.
Cosponsored by Representative HUTTON of Bowdoinham and Representatives: BOUFFARD of Lewiston, BUNKER of Kossuth Township, DUPLESSIE of Westbrook, PATRICK of Rumford, PINEAU of Jay.

Bill "An Act to Supplement Benefits for State Employees and Teachers whose Pensions are Subject to Reductions Enacted in 1993"

S.P. 373 L.D. 1211

Sponsored by Senator MILLS of Somerset.

Bill "An Act to Improve Maine's Unemployment Compensation System for School Bus Drivers"

S.P. 374 L.D. 1212

Sponsored by Senator LONGLEY of Waldo.
Cosponsored by Senators: CATHCART of Penobscot, EDMONDS of Cumberland.

Bill "An Act to Amend the Laws Governing the Administration of Workers' Compensation Hearings"

S.P. 384 L.D. 1281

Sponsored by Senator SHOREY of Washington.
Cosponsored by Representative BRUNO of Raymond and Senators: McALEVEY of York, SAWYER of Penobscot, WOODCOCK of Franklin, YOUNGBLOOD of Penobscot.

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

Sent down for concurrence.

Bill "An Act for Public Disclosure of Referendum Question Submissions"

S.P. 346 L.D. 1160

Sponsored by Senator MARTIN of Aroostook.
Cosponsored by Representative DAIGLE of Arundel and Senator CARPENTER of York, Representatives: DUPLESSIE of Westbrook, ETNIER of Harpswell, MAYO of Bath.

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

Sent down for concurrence.

Bill "An Act Relating to Daily Catch Limits for Scallops"

S.P. 344 L.D. 1158

Sponsored by Senator SHOREY of Washington.

Bill "An Act Concerning the Enforcement of Laws Relating to Scallopings"

S.P. 383 L.D. 1280

Sponsored by Senator SHOREY of Washington.
Cosponsored by Representative GOODWIN of Pembroke.

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

Sent down for concurrence.

Bill "An Act to Allow Farm Ponds on Low-value Wetlands"

S.P. 361 L.D. 1199

Sponsored by Senator KNEELAND of Aroostook.
Cosponsored by Senator: DAVIS of Piscataquis, Representatives: BELANGER of Caribou, GOOLEY of Farmington, TOBIN of Dexter.

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

Sent down for concurrence.

Bill "An Act to Authorize the Bureau of General Services to Utilize Alternative Delivery Methods for Public Improvements and to Amend the Provisions Pertaining to Prebid Qualifications of Contractors"

S.P. 351 L.D. 1165

Sponsored by Senator PENDLETON of Cumberland.
Cosponsored by Representative McDONOUGH of Portland.
Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.

Bill "An Act Concerning the Administration of County Government"

S.P. 391 L.D. 1287

Sponsored by Senator DAVIS of Piscataquis.
Cosponsored by Representative SHERMAN of Hodgdon and Senator: FERGUSON of Oxford, Representative: WHEELER of Bridgewater.

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

Sent down for concurrence.

Bill "An Act to Make Higher Education More Affordable for Maine Families"

S.P. 347 L.D. 1161

Sponsored by Senator ROTUNDO of Androscoggin.
Cosponsored by Senators: BROMLEY of Cumberland, EDMONDS of Cumberland, GAGNON of Kennebec, PENDLETON of Cumberland, Representatives: CUMMINGS of Portland, DESMOND of Mapleton, McDONOUGH of Portland, O'BRIEN of Lewiston.

Bill "An Act to Promote Equitable Distribution of Motorboat Gas Tax Revenues to the Department of Marine Resources and the Boating Facility Fund"

S.P. 358 L.D. 1196

Sponsored by Senator KILKELLY of Lincoln.

Bill "An Act to Direct that a Percentage of Revenue That the State Receives Be Allocated to Community Forestry"

S.P. 362 L.D. 1200

Sponsored by Senator GAGNON of Kennebec.
Cosponsored by Representative BUNKER of Kossuth Township and Senators: EDMONDS of Cumberland, KNEELAND of Aroostook, ROTUNDO of Androscoggin, Representative: BROOKS of Winterport.

Bill "An Act to Adjust Taxation for Fire Suppression"

S.P. 368 L.D. 1206

Sponsored by Senator NUTTING of Androscoggin.
Cosponsored by Representative FOSTER of Gray and Senators: DAVIS of Piscataquis, KILKELLY of Lincoln, Representatives: CARR of Lincoln, McGLOCKLIN of Embden, PINEAU of Jay.

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

Sent down for concurrence.

Off Record Remarks

Resolve, to Change Route Designations of Certain Interstates and to Change the Interstate Exit Numbering System

S.P. 385 L.D. 1282

Sponsored by Senator SAVAGE of Knox.
Cosponsored by Senator: O'GARA of Cumberland, Representatives: BOUFFARD of Lewiston, MARLEY of Portland. Submitted by the Department of Transportation pursuant to Joint Rule 204.

Bill "An Act to Make Supplemental Highway Allocations for the Expenditures of State Government and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2002 and June 30, 2003" (EMERGENCY)

S.P. 388 L.D. 1285

Sponsored by Senator SAVAGE of Knox (GOVERNOR'S BILL).
Cosponsored by Representative FISHER of Brewer and Senator O'GARA of Cumberland, Representatives: BUNKER of Kossuth Township, COLLINS of Wells, MARLEY of Portland, McKENNEY of Cumberland, McNEIL of Rockland, WHEELER of Bridgewater, WHEELER of Eliot.

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

Sent down for concurrence.

Bill "An Act to Ensure Telecommunications Protections for Deaf and Hard-of-hearing People"

S.P. 348 L.D. 1162

Sponsored by Senator TREAT of Kennebec.
Cosponsored by Representative SAVAGE of Buxton and Senators: FERGUSON of Oxford, KILKELLY of Lincoln, NUTTING of Androscoggin, Representatives: BLISS of South Portland, COWGER of Hallowell, FULLER of Manchester, GREEN of Monmouth, LEMOINE of Old Orchard Beach.

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

Sent down for concurrence.

**Pursuant to Joint Order
Task Force to Study Growth Management**

Senator DOUGLASS for the **Task Force to Study Growth Management** pursuant to Joint Order S.P. 1090 asked leave to report that the accompanying Bill "An Act to Implement the Recommendations of the Task Force to Study Growth Management"

S.P. 380 L.D. 1278

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

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

REFERRED to the Committee on **NATURAL RESOURCES** and ordered printed pursuant to Joint Rule 218.

Sent down for concurrence.

REPORTS OF COMMITTEES

House

Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act to Designate the First Saturday in September as Colonel Freeman McGilvery Day"
H.P. 108 L.D. 112

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

Signed:

Senators:

PENDLETON of Cumberland
YOUNGBLOOD of Penobscot
ROTUNDO of Androscoggin

Representatives:

BAGLEY of Machias
McDONOUGH of Portland
McLAUGHLIN of Cape Elizabeth
HATCH of Skowhegan
LESSARD of Topsham
NORBERT of Portland
MURPHY of Berwick

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

Signed:

Representatives:

KASPRZAK of Newport
CHASE of Levant
HASKELL of Milford

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

Reports **READ**.

On motion by Senator **PENDLETON** of Cumberland, the Majority **OUGHT TO PASS** Report **ACCEPTED**, in concurrence.

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

SECOND READERS

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

House

Bill "An Act to Establish Maine Lighthouse Week"
(EMERGENCY)

H.P. 102 L.D. 106

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

ENACTORS

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

Acts

An Act to Correct a Reference in the Maine Juvenile Code
H.P. 31 L.D. 5

An Act to Allow Certified Insurance Counselors to Qualify as Risk Managers
H.P. 71 L.D. 80

PASSED TO BE ENACTED and having been signed by the President Pro Tem were presented by the Secretary to the Governor for his approval.

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 (2/22/01) Assigned matter:

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

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

Pending - **REFERENCE**

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

(In House, February 20, 2001, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY**.)

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

The Chair laid before the Senate the following Tabled and Later (2/22/01) Assigned matter:

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

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

Pending - **REFERENCE**

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

(In House, February 20, 2001, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY**.)

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

The Chair laid before the Senate the following Tabled and Later (2/22/01) Assigned matter:

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

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

Pending - **REFERENCE**

(In House, February 20, 2001, **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.

The Chair laid before the Senate the following Tabled and Later (2/22/01) Assigned matter:

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

Tabled - February 22, 2001, by Senator **GOLDTHWAIT** of Hancock

Pending - **REFERENCE**

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

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

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (2/22/01) Assigned matter:

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

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

Pending - **REFERENCE**

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

On motion by Senator **SHOREY** of Washington, **REFERRED** to the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (2/22/01) Assigned matter:

Bill "An Act to Ensure Independent Decision Making in Appeals of Denials of Abatement of Property Taxes"
S.P. 307 L.D. 1054

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

Pending - **REFERENCE**

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

On motion by Senator **GAGNON** of Kennebec, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (2/22/01) Assigned matter:

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

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

Pending - **REFERENCE**

(In House, February 22, 2001, **REFERRED** to the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** and ordered printed.)

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

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (2/22/01) Assigned matter:

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

H.P. 801 L.D. 1045

Tabled - February 22, 2001, by Senator **FERGUSON** of Oxford

Pending - **REFERENCE**

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

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

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

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

Senate at Ease.

Senate called to order by President Pro Tem **JOHN M. NUTTING** of Androscoggin County.

Off Record Remarks

THE PRESIDENT PRO TEM: The chair recognizes the Senator from Oxford, Senator Ferguson.

Senator **FERGUSON:** Thank you very much, Mr. President. Mr. President, I move that when we adjourn today we do so in memory of my father, Norman Ferguson, Sr., who would be 100 years old on March 2nd. He served in this body for many years and also in the other body. He was Treasurer of the State for 6 years. He passed away at 86 years of age in 1987. Mr.

President, I further move that the Senate stand adjourned until Monday, March 5, 2001, at 10:00 am. Thank you.

On motion by Senator **FERGUSON** of Oxford, **ADJOURNED**, pursuant to the Joint Order, in memory of and lasting tribute to his father, the Honorable Norman K. Ferguson, Sr., to Monday, March 5, 2001, at 10:00 in the morning.