

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
Tuesday
March 20, 2001

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

Prayer by Reverend Bruce Felt of the Augusta Baptist Church in Augusta.

REVEREND FELT: Before we pray I'd like to read a couple of verses from the scripture.

The authorities that exist have been established by God. He is God's servant to do you good. This is why you pay taxes, for the authorities are God's servants who give their full time to governing. Give every one what you owe him. If you owe taxes, pay taxes. If revenue, then revenue. If respect, then respect. If honor, then honor.

Let us pray. Oh, Father in Heaven, we thank You for establishing civil government so that we may live in peace. Give to each of Your servants assembled here the grace and wisdom to do their jobs well. Give them the courage to act according to their conscience, even when to do so may result in misunderstanding, insult or even attack. May honesty and kindness characterize all that is said and done today. Through Jesus Christ, our Lord, Amen.

Pledge of Allegiance led by Senator Joel Abromson of Cumberland County.

Doctor of the day, Dr. Fred Holler, M.D. of Auburn.

Reading of the Journal of Thursday, March 15, 2001.

The President appointed the Senator from Aroostook, Senator **KNEELAND**, to serve as President Pro Tem for the session on Wednesday, March 21, 2001.

The President requested the Sergeant-At-Arms escort the Senator from Kennebec, Senator **TREAT** to the rostrum where she assumed the duties as President Pro Tem.

The President retired from the Chamber.

The Senate called to order by President Pro Tem **SHARON A. TREAT** of Kennebec County.

Off Record Remarks

PAPERS FROM THE HOUSE

Non-Concurrent Matter

JOINT ORDER - relative to the Revisor of Statutes delivering 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.
H.P. 735

In House, February 20, 2001, **READ** and **PASSED**.

In Senate, March 13, 2001, **READ** and **INDEFINITELY POSTPONED**, in **NON-CONCURRENCE**.

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

On motion by Senator **DAGGETT** of Kennebec, the Senate **INSISTED**.

Joint Orders

The following Joint Order: H.P. 1208

ORDERED, the Senate concurring, that the Joint Standing Committee on State and Local Government report out, to the House, a bill to repeal certain inactive boards and commissions of State Government.

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

READ and **PASSED**, in concurrence.

The following Joint Order: H.P. 1214

ORDERED, the Senate concurring, that the Joint Study Committee to Examine Issues Relating to the North American Free Trade Agreement is established as follows.

1. Committee established. The Joint Study Committee to Examine Issues Relating to the North American Free Trade Agreement, referred to in this order as the "committee," is established.

2. Membership. The committee consists of all members of the Joint Standing Committee on Agriculture, Conservation and Forestry.

3. **Chairs.** The chairs of the Joint Standing Committee on Agriculture, Conservation and Forestry are the chairs of the committee.

4. **Convening committee.** The chairs of the committee shall call and convene the first meeting of the committee no later than 30 days following the passage of this order.

5. **Duties.** The committee shall hold hearings in the areas of this State most affected by the North American Free Trade Agreement and shall examine issues relating to the North American Free Trade Agreement, including, but not limited to, the following:

- A. Agriculture, agricultural products and activities relating to agriculture;
- B. Forestry, forestry products and activities relating to forestry;
- C. Fisheries dumping, which depresses prices in this State;
- D. The impact of a lack of uniform standards for chemical use and disease control on imported agriculture products;
- E. Trees cut in this State by Canadian labor and exported to Canada, then resold in the United States as finished products;
- F. The advantage for Canadian trade due to government subsidies in health care and family subsidies for Canadian workers;
- G. The use of a quota that bars United States exports of agricultural products into Canada; and
- H. Any other issues developed from the hearing process.

The committee shall gather data relating to the impact of the value of the Canadian dollar on border shopping.

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

7. **Compensation.** Members of the committee 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 committee.

8. **Report.** The committee shall report on the issues studied with any recommendations to the Congressional Delegation of this State and the Legislature prior to the reauthorization of the North American Free Trade Agreement in September 2001.

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

Executive Director of the Legislative Council or the executive director's designee shall provide the committee chairs and staff with a status report on the committee's budget, expenditures incurred and paid and available funds.

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

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

The following Joint Order: H.P. 1240

ORDERED, the Senate concurring, that the Joint Standing Committee on Inland Fisheries and Wildlife report out, to the House, a bill to facilitate the implementation of the MOSES system, the Maine Online Sportsman's Electronic System.

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

READ and **PASSED**, in concurrence.

COMMUNICATIONS

The Following Communication: S.P. 554

STATE OF MAINE 120TH LEGISLATURE

March 20, 2001

Hon. Betty Lou Mitchell
Senate Chair, Joint Standing Committee on
Education and Cultural Affairs
Hon. Shirley K. Richard
House Chair, Joint Standing Committee on
Education and Cultural Affairs
120th Legislature
Augusta, ME 04333

Dear Senator Mitchell and Representative Richard:

Please be advised that Governor Angus S. King, Jr. has nominated Carrie Graiver of Norway for appointment as a student member of the Maine Technical College System, Board of Trustees.

Pursuant to 20-A, M.R.S.A. §12705, this nomination will require review by the Joint Standing Committee on Education and Cultural Affairs and confirmation by the Senate.

Sincerely,

S/Michael H. Michaud
President of the Senate

S/Michael V. Saxl
Speaker of the House

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

Sent down for concurrence.

The Following Communication: S.P. 555

**STATE OF MAINE
120TH LEGISLATURE**

March 20, 2001

Hon. David L. Carpenter
Senate Chair, Joint Standing Committee on
Inland Fisheries and Wildlife
Hon. Matthew Dunlap
House Chair, Joint Standing Committee on
Inland Fisheries and Wildlife
120th Legislature
Augusta, ME 04333

Dear Senator Carpenter and Representative Dunlap:

Please be advised that Governor Angus S. King, Jr. has nominated David A. Wardwell of Penobscot, Lance Wheaton of Forest City, and Raymond H. Poulin, Jr. of Ripley for appointment and Matthew P. Libby of Ashland for reappointment as members of the Inland Fisheries and Wildlife Advisory Council.

Pursuant to Title 12, M.R.S.A., §7033-A, these nominations will require review by the Joint Standing Committee on Inland Fisheries and Wildlife and confirmation by the Senate.

Sincerely,

S/Michael H. Michaud
President of the Senate

S/Michael V. Saxl
Speaker of the House

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

Sent down for concurrence.

The Following Communication: S.C. 107

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

March 13, 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 Labor has had under consideration the nomination of Robert L. Piccone of Portland, for appointment to the Maine Labor Relations Board.

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	3	Edmonds of Cumberland, Sawyer of Penobscot, Turner of Cumberland
	Representatives	10	Bunker of Kossuth Township, Cressey of Baldwin, Davis of Falmouth, Hutton of Bowdoinham, MacDougall of North Berwick, Matthews of Winslow, Norton of Bangor, Smith of Van Buren, Tarazewich of Waterboro, Treadwell of Carmel

NAYS 0

ABSENT 0

Thirteen 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 Robert L. Piccone of Portland, for appointment to the Maine Labor Relations Board be confirmed.

Signed,

S/Betheda G. Edmonds
Senate Chair

S/Zachary E. Matthews
House Chair

READ and ORDERED PLACED ON FILE.

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

The Following Communication: S.C. 108

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

March 13, 2001

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

Dear Mr. President:

LEGISLATIVE RECORD - SENATE, TUESDAY, MARCH 20, 2001

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 Labor has had under consideration the nomination of Carol B. Gilmore of Charleston, for reappointment to the Maine Labor Relations Board.

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	3	Edmonds of Cumberland, Sawyer of Penobscot, Turner of Cumberland
	Representatives	10	Bunker of Kossuth Township, Cressey of Baldwin, Davis of Falmouth, Hutton of Bowdoinham, MacDougall of North Berwick, Matthews of Winslow, Norton of Bangor, Smith of Van Buren, Tarazewich of Waterboro, Treadwell of Carmel
NAYS		0	
ABSENT		0	

Thirteen 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 Carol B. Gilmore of Charleston, for reappointment to the Maine Labor Relations Board be confirmed.

Signed,

S/Betheda G. Edmonds
Senate Chair

S/Zachary E. Matthews
House Chair

READ and ORDERED PLACED ON FILE.

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

The Following Communication: S.C. 109

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

March 14, 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 State and Local Government has had under consideration the nomination of Peter G. Cary of Cape Elizabeth, for reappointment to the Maine Governmental Facilities Authority.

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	Pendleton of Cumberland, Youngblood of Penobscot
	Representatives	8	Bagley of Machias, Chase of Levant, Haskell of Milford, Hatch of Skowhegan, Lessard of Topsham, McDonough of Portland, McLaughlin of Cape Elizabeth, Murphy of Berwick
NAYS		0	
ABSENT		3	Rep. Kasprzak of Newport, Rep. Norbert of Portland, Sen. Rotundo of Androscoggin

Ten 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 Peter G. Cary of Cape Elizabeth, for reappointment to the Maine Governmental Facilities Authority be confirmed.

Signed,

S/Peggy A. Pendleton
Senate Chair

S/Martha A. Bagley
House Chair

READ and ORDERED PLACED ON FILE.

On motion by Senator **DAGGETT** of Kennebec, Nomination **TABLED** until Later in Today's Session, pending **CONSIDERATION.**

The Following Communication: S.C. 110

**120TH LEGISLATURE
JOINT STANDING COMMITTEE ON
AGRICULTURE, CONSERVATION AND FORESTRY**

March 13, 2001

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

Honorable Michael H. Michaud
 President of the Senate
 3 State House Station
 Augusta, ME 04333-0003

Honorable Michael V. Saxl
 Speaker of the House
 2 State House Station
 Augusta, ME 04333-0002

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 Agriculture, Conservation and Forestry has had under consideration the nomination of Stephen W. Wight of Newry, for reappointment to the Land Use Regulation Commission.

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	Kilkelly of Lincoln, Nutting of Androscoggin
	Representatives	6	Gooley of Farmington, Hawes of Standish, Jodrey of Bethel, McKee of Wayne, Pineau of Jay, Volenik of Brooklin
NAYS	Senators	1	Kneeland of Aroostook
	Representatives	2	Foster of Gray, Lundeen of Mars Hill
ABSENT		2	Rep. Carr of Lincoln, Rep. Landry of Patten

Eight members of the Committee having voted in the affirmative and three in the negative, it was the vote of the Committee that the nomination of Stephen W. Wight of Newry, for reappointment to the Land Use Regulation Commission be confirmed.

Signed,

S/Richard Kneeland
 Senate Chair

S/Linda Rogers McKee
 House Chair

READ and ORDERED PLACED ON FILE.

On motion by Senator **KNEELAND** of Aroostook, Nomination **TABLED** until Later in Today's Session, pending **CONSIDERATION.**

The Following Communication: S.C. 111

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

March 13, 2001

Dear President Michaud and Speaker Saxl:

The Joint Standing Committee on Taxation is scheduled to review the State Board of Property Tax Review in 2001 under the State Government Evaluation Act (3 MRSA Chapter 35). The Committee is also scheduled to review the Bureau of Revenue Services in 2003.

Pursuant to 3 MRSA §954, subsection 2, paragraph A, the Taxation Committee has voted unanimously to exempt the State Board of Property Tax Review from review in 2001 and establish a new review date of 2003. Conducting the review of this agency at the same time as the review of the Bureau of Revenue Services is desirable because it permits related efforts to be reviewed contemporaneously, thereby providing greater efficiency and conserving resources.

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

Sincerely,

S/Kenneth T. Gagnon
 Senate Chair

S/Bonnie Green
 House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 112

**120TH LEGISLATURE
 JOINT STANDING COMMITTEE ON
 AGRICULTURE, CONSERVATION AND FORESTRY**

March 9, 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 Agriculture, Conservation and Forestry has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 515 An Act to Eliminate the Maine Land Use Regulation Commission
- L.D. 609 An Act to Require that the Members of the Maine Land Use Regulation Commission be Elected from the Counties They Represent
- L.D. 672 An Act to make Confidential Certain Information Collected from State Farmers

L.D. 925 An Act to Allow Cultivation of Those Varieties of Ribes That are Certified Resistant or Immune to White Pine Blister Rust

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

Sincerely,

S/Sen. Richard Kneeland
Senate Chair

S/Rep. Linda Rogers McKee
House Chair

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

The Following Communication: S.C. 113

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

March 9, 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. 491 An Act Regarding Service Contracts

L.D. 554 An Act to Provide Equity in Reimbursement for Health Care Providers

L.D. 555 An Act Regarding Assignment of Benefits Under Personal Injury Insurance

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

Sincerely,

S/Sen. Lloyd P. LaFountain III
Senate Chair

S/Rep. Christopher P. O'Neil
House Chair

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

The Following Communication: S.C. 114

**120TH LEGISLATURE
JOINT STANDING COMMITTEE ON BUSINESS AND ECONOMIC DEVELOPMENT**

March 13, 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 Business and Economic Development has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 368 An Act to Openly Display Components of the Price of a Gallon of Gasoline at Filling Stations

L.D. 588 An Act Concerning Nurses in Advanced Practice

L.D. 893 An Act to Authorize Master Electricians to Work with up to 3 Helpers

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

Sincerely,

S/Sen. Kevin L. Shorey
Senate Chair

S/Rep. John G. Richardson
House Chair

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

The Following Communication: S.C. 115

**120TH LEGISLATURE
JOINT STANDING COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS**

March 13, 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 Education and Cultural Affairs has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 111 An Act to Appropriate Funds for the Bath Higher Education Center

- L.D. 329 An Act to Increase the Number of Teachers
- L.D. 605 An Act to Improve Opportunities for Recruitment of Teachers
- L.D. 690 Resolve, to Study the Special Education Teacher Shortage
- L.D. 811 An Act to Retain Engineering Expertise in the State
- L.D. 842 An Act to Allow Senior Citizens to Take One Course per Semester at the University of Maine System without Charge
- L.D. 859 An Act to Fund Technology Advancements for Maine's Libraries

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

Sincerely,

S/Sen. Betty Lou Mitchell
Senate Chair

S/Rep. Shirley K. Richard
House Chair

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

The Following Communication: S.C. 116

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

March 7, 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 Labor has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 96 An Act to Extend the Hours that a Minor May Be Employed
- L.D. 706 Resolve, Requiring the Department of Labor, Bureau of Labor Standards to List its Mailing Address and Telephone Number on the Card Used to File for Unemployment

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

Sincerely,

S/Sen. Betheda G. Edmonds
Senate Chair

S/Rep. Zachary E. Matthews
House Chair

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

The Following Communication: S.C. 117

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

March 13, 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 bills out "Ought Not to Pass":

- L.D. 59 RESOLUTION, Proposing an Amendment to the Constitution of Maine to Increase the Number of Signatures Required on Direct Initiative Petitions
- L.D. 199 RESOLUTION, Proposing An Amendment to the Constitution of Maine to Restrict Reintroduction of Previously Failed Citizen Initiatives
- L.D. 580 An Act to Prohibit Collection of Referendum Signatures on the Day of State Elections

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

Sincerely,

S/Sen. Neria R. Douglass
Senate Chair

S/Rep. John L. Tuttle, Jr.
House Chair

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

The Following Communication: S.C. 118

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

March 7, 2001

LEGISLATIVE RECORD - SENATE, TUESDAY, MARCH 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. 23 An Act to Raise the Minimum Age to Buy Tobacco Products to 21 Years of Age
- L.D. 266 An Act to Consolidate All Aspects of Licensing and Enforcement of Agricultural Fairs Under the Department of Agriculture, Food and Rural Resources
- L.D. 330 Resolve, to Study the Placement of a Drug Rehabilitation Facility in Washington County
- L.D. 539 An Act Regarding Commercial Swimming Pools and Hot Tubs
- L.D. 583 Resolve, to Provide Improved Access to Quality Locally Grown Foods through Expansion of the Farmers' Market Nutrition Program

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

Sincerely,

S/Sen. Susan W. Longley
Senate Chair

S/Rep. Thomas J. Kane
House Chair

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

The Following Communication: S.C. 119

**120TH LEGISLATURE
JOINT STANDING COMMITTEE ON
INLAND FISHERIES AND WILDLIFE**

March 9, 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 Inland Fisheries and Wildlife has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 127 An Act to Change the Crop Damage by Nuisance Animal Requirements
- L.D. 227 An Act to Amend the Laws Pertaining to the Discharge of Firearms Near Certain Buildings
- L.D. 232 An Act to Regulate the Marking and Placement of Baitfish Traps, Baitfish Holding Boxes and Buoys in Inland Waters
- L.D. 234 An Act Regarding Hunts of Nuisance Animals
- L.D. 450 An Act to Eliminate the Coyote Snaring Program

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

Sincerely,

S/Sen. David L. Carpenter
Senate Chair

S/Rep. Matthew Dunlap
House Chair

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

The Following Communication: S.C. 120

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

March 9, 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. 402 An Act to Remove the Time Limit on Applying for Refunds of Tax Stamps on Unsalable Cigarettes
- L.D. 572 An Act to Create a Computer Technology Taxable Income Deduction for Maine Families
- L.D. 631 An Act to Require that All Owners Sign a Notice of Intent to Harvest for Land Subject to the Maine Tree Growth Tax Law

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

Sincerely,

S/Sen. Kenneth T. Gagnon
Senate Chair

S/Rep. Bonnie Green
House Chair

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

The Following Communication: S.C. 121

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

March 13, 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. 417 An Act to Tax Farm Implements Equally
- L.D. 438 An Act to Exempt Nonprofit Religious Ministries From Sales Tax for Items Used in Missionary Work
- L.D. 445 An Act to Establish a Sales Tax Exemption for Purchases Made by Private, Nonprofit Senior Citizens' Centers
- L.D. 546 An Act to Provide a Sales Tax Exemption for Boats Used for Business
- L.D. 571 An Act to Eliminate the Sales Tax on Textbooks
- L.D. 576 RESOLUTION, to Amend the Constitution of Maine to Dedicate Funds for the Protection of Maine's Fish and Wildlife Resources

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

Sincerely,

S/Sen. Kenneth T. Gagnon
Senate Chair

S/Rep. Bonnie Green
House Chair

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

The Following Communication: S.C. 122

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

March 13, 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. 250 An Act to Maintain Moosehead Trail Signs
- L.D. 545 An Act to Remove the Requirement for Display of a Front License Plate on a Motor Vehicle
- L.D. 595 Resolve, to Allocate Funds to the Department of Transportation for the Construction of a 2nd Bridge in Skowhegan
- L.D. 743 An Act to Authorize Citizen-issued Citations for Violations of the Handicapped Parking Laws

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

Sincerely,

S/Sen. Christine R. Savage
Senate Chair

S/Rep. Charles D. Fisher
House Chair

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

SENATE PAPERS

Bill "An Act to Promote Outcome-based Forest Policy"
(EMERGENCY)

S.P. 544 L.D. 1690

Sponsored by Senator NUTTING of Androscoggin.
(GOVERNOR'S BILL)
Cosponsored by Senator KNEELAND of Aroostook, President MICHAUD of Penobscot, Representatives: BRUNO of Raymond, CARR of Lincoln, COWGER of Hallowell, FOSTER of Gray, GOOLEY of Farmington.

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 Capitalize the School Revolving Renovation Fund for Repairs and Improvements in Public School Facilities to Address Health, Safety and Compliance Deficiencies, General Renovation Needs and Learning Space Upgrades"
S.P. 549 L.D. 1707

Sponsored by Senator MITCHELL of Penobscot. (GOVERNOR'S BILL)
Cosponsored by Representative RICHARD of Madison and President MICHAUD of Penobscot, Senators: ROTUNDO of Androscoggin, SMALL of Sagadahoc, Representatives: BELANGER of Caribou, DESMOND of Mapleton, STEDMAN of Hartland, TESSIER of Fairfield, WATSON of Farmingdale.

Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$26,500,000 for Capital Infrastructure at the University of Maine System and the Maine Maritime Academy, and Research and Development Equipment and Infrastructure"
S.P. 551 L.D. 1709

Sponsored by Senator GOLDTHWAIT of Hancock. (GOVERNOR'S BILL)
Cosponsored by Senator CATHCART of Penobscot, President MICHAUD of Penobscot, Representatives: BELANGER of Caribou, BRUNO of Raymond, HONEY of Boothbay, KOFFMAN of Bar Harbor, ROSEN of Bucksport, TESSIER of Fairfield.

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

Sent down for concurrence.

Bill "An Act to Clarify the Maine Biomedical Research Program"
S.P. 552 L.D. 1710

Sponsored by Senator GOLDTHWAIT of Hancock.
Cosponsored by Representative HONEY of Boothbay and Senator: SHOREY of Washington, Representative: TESSIER of Fairfield.

Bill "An Act to Amend the Maine Athletic Commission Laws" (EMERGENCY)
S.P. 561 L.D. 1723

Sponsored by Senator SHOREY of Washington.
Cosponsored by Representative RICHARDSON of Brunswick and Representatives: CLOUGH of Scarborough, HATCH of Skowhegan.
Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.

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

Sent down for concurrence.

Bill "An Act Adopting and Implementing the National Crime Prevention and Privacy Compact" (EMERGENCY)
S.P. 545 L.D. 1691

Sponsored by Senator McALEVEY of York.
Cosponsored by Representative POVICH of Ellsworth and Representatives: MUSE of South Portland, TOBIN of Dexter, WHEELER of Bridgewater.
Submitted by the Department of Public Safety pursuant to Joint Rule 204.

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

Sent down for concurrence.

Bill "An Act to Allow Expressly Authorized Persons to Conduct Investigations for the Chief Medical Examiner"
S.P. 559 L.D. 1721

Sponsored by Senator MARTIN of Aroostook.
Cosponsored by Representative BERRY of Livermore.
Submitted by the Department of the Attorney General and approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

On motion by Senator **McALEVEY** of York, **REFERRED** to the Committee on **JUDICIARY**.

Sent down for concurrence.

Bill "An Act to Reduce the Cost of Administration of the Medicaid Program"
S.P. 548 L.D. 1706

Sponsored by Senator MARTIN of Aroostook.
Cosponsored by Senator DAGGETT of Kennebec.

Bill "An Act to Recognize Exemplary Efforts to Lower the Cost of Prescription Drugs"
S.P. 560 L.D. 1722

Sponsored by Senator LONGLEY of Waldo.
Cosponsored by Senator: MARTIN of Aroostook, Representatives: DUGAY of Cherryfield, KANE of Saco.

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

Sent down for concurrence.

Bill "An Act to Revise Certain Provisions of Maine's Fish and Wildlife Laws" (EMERGENCY)

S.P. 546 L.D. 1692

Sponsored by Senator CARPENTER of York.
Cosponsored by Representative DUNLAP of Old Town and Senator: WOODCOCK of Franklin, Representatives: BRYANT of Dixfield, CHICK of Lebanon, HONEY of Boothbay, PERKINS of Penobscot, USHER of Westbrook.
Submitted by the Department of Inland Fisheries and Wildlife pursuant to Joint Rule 204.

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

Sent down for concurrence.

Bill "An Act to Amend the State's Abortion Reporting Law"
S.P. 543 L.D. 1689

Sponsored by Senator KNEELAND of Aroostook.
Cosponsored by Representative MENDROS of Lewiston and Senator: DAVIS of Piscataquis, Representatives: ANDREWS of York, DAVIS of Falmouth, DESMOND of Mapleton, DUPREY of Hampden, KASPRZAK of Newport, STEDMAN of Hartland, WESTON of Montville.

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

Sent down for concurrence.

Bill "An Act to Amend the Personal Sports Mobile Franchise Law"
S.P. 542 L.D. 1688

Sponsored by Senator KNEELAND of Aroostook.
Cosponsored by Senators: CARPENTER of York, DAVIS of Piscataquis, Representatives: BELANGER of Caribou, CARR of Lincoln, CLARK of Millinocket.

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

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

Sent down for concurrence.

Bill "An Act to Streamline the Administration and Enforcement of the Work Permit Provisions of Child Labor Laws"
S.P. 550 L.D. 1708

Sponsored by Senator EDMONDS of Cumberland.
Cosponsored by Senator: SAWYER of Penobscot, Representatives: BUNKER of Kossuth Township, DAVIS of Falmouth, SMITH of Van Buren.
Submitted by the Department of Labor pursuant to Joint Rule 204.

Bill "An Act Regarding Dismissal of Municipal Employees for Cause"

S.P. 557 L.D. 1719

Sponsored by Senator DOUGLASS of Androscoggin.
Cosponsored by Representatives: BRYANT of Dixfield, GERZOFISKY of Brunswick.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Bill "An Act to Create the Advisory Commission for Persons Who are Blind or Visually Impaired"

S.P. 558 L.D. 1720

Sponsored by Senator O'GARA of Cumberland.
Cosponsored by Representative MAYO of Bath and President MICHAUD of Penobscot.

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

Sent down for concurrence.

Bill "An Act to Amend Maine's Campaign Finance Laws"
S.P. 553 L.D. 1711

Sponsored by Senator EDMONDS of Cumberland.
Cosponsored by Representative TUTTLE of Sanford and Senators: BROMLEY of Cumberland, DOUGLASS of Androscoggin, FERGUSON of Oxford, Representatives: CANAVAN of Waterville, HEIDRICH of Oxford, MAYO of Bath, O'NEIL of Saco, SIMPSON of Auburn.

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

Sent down for concurrence.

Bill "An Act to Amend the Comprehensive Planning and Land Use Regulation Laws"
S.P. 547 L.D. 1693

Sponsored by Senator TREAT of Kennebec.
Cosponsored by Representative DAIGLE of Arundel and Senators: DAGGETT of Kennebec, GAGNON of Kennebec, MARTIN of Aroostook, SAWYER of Penobscot, Representatives: COWGER of Hallowell, ETNIER of Harpswell, KOFFMAN of Bar Harbor, McLAUGHLIN of Cape Elizabeth.
Submitted by the State Planning Office pursuant to Joint Rule 204.

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

Sent down for concurrence.

ORDERS

Joint Order

Sara Vanderwood, of Oxford, who placed 5th in the Alyeska IFSS World Championship 2-dog Skijoring event held at Birch Hill in Fairbanks, Alaska. We send our congratulations to her on this achievement;
SLS 94

Sponsored by President Pro Tem BENNETT of Oxford.
Cosponsored by Senators: SMALL of Sagadahoc, DAVIS of Piscataquis, Representative HEIDRICH of Oxford.

On motion by President Pro Tem BENNETT of Oxford, **TABLED** until Later in Today's Session, pending **PASSAGE**.

Joint Resolution

On motion by Senator DOUGLASS of Androscoggin, the following Joint Resolution: S.P. 556

JOINT RESOLUTION TO RECOGNIZE THE YEARS 2000 TO 2010 AS THE BONE AND JOINT DECADE

WHEREAS, one in every 7 Americans reports a musculoskeletal impairment; and

WHEREAS, in the United States alone, musculoskeletal conditions are estimated to cost \$250,000,000,000 per year; and

WHEREAS, musculoskeletal impairments rank as the number one health problem for both men and women and for the major racial groups, with arthritis the leading chronic condition reported by the elderly; and

WHEREAS, musculoskeletal conditions and deformities deprive children of a normal development; and

WHEREAS, these diseases affect more than 178,000 citizens of the State, and are the leading cause of disability, costing an estimated \$1,000,000,000 in lost productivity and medical costs; and

WHEREAS, musculoskeletal research currently is at the precipice of major breakthroughs that likely will change and simplify the way bone and joint disorders are treated and prevented throughout the world; and

WHEREAS, many countries and international organizations have joined together to recognize the years 2000 to 2010 as the "Bone and Joint Decade" to increase public awareness of this problem and to promote research to find the cure for musculoskeletal impairments; now, therefore, be it

RESOLVED: That, We, the members of the One Hundred and Twentieth Legislature, now assembled in the First Regular Session, join citizens throughout the State, the nation and the world in recognizing the years 2000 to 2010 as the "Bone and Joint Decade"; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the

World Health Organization, on behalf of the people of the State of Maine.

READ.

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

Senator DOUGLASS: Ladies and gentlemen of the Senate, I just wish to highlight this order which reminds us to pay attention to the condition of our joints and our bones. The Maine Orthopedic Surgeons have requested that we declare the years 2000 to 2010 as the Bone and Joint Decade and I do think it is important as we continue our healthy lifestyles that we pay attention to calcium intake and so forth. That is what this order is intended to do, to promote our health.

ADOPTED.

Sent down for concurrence.

Off Record Remarks

REPORTS OF COMMITTEES

House

Change of Committee

The Committee on **LABOR** on Bill "An Act to Require Employers to Offer Benefits to Cohabitants of Employees"
H.P. 1057 L.D. 1420

Reported that the same be **REFERRED** to the Committee on **BANKING AND INSURANCE**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **BANKING AND INSURANCE**.

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

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

Ought to Pass

The Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act to Amend the Animal Trespass Laws"
H.P. 128 L.D. 139

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.

Off Record Remarks

The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act to Implement the Recommendations of the Commission on Child Abuse"

H.P. 27 L.D. 27

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.

The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act to Clarify the Duties of the Maine Developmental Disabilities Council"

H.P. 250 L.D. 286

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.

The Committee on **TRANSPORTATION** on Bill "An Act Providing for the Revocation of a Driver's License upon Conviction for Certain Crimes"

H.P. 165 L.D. 176

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.

The Committee on **TRANSPORTATION** on Bill "An Act Concerning Disability Registration Plates and Placards"
H.P. 563 L.D. 718

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.

Ought to Pass As Amended

The Committee on **CRIMINAL JUSTICE** on Bill "An Act to Specify That Possession of Sexually Explicit Materials by Way of the Internet is Criminal"

H.P. 121 L.D. 125

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-17)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-17)**.

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

READ ONCE.

Committee Amendment "A" (H-17) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Off Record Remarks

The Committee on **CRIMINAL JUSTICE** on Bill "An Act to Add Prior Conviction for Burglary of a Motor Vehicle to Enhancement of Theft Penalties"

H.P. 240 L.D. 292

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-16)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-16)**.

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

READ ONCE.

Committee Amendment "A" (H-16) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **INLAND FISHERIES AND WILDLIFE** on Resolve, to Extend the Commission to Study Equity in the Distribution of Gas Tax Revenues Attributable to Snowmobiles, All-terrain Vehicles and Watercraft (EMERGENCY)

H.P. 28 L.D. 28

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-21)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-21)**.

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

READ ONCE.

Committee Amendment "A" (H-21) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **NATURAL RESOURCES** on Resolve, to Create a Greenhouse Gas Registry

H.P. 78 L.D. 87

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-23)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-23)**.

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

READ ONCE.

Committee Amendment "A" (H-23) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **NATURAL RESOURCES** on Resolve, to Implement the Saco Bay Regional Beach Management Plan (EMERGENCY)

H.P. 186 L.D. 197

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-24)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-24)**.

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

READ ONCE.

Committee Amendment "A" (H-24) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **UTILITIES AND ENERGY** on Bill "An Act to Amend the Charter of the Lewiston-Auburn Water Pollution Control Authority"

H.P. 345 L.D. 435

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-22)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-22)**.

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

READ ONCE.

Committee Amendment "A" (H-22) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senate

Ought to Pass As Amended

Senator BROMLEY for the Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act to Specify the Permissible Hours for Sale of Liquor By Wholesale Licensees"

S.P. 76 L.D. 296

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (S-12)**.

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

READ ONCE.

Committee Amendment "A" (S-12) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator SAVAGE for the Committee on **TRANSPORTATION** on Bill "An Act to Designate the Ryefield Bridge an Historic Bridge"

S.P. 82 L.D. 302

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (S-9)**.

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

READ ONCE.

Committee Amendment "A" (S-9) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator SAVAGE for the Committee on **TRANSPORTATION** on Bill "An Act to Clarify the Maine Turnpike Authority's Power Regarding Confidentiality of Information"

S.P. 90 L.D. 317

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (S-10)**.

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

READ ONCE.

Committee Amendment "A" (S-10) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator SAVAGE for the Committee on **TRANSPORTATION** on Bill "An Act to Allow the Maine Turnpike Authority to Construct Communications Facilities"

S.P. 107 L.D. 333

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (S-11)**.

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

READ ONCE.

Committee Amendment "A" (S-11) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act to Clarify the Act of Separation of Frye Island from the Town of Standish" (EMERGENCY)

S.P. 156 L.D. 500

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

Signed:

Senators:

PENDLETON of Cumberland
ROTUNDO of Androscoggin

Representatives:

BAGLEY of Machias
McDONOUGH of Portland
HATCH of Skowhegan
LESSARD of Topsham
McLAUGHLIN of Cape Elizabeth
MURPHY of Berwick
CHASE of Levant
HASKELL of Milford
NORBERT of Portland

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

Signed:

Senator:

YOUNGBLOOD of Penobscot

Representative:

KASPRZAK of Newport

Reports **READ**.

On motion by Senator **ROTUNDO** of Androscoggin, 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 As Amended

Bill "An Act to Increase the State Earned Income Tax Credit from 5% to 10% of the Federal Earned Income Credit"

H.P. 17 L.D. 17
(C "A" H-13)

Bill "An Act to Amend the Charter of the South Berwick Sewer District"

H.P. 24 L.D. 24
(C "A" H-9)

Bill "An Act to Allow Funeral Escort Vehicles in a Funeral Procession to be Equipped With Flashing Purple Lights"

H.P. 37 L.D. 46
(C "A" H-10)

Bill "An Act to List the Manufacturer's Suggested Retail Price on the Certificate of Title"

H.P. 65 L.D. 74
(C "A" H-14)

Bill "An Act to Remove the Weight Limit Restrictions on Vanity Registration Plates"

H.P. 109 L.D. 113
(C "A" H-15)

Bill "An Act to Revise the Hampden Water District Charter"

H.P. 118 L.D. 122
(C "A" H-8)

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

Senate

Bill "An Act to Enable Small Wineries to do Business in Maine"
S.P. 61 L.D. 225

READ A SECOND TIME and PASSED TO BE ENGROSSED.

Sent down for concurrence.

Senate As Amended

Bill "An Act to Require Notice to Telephone Customers in Maine Prior to Price Increases"

S.P. 87 L.D. 314
(C "A" S-7)

Bill "An Act to Authorize Representation by the Public Advocate of Consumer Interests on Regional Decision-making Bodies"
S.P. 89 L.D. 316
(C "A" S-8)

READ A SECOND TIME and PASSED TO BE ENGROSSED AS AMENDED.

Sent down for concurrence.

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

ORDERS OF THE DAY

Unfinished Business

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

The Chair laid before the Senate the following Tabled and Later (3/13/01) Assigned matter:

SENATE REPORTS - from the Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act to Prohibit the Sale of Liquor by Retail Licensees for Less than the Actual Price Paid"
S.P. 125 L.D. 401

Majority - **Ought to Pass** (9 members)

Minority - **Ought Not to Pass** (4 members)

Tabled - March 13, 2001, by Senator **DAGGETT** of Kennebec

Pending - motion by same Senator to **ACCEPT** the Majority **OUGHT TO PASS** Report

(In Senate, March 13, 2001, Reports **READ**.)

THE PRESIDENT PRO TEM: The Chair recognizes the Senator from Franklin, Senator Woodcock.

Senator **WOODCOCK:** Thank you, Madame President. Good morning to the men and women of the Senate. I rise today to urge you to vote against the majority Ought to Pass motion. The world in which we live is a very contradictory world and such is the nation of retail liquor sales in the state. How is it that we wholesale liquor? How is it that we retail liquor? How is it that we grant a retail license to sell liquor and then compete against the licensee? This bill, in my opinion, is an intrusion into the world the of retail licensee. It is a contradictory world. How is it that my nose smells, my feet run? How is it that my nose runs, my feet smell? I urge against this motion. Thank you.

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

Senator **DOUGLASS**: Ladies and gentlemen of the Senate, I wish to speak in favor of the majority Ought to Pass report. This bill is about whether we are going to encourage a loss leader in our large retail stores and to allow that that loss leader be liquor. In the last summer season several large retailers were able to purchase 30 packs of beer for the price of \$14.99. That's the wholesale price. Then they sold them to the public at the price of \$9.99, having a \$5 loss. Our small Ma and Pa stores are not able to do that. This bill is about your philosophy. If your philosophy is that we should not be encouraging people to go to a store just to get a 30-pack of beer, than you are going to be in favor of the majority Ought to Pass report. There is another issue at stake here, which is not only your philosophy with regards to alcohol, but your philosophy with regards to competition generally, because this is truly one of those bills that pits our smaller stores against our larger stores. If you're in favor of continuing to support the small retailers we have in the state then you will vote in favor of the majority Ought to Pass report. I hope that you will do so today.

The Chair ordered a Division. 14 Senators having voted in the affirmative and 18 Senators having voted in the negative, the motion by Senator **DAGGETT** of Kennebec to **ACCEPT** the Majority **OUGHT TO PASS** Report, **FAILED**.

The pending question before the Senate was **ACCEPTANCE** of the Minority **OUGHT NOT TO PASS** Report.

THE PRESIDENT PRO TEM: The Chair recognizes the Senator from Aroostook, Senator Martin.

Senator **MARTIN**: I request a Roll Call on the motion and wish to speak briefly. I would ask that the members of the Senate vote against my motion so that we can then go back to the majority report.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#7)

YEAS: Senators: ABROMSON, BENNETT, CARPENTER, DAVIS, FERGUSON, GOLDTHWAIT, KNEELAND, LEMONT, MCALEVEY, MILLS MITCHELL, SAVAGE, SAWYER, SHOREY, SMALL, TURNER, WOODCOCK, YOUNGBLOOD

NAYS: Senators: BROMLEY, CATHCART, DAGGETT, DOUGLASS, EDMONDS, GAGNON, LAFOUNTAIN, LONGLEY, MARTIN, MICHAUD, NUTTING, O'GARA, RAND, ROTUNDO, THE PRESIDENT PRO TEM - SHARON A. TREAT

ABSENT: Senators: KILKELLY, PENDLETON

18 Senators having voted in the affirmative and 15 Senators having voted in the negative, with 2 Senators being absent, the Minority **OUGHT NOT TO PASS** Report **ACCEPTED**.

Sent down for concurrence.

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

JOINT RESOLUTION - relative to the death of Lewis V. Vafiades, of Hampden. SLS 85

Tabled - March 15, 2001, by Senator **MITCHELL** of Penobscot

Pending - **ADOPTION**

(In Senate, March 15, 2001, **READ**.)

THE PRESIDENT PRO TEM: The Chair recognizes the Senator from Penobscot, Senator Mitchell.

Senator **MITCHELL**: Thank you, Madame President. Good morning fellow Senators. I rise this morning to ask you to join me in celebration of the great life of Lewis V. Vafiades. Lou was a friend, mentor, counselor, and loved by all for ever giving of himself to others. His caring kindness will always be recognized for the good that he recognized in people. A well respected attorney, renowned for his ability in the courtroom, not only in the City of Bangor where his law firm is located but throughout the state, across the country and internationally. His love for the sea brought many happy hours to him and his beloved wife, Marion. I recall many happy memories of Sunday afternoons with Lou and Marion and Senator Sawyer on his boat, cruising the coast of Maine. Behind every great man, they always say, there is a great woman and Lou was no exception because with us this morning we have his beloved wife, Marion, his grandson, Chris, and his sister, Athena, who is the wife of former Senator John Cox. They are here too to join us in the celebration of this great man. Behind many of our Maine leaders was Lou Vafiades. Providing the strength, support, a guiding hand and a mentor to Honorable Bill Cowen, U.S. Senator Olympia Snowe, U.S. Senator Susan Collins, and many of us on a state level who are sitting here in this room this morning. I wouldn't be here today without the mentoring and the dear friendship of the beloved Lewis Vafiades. He visited this chamber most recently in December and enjoyed and admired the legislators in this Senate. He was here in December when we had our swearing in ceremony and he and Marion sat behind me here in the Chamber and enjoyed the day of our swearing in ceremony and the breakfast that morning with many of us. Lou, yes, you will be missed but will always be remembered for your smile and warm hand of friendship and confidence that you placed in people. A parable of immortality by Henry Van Dyke. "In a beautiful blue lagoon, on a clear day, a fine sailing ship spreads its brilliant white canvas in a fresh morning breeze and sails out to the open seas. She is an object of beauty and strength and I stand and watch until at last she grows smaller and smaller as she nears the horizon. Finally, where the sea and sky meet, she slips silently from sight. Someone near me says there, she is gone. Gone where? Gone from sight. That is all. She is still just as large in mast and hull and sail as she was when she left my side. She is just as able to

bear her load of delivering freight to the place of destination. Her diminished size is in me, not in her. We can be sure that as we say there, she has gone, there are other eyes watching her coming and other voices ready to take up the glad shout of here she comes."

THE PRESIDENT PRO TEM: The Chair recognizes the Senator from Penobscot, Senator Youngblood.

Senator **YOUNGBLOOD:** Thank you, Madame President. I would like to echo the sentiments of Senator Mitchell. We all have a responsibility to leave this world a better place than we found it. Lewis Vafiades certainly falls into that category. It's wonderful to see his lovely wife, Marion, here with us this morning. I had the pleasure of serving on a variety of committees with Lewis Vafiades, on boards with his wonderful wife, Marion. He will be greatly missed not only in the city of Bangor, not only in the eastern Maine region, not only in the State of Maine, but he was a contributor throughout the United States. Thank you.

THE PRESIDENT PRO TEM: The Chair recognizes the Senator from Waldo, Senator Longley.

Senator **LONGLEY:** Thank you, Madame President. I'd like to stand and speak of how Mr. Lou Vafiades looked to those of us who may not have been Republicans but were new lawyers in the Bangor area. I was clerking at the time and whenever I think of Mr. Lou Vafiades I think of a really good teacher. It was real obvious to him that he loved the law. It was very obvious to him, too, that the new lawyers needed to go under someone's wing to learn how to fly. In my looking over the landscape of all the lawyers in the Bangor community, it was real obvious to me that if I were going to go into a firm, the firm I'd like to go into was the one with Mr. Lou Vafiades because he was such a caring, kind and talented teacher. I can't think of a finer compliment to give anyone in his life than to say they had been a good teacher. So thank you, via his wife, for all that he was able to display and share with the members of the legal community and all of Maine. Thank you.

THE PRESIDENT PRO TEM: The Chair recognizes the Senator from Penobscot, Senator Sawyer.

Senator **SAWYER:** Thank you, Madame President. I, too would like to rise in recognition with honor and sadness the life of Lou Vafiades. Three generations of my family had an opportunity and the distinct pleasure of knowing Lou. My dad played football with Lou. My daughter worked with Lou at the Bangor Y's Fitness Center when the great shout would go up "hey, Louie." For my part, Lou was an enthusiastic mentor and always willing to lend a hand or offer advice, perhaps, most particularly, only when asked for it. I would like to paraphrase Senator Mitchell, however, by suggesting that beside every great man stands a great women. I'd like welcome Marion to the chamber.

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

Senator **MILLS:** The scary part for me in standing up to speak about Lou is that I remember him as a young lawyer. When I was a much younger lawyer we had cases together and cases against each other. Lou was one of those lawyers that

exemplified what I liked to call the Bangor spirit of practicing law. There's not a lot of paperwork involved, not a lot of procedure or folderol. Lawyers call each other up and exchange information on what they have about their respective cases. They treat each other like gentlemen and gentlewomen. Lou had one of the first law firms in the state of Maine. Lou's was one of the first in the state of Maine to hire a woman trial lawyer way back in 1966. He was an open, candid, joyous person and not the kind of lawyer you'd see on TV with the baseball bat or anywhere else with a baseball bat. He killed you with kindness. He knew that the ultimate arbitrary of his client's cause was the jury to whom he was speaking. He knew that the jury and the judges were watching him and his conduct with the other side. He was gracious almost to a fault. He was a wonderful to try cases with. I had a number of occasions to have law suits with him. The last time I saw him was when he was sitting right here about 2 feet behind me for the swearing. He was devoted, utterly devoted, to politics. Never ran for office, to my knowledge. As I read his obituary I learned how much we really had in common in some ways. He and I were both military cryptographers and I never knew about that and never had the occasion to ask him about it. I'm going to miss him a great deal. The entire bar misses him because he served as such a noble example of how to practice law and how to practice law decently. I can remember going to a speaking engagement at a Maine Bar Association seminar and there was Lou, nearly 80 years old, sitting in front, as a student, taking notes on what I had to say. It was the most flattering thing imaginable. But he was taking notes on everyone else as well. He was still learning in his 70's and realized that life is a process of being a constant learner. Thank you.

THE PRESIDENT PRO TEM: Would the Vafiades family please stand and accept the greetings of the Senate.

ADOPTED.

Sent down for concurrence.

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

JOINT ORDER - relative to recognizing Sara Vanderwood, of Oxford, who placed 5th in the Alyeska IFSS World Championship 2-dog Skijoring event held at Birch Hill in Fairbanks, Alaska.

SLS 94

Tabled - March 20, 2001, by President Pro Tem **BENNETT** of Oxford

Pending - **PASSAGE**

(In Senate, March 20, 2001, **READ.**)

THE PRESIDENT PRO TEM: The Chair recognizes President Pro Tem Bennett of Oxford.

President Pro Tem **BENNETT:** Thank you, Madame President. Fellow members of the Senate, it's a real honor to stand here today and recognize Sara. Sara, for those of you who don't know, moonlights here in the offices of the Senate Republicans. She's a constituent of mine and the Executive Secretary in our

office. I'm sure that if you haven't met her, you will in the near future. She has been away for a few weeks at her real love and passion and probably a job which is doing what she does best. She has an extraordinary talent in the art of skijoring. Now skijoring, for those of you don't know what skijoring is, is when you strap on a pair of cross country skis and you head out on the trails and let your dogs drag across the countryside. It's a very intimidating sport. Keeping up with the dogs and staying on your feet is a daunting challenge. Sara went off to the International Skijoring contest at Birch Hill in Fairbanks, Alaska, and placed 5th in the World Championship in the 2-dog skijoring event. She's also presently rated as the top national contender for the bronze medal in international sled dog racing in this 2-dog skijoring division, which competition compares itself to the Olympics. I'm very pleased to be sponsoring this sentiment recognizing her accomplishments. It's a reminder to me that the people in this building, whether we're Senators or staff, come from a wide ranging background of interests and expertise. She certainly has demonstrated that her interest has created an expertise in this very extraordinary and tough athletic endeavor. I'm also pleased that Sara's husband, Mark, and her parents from Oxford, Mr. and Mrs. Greg Pickett, are here to join in the celebration of our recognition. So I am very pleased to support this order and I also want to let you all know that you are all invited to join us in celebrating Sara's accomplishment with some cake in the Senate Republican office when we break. Thank you very much, Madame President.

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

Senator **SMALL:** Thank you very much, Madame President. I, too, want to add my congratulations to Sara for her outstanding accomplishment. It's hard to imagine the skijoring and dog sledding and all the degree of difficulty and the talent it takes to do that. Imagine how difficult it must be amidst the yelping and the whining to get all those independent, willful and sometimes cantankerous minds to coordinate and work well together. I believe it's that quality which makes her infinitely qualified to work in the Senate Republican office. So I, too, want to send my congratulations and we're awful glad to have you back, Sara. Thank you.

THE PRESIDENT PRO TEM: Will Sara Vanderwod, her husband, Mark, and her parents, Greg and Kathy Pickett, please stand to be recognized by the Senate.

PASSED.

Sent down for concurrence.

Off Record Remarks

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

REPORTS OF COMMITTEES

Senate

Ought to Pass As Amended

Senator GAGNON for the Committee on **TAXATION** on Bill "An Act to Increase the Amount Transferred through State-municipal Revenue Sharing"

S.P. 41 L.D. 209

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (S-13).**

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

READ ONCE.

Committee Amendment A" (S-13) **READ** and **ADOPTED.**

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator GAGNON for the Committee on **TAXATION** on Bill "An Act to Authorize the Maine Land Use Regulation Commission to Receive Real Estate Transfer Tax Forms for Municipalities in its Jurisdiction"

S.P. 67 L.D. 263

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (S-14).**

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

READ ONCE.

Committee Amendment A" (S-14) **READ** and **ADOPTED.**

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator GAGNON for the Committee on **TAXATION** on Bill "An Act to Promote Equity Among Health Care Clinics"

S.P. 128 L.D. 404

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (S-15).**

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

READ ONCE.

Committee Amendment "A" (S-15) **READ** and **ADOPTED.**

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

ORDERS OF THE DAY

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

NOMINATION - of Robert L. Piccone of Portland, for appointment to the Maine Labor Relations Board.

Tabled - March 20, 2001, by Senator **EDMONDS** of Cumberland

Pending - **CONSIDERATION**

(In Senate, March 20, 2001, Communication (S.C. 107) from the Committee on **LABOR, READ** and **ORDERED PLACED ON FILE.**)

The Chair laid before the Senate the following: "Shall the recommendation of the Committee on **LABOR** be overridden?"

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#8)

YEAS: Senators: None

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

ABSENT: Senators: **KILKELLY, PENDLETON**

No Senator having voted in the affirmative and 33 Senators having voted in the negative, with 2 Senators being absent, 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 **Robert L. Piccone** of Portland, for appointment to the Maine Labor Relations Board was **CONFIRMED**.

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

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

NOMINATION - of Carol B. Gilmore of Charleston, for reappointment to the Maine Labor Relations Board.

Tabled - March 20, 2001, by Senator **EDMONDS** of Cumberland

Pending - **CONSIDERATION**

(In Senate, March 20, 2001, Communication (S.C. 108) from the Committee on **LABOR, READ** and **ORDERED PLACED ON FILE.**)

The Chair laid before the Senate the following: "Shall the recommendation of the Committee on **LABOR** be overridden?"

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#9)

YEAS: Senators: None

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

ABSENT: Senators: **KILKELLY, PENDLETON**

No Senator having voted in the affirmative and 33 Senators having voted in the negative, with 2 Senators being absent, 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 **Carol B. Gilmore** of Charleston, for reappointment to the Maine Labor Relations Board was **CONFIRMED**.

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

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

NOMINATION - of Peter G. Cary of Cape Elizabeth, for reappointment to the Maine Governmental Facilities Authority.

Tabled - March 20, 2001, by Senator **DAGGETT** of Kennebec

Pending - **CONSIDERATION**

(In Senate, March 20, 2001, Communication (S.C. 109) from the Committee on **STATE AND LOCAL GOVERNMENT, READ** and **ORDERED PLACED ON FILE.**)

The Chair laid before the Senate the following: "Shall the recommendation of the Committee on **STATE AND LOCAL GOVERNMENT** be overridden?"

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#10)

YEAS: Senators: None

NAYS: Senators: ABROMSON, BENNETT, BROMLEY, CARPENTER, CATHCART, DAGGETT, DAVIS, DOUGLASS, EDMONDS, FERGUSON, GAGNON, GOLDTHWAIT, KNEELAND, LAFOUNTAIN, LEMONT, LONGLEY, MARTIN, MCALEVEY, MICHAUD, MILLS, MITCHELL, NUTTING, O'GARA, RAND, ROTUNDO, SAVAGE, SAWYER, SHOREY, SMALL, TURNER, WOODCOCK, YOUNGBLOOD, THE PRESIDENT PRO TEM - SHARON A. TREAT

ABSENT: Senators: KILKELLY, PENDLETON

No Senator having voted in the affirmative and 33 Senators having voted in the negative, with 2 Senators being absent, 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 **Peter G. Cary** of Cape Elizabeth, for reappointment to the Maine Governmental Facilities Authority was **CONFIRMED**.

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

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

NOMINATION - of Stephen W. Wight of Newry, for reappointment to the Land Use Regulation Commission

Tabled - March 20, 2001, by Senator **KNEELAND** of Aroostook

Pending - **CONSIDERATION**

(In Senate, March 20, 2001, Communication (S.C. 110) from the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY, READ and ORDERED PLACED ON FILE.**)

The Chair laid before the Senate the following: "Shall the recommendation of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** be overridden?"

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#11)

YEAS: Senators: KNEELAND, LEMONT, MICHAUD, MILLS, MITCHELL, SAVAGE

NAYS: Senators: ABROMSON, BENNETT, BROMLEY, CARPENTER, CATHCART, DAGGETT, DAVIS, DOUGLASS, EDMONDS, FERGUSON, GAGNON, GOLDTHWAIT, LAFOUNTAIN, LONGLEY, MARTIN, MCALEVEY, NUTTING, O'GARA, RAND, ROTUNDO, SAWYER, SHOREY, SMALL, TURNER, WOODCOCK, YOUNGBLOOD, THE PRESIDENT PRO TEM - SHARON A. TREAT

ABSENT: Senators: KILKELLY, PENDLETON

6 Senators having voted in the affirmative and 27 Senators having voted in the negative, with 2 Senators being absent, 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 **Stephen W. Wight** of Newry, for reappointment to the Land Use Regulation Commission was **CONFIRMED**.

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

Senate at Ease.

Senate called to order by President Pro Tem **SHARON A. TREAT** of Kennebec County.

Off Record Remarks

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

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

Off Record Remarks

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

Senator **MITCHELL** of Penobscot was granted unanimous consent to address the Senate off the Record.

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

On motion by Senator **MITCHELL** of Penobscot, **ADJOURNED**, to Wednesday, March 21, 2001, at 10:00 in the morning, in memory of and lasting tribute to Lewis V. Vafiades of Hampden.