

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
Wednesday
May 2, 2001

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

Prayer by Sister Janice Murphy, RSM, of St. Ann's Church in Pleasant Point.

SISTER MURPHY: Let us pray. Oh Great Spirit, whose spirit in the winds we hear and whose breath gives life to all the world, hear us. Before You we come, Your many children. Small and weak are we. Your strength and wisdom we need. Make us walk in beauty. Make our hearts respect all You have made. Our ears to hear Your voice. Make us wise that we may know all You have taught our people. The lessons You have hidden in every rock. We seek strength, not to be superior to our brothers and sisters. Make us able to fight our greatest enemy, self. Make us ready to stand before You with clean and straight eyes. When life fades, as the fading sunset, may our spirit stand before You without shame. Amen.

Doctor of the day, Alexander Brazalovich, D.O. of Waterboro.

Reading of the Journal of Tuesday, May 1, 2001.

Off Record Remarks

COMMUNICATIONS

The Following Communication: S.C. 244

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

April 25, 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. 753 An Act to Create a Farmland and Open Space for the Community Board
- L.D. 1458 An Act Regarding Forest Sustainability
- L.D. 1501 An Act to Amend the Laws Governing Commercial Large Game Shooting Areas
- L.D. 1587 An Act to Amend the Commercial Large Game Shooting Area to Change the Date of Operation

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. 245

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

April 28, 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. 946 An Act to Excuse Animal Control Officers from Attending the Maine Criminal Justice Academy
- L.D. 1014 An Act to Require Legislative Approval of Certain Land Purchases by the Land for Maine's Future Board

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. 246

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

April 25, 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. 303 An Act to Appropriate Funds to Assist in Removing a Hazardous Dam
- L.D. 433 An Act to Provide Funding to the Wells National Estuarine Reserve Research Center
- L.D. 1520 An Act to Continue the Peer Support Program

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. 247

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

April 28, 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. 894 An Act to Provide Adequate Funding for HIV and AIDS Care and Prevention
- L.D. 1127 An Act to Fund Uncollectible, Outstanding Accounts Receivable of 28 Community and Indian Health Centers
- L.D. 1338 An Act to Appropriate Funds for Special Testing at the Norridgewock Landfill
- L.D. 1597 An Act to Promote Growth in Western Maine
- L.D. 1616 An Act to Assist Regional Service Centers With the Construction of Parking Garages

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. 248

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

April 28, 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. 801 An Act to Authorize the State and Participating Municipalities to Pool Health Care in a Joint Venture

L.D. 1400 An Act to Provide Health Insurance to Uninsured Maine Residents

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. 249

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

April 28, 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. 1227 An Act to Provide for the Disclosure of Company Information and Appointment of a Registered Agent in Maine by Persons or Business Entities Selling or Leasing Goods or Services via the Internet

L.D. 1438 An Act to Strengthen the Maine Sister City Relationship with Aomori, Japan

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

Sincerely,

S/Sen. Kevin L. Shorey S/Rep. John G. Richardson
Senate Chair House Chair

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

The Following Communication: S.C. 250

**120TH LEGISLATURE
JOINT STANDING COMMITTEE ON CRIMINAL JUSTICE**

April 28, 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 Criminal Justice has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 1521 An Act to Broaden the Crime of Abuse of a Corpse

L.D. 1701 An Act to Clarify Parental Rights and Responsibilities When Children are Placed in the Custody of the Department of Human Services as a Result of Court Proceedings Governed by the Maine Juvenile Code

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

Sincerely,

S/Sen. Michael J. McAlevey S/Rep. Edward J. Povich
Senate Chair House Chair

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

The Following Communication: S.C. 251

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

April 25, 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. 1496 Resolve, to Preserve Elderly Congregate Housing Demonstration Services

S/Sen. Susan W. Longley
Senate Chair

S/Rep. Thomas J. Kane
House Chair

L.D. 1706 An Act to Reduce the Cost of Administration of the Medicaid Program

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

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. 253

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

April 25, 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

The Following Communication: S.C. 252

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

April 28, 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":

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. 1072 An Act to Ensure that Parents of Children Prescribed Psychotropic Drugs Receive Adequate Information

L.D. 1367 Resolve, to Ensure Access to Care for Breast and Cervical Cancer for Medicaid Recipients

L.D. 1484 Resolve, to Require Medicaid Reimbursement for Hearing Aids and Dental Care for Adults

L.D. 1685 Resolve, to Change Eligibility for Persons who Transfer Assets and Move into Assisted Living Facilities

L.D. 1687 An Act Regarding People with Disabilities and the Use of Service Animals

L.D. 427 An Act to Delegate the Authority to Regulate Personal Watercraft in Unorganized Territories to County Commissioners

L.D. 940 An Act to Improve Funding for Snowmobile Trail Maintenance

L.D. 1186 Resolve, to Address the Problem of Illegal Fish Stocking

L.D. 1225 An Act to Establish a Nonresident Taxpayer Fishing License

L.D. 1419 An Act to Provide for Public Access to Fish, Game and Wildlife Resources

L.D. 1500 An Act to Require Proof of Health Insurance for Operators of ATVs and Snowmobiles

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**.

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

Sincerely,

The Following Communication: S.C. 254

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

April 25, 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 Judiciary has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 512 An Act to Encourage HIV Testing of Pregnant Patients
- L.D. 1347 An Act to Restrict the Issuance of Recreational Licenses for Nonpayment of Child Support
- L.D. 1355 An Act to Prohibit the Use of Memorandum Decisions
- L.D. 1364 An Act to Decrease the Length of Time a Person Has to Make Child Support Payments Before Being Considered Not In Compliance

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

Sincerely,

S/Sen. Anne M. Rand S/Rep. Charles C. LaVerdiere
Senate Chair House Chair

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

The Following Communication: S.C. 255

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

April 25, 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. 1051 Resolve, Directing the Maine State Retirement System to Report on the Establishment of a Universal Special Retirement Plan for Law Enforcement Officers

L.D. 1212 An Act to Improve Maine's Unemployment Compensation System for School Bus Drivers

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

Sincerely,

S/Sen. Betheda G. Edmonds S/Rep. George H. Bunker Jr.
Senate Chair House Chair

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

The Following Communication: S.C. 256

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

April 28, 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. 748 An Act to Lower the Early Withdrawal Penalty on Teacher Retirement to 2 1/2 Percent
- L.D. 890 An Act to Provide a Reduction in the Early Retirement Penalty for Teachers and State Employees
- L.D. 1469 An Act to Restore Teacher and State Employee Retirement Benefits
- L.D. 1631 An Act to Provide Exemptions from the 5% cap on Earnable Compensation for Retirement Purposes

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

Sincerely,

S/Sen. Betheda G. Edmonds S/Rep. George H. Bunker Jr.
Senate Chair House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 257

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

April 25, 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. 372 An Act to Clarify Municipal Authority Over Cable Television Franchises
- L.D. 866 An Act to Amend the Budget Process for Sagadahoc County
- L.D. 1220 An Act to Require Notice of Use Changes for State Property
- L.D. 1387 An Act to Require the Secretary of State to Make Available at Cost the Laws of Maine on CD-ROM
- L.D. 1388 An Act to Protect Maine Land Titles by Bringing Finality to Zoning and Subdivision Decisions of Municipalities and the Maine Land Use Regulation Commission

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. 258

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

April 25, 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. 362 An Act to Exempt Current Property Owners from Fees for Existing Rights-of-Way Across Train Lines
- H.P. 720 Joint Study Order Regarding Joint Select Commission to Examine the Laws Governing the Operation of Emergency Vehicles

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. 259

**120TH LEGISLATURE
JOINT STANDING COMMITTEE ON UTILITIES AND ENERGY**

April 25, 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 Utilities and Energy has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 1229 An Act to Assist the State's Ski Industry through the Provision of Special Electric Rate Contracts
- L.D. 1618 An Act to Review Utility Easements on a Periodic Basis
- H.P. 719 Joint Study Order Regarding Special Legislative Oversight Committee for Regional Electricity Issues

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

Sincerely,

S/Sen. Norman K. Ferguson, Jr. S/Rep. William R. Savage
Senate Chair House Chair

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

SENATE PAPERS

Bill "An Act to Amend the Review Criteria for Submerged Leases of Coastal Waters" (EMERGENCY)

S.P. 610 L.D. 1786

Sponsored by Senator ABROMSON of Cumberland.
Cosponsored by Representative DAVIS of Falmouth.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

Sent down for concurrence.

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

REPORTS OF COMMITTEES

House

Ought to Pass

The Committee on **NATURAL RESOURCES** on Bill "An Act to Amend Certain Laws Administered by the Department of Environmental Protection"

H.P. 406 L.D. 527

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.

Under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, in concurrence.

Ought to Pass As Amended

The Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** on Bill "An Act to Amend the Rule-making Process Regarding the State's Plumbing Code" (EMERGENCY)
H.P. 214 L.D. 249

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-222).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-222).**

Report **READ.**

On motion by Senator **MARTIN** of Aroostook, **TABLED** until Later in Today's Session, pending **ACCEPTANCE OF REPORT.**

The Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** on Resolve, to Establish the Commission to Study Ownership Patterns in Maine (EMERGENCY)
H.P. 767 L.D. 986

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-223).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-223).**

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

READ ONCE.

Committee Amendment "A" (H-223) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-223)**, in concurrence.

The Committee on **LEGAL AND VETERANS AFFAIRS** on Resolve, to Amend the National Guard Education Assistance Pilot Program (EMERGENCY)
H.P. 429 L.D. 550

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-232).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-232).**

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

READ ONCE.

Committee Amendment "A" (H-232) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-232)**, in concurrence.

The Committee on **NATURAL RESOURCES** on Bill "An Act to Protect Sensitive Geologic Areas from Oil Contamination"
H.P. 168 L.D. 179

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-224)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-224)**.

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

READ ONCE.

Committee Amendment "A" (H-224) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-224)**, in concurrence.

The Committee on **NATURAL RESOURCES** on Bill "An Act to Amend the Laws Regarding the Fee Paid When Purchasing a New Tire or Battery"
H.P. 200 L.D. 230

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-225)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-225)**.

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

READ ONCE.

Committee Amendment "A" (H-225) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-225)**, in concurrence.

The Committee on **NATURAL RESOURCES** on Bill "An Act Regarding Prehistoric and Historic Archaeological Work Performed in the Shoreland Zone"
H.P. 395 L.D. 516

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-226)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-226)**.

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

READ ONCE.

Committee Amendment "A" (H-226) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-226)**, in concurrence.

The Committee on **NATURAL RESOURCES** on Bill "An Act to Establish the Maine Cave Protection Act"
H.P. 439 L.D. 560

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-227)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-227)**.

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

READ ONCE.

Committee Amendment "A" (H-227) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-227)**, in concurrence.

The Committee on **NATURAL RESOURCES** on Bill "An Act to Strengthen the Ground Water Oil Clean-up Fund"
H.P. 657 L.D. 857

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-229)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-229)**.

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

READ ONCE.

Committee Amendment "A" (H-229) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-229)**, in concurrence.

The Committee on **NATURAL RESOURCES** on Resolve, to Assess the Consequences of Climate Change in the State
H.P. 1066 L.D. 1429

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-230)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-230)**.

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

READ ONCE.

Committee Amendment "A" (H-230) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-230)**, in concurrence.

The Committee on **TAXATION** on Bill "An Act to Limit the Use of Property Taxes to Fund Education"

H.P. 751 L.D. 970

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-216)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-216)**.

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

READ ONCE.

Committee Amendment "A" (H-216) **READ** and **ADOPTED**, in concurrence.

On motion by Senator **SMALL** of Sagadahoc, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (H-216), in concurrence.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending **ADOPTION** of Committee Amendment "A" (H-216), in concurrence.

The Committee on **TAXATION** on Bill "An Act to Exempt Maine State Retirement System Employee Contributions from State Income Tax"

H.P. 808 L.D. 1063

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-215)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-215)**.

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

READ ONCE.

Committee Amendment "A" (H-215) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-215)**, in concurrence.

The Committee on **TAXATION** on Bill "An Act Providing for Enhancements to the Maine Seed Capital Tax Credit Program"

H.P. 974 L.D. 1298

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-217)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-217)**.

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

READ ONCE.

Committee Amendment "A" (H-217) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-217)**, in concurrence.

The Committee on **TRANSPORTATION** on Resolve, to Name Route 302 the 10th Mountain Division Highway

H.P. 95 L.D. 99

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-219)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-219)**.

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

READ ONCE.

Committee Amendment "A" (H-219) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-219)**, in concurrence.

The Committee on **TRANSPORTATION** on Bill "An Act to Implement the Recommendations of the Secretary of State and the Maine State Police Regarding Low-speed Vehicles"
H.P. 1191 L.D. 1614

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-220)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-220)**.

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

READ ONCE.

Committee Amendment "A" (H-220) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-220)**, in concurrence.

The Committee on **TRANSPORTATION** on Bill "An Act to Implement the Recommendations of the Veterans Commemorative Decal Task Force"
H.P. 1238 L.D. 1683

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-221)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-221)**.

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

READ ONCE.

Committee Amendment "A" (H-221) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-221)**, in concurrence.

The Committee on **UTILITIES AND ENERGY** on Bill "An Act to Increase the Borrowing Capacity of the Topsham Sewer District" (EMERGENCY)
H.P. 985 L.D. 1322

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-228)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-228)**.

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

READ ONCE.

Committee Amendment "A" (H-228) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-228)**, in concurrence.

Divided Report

The Majority of the Committee on **BANKING AND INSURANCE** on Bill "An Act to Create Catastrophic Health Insurance for Small Businesses in Maine"
H.P. 349 L.D. 439

Reported that the same **Ought Not to Pass**.

Signed:

Senators:
LaFOUNTAIN of York
DOUGLASS of Androscoggin
ABROMSON of Cumberland

Representatives:
DUDLEY of Portland
SMITH of Van Buren
YOUNG of Limestone
MAYO of Bath
O'NEIL of Saco
SULLIVAN of Biddeford
CANAVAN of Waterville
MARRACHE of Waterville

The Minority of the same Committee on the same subject reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-201)**.

Signed:

Representatives:
MICHAEL of Auburn
GLYNN of South Portland

Comes from the House with the Majority **OUGHT NOT TO PASS**
Report **READ** and **ACCEPTED**.

Reports **READ**.

On motion by Senator **LAFOUNTAIN** of York, the Majority
OUGHT NOT TO PASS Report **ACCEPTED**, in concurrence.

Divided Report

The Majority of the Committee on **BUSINESS AND ECONOMIC
DEVELOPMENT** on Bill "An Act to Establish Returnable Tobacco
Products and to Create the Returnable Tobacco Products Fund"
H.P. 223 L.D. 258

Reported that the same **Ought Not to Pass**.

Signed:

Senators:
SHOREY of Washington
BROMLEY of Cumberland
YOUNGBLOOD of Penobscot

Representatives:
RICHARDSON of Brunswick
MORRISON of Baileyville
HATCH of Skowhegan
DUPREY of Hampden
BRYANT of Dixfield
CLOUGH of Scarborough
MURPHY of Kennebunk

The Minority of the same Committee on the same subject
reported that the same **Ought to Pass as Amended by
Committee Amendment "A" (H-205)**.

Signed:

Representatives:
THOMAS of Orono
MICHAUD of Fort Kent
DORR of Camden

Comes from the House with the Majority **OUGHT NOT TO PASS**
Report **READ** and **ACCEPTED**.

Reports **READ**.

On motion by Senator **SHOREY** of Washington, the Majority
OUGHT NOT TO PASS Report **ACCEPTED**, in concurrence.

Divided Report

The Majority of the Committee on **EDUCATION AND
CULTURAL AFFAIRS** on Bill "An Act to Protect Occupants from
Diesel Exhaust Emitted by School Buses"
H.P. 744 L.D. 963

Reported that the same **Ought Not to Pass**.

Signed:

Senators:
MITCHELL of Penobscot
NUTTING of Androscoggin
ROTUNDO of Androscoggin

Representatives:
RICHARD of Madison
DESMOND of Mapleton
SKOGLUND of St. George
WATSON of Farmingdale
ESTES of Kittery
CUMMINGS of Portland
STEDMAN of Hartland
WESTON of Montville
LEDWIN of Holden

The Minority of the same Committee on the same subject
reported that the same **Ought to Pass as Amended by
Committee Amendment "A" (H-189)**.

Signed:

Representative:
ANDREWS of York

Comes from the House with the Majority **OUGHT NOT TO PASS**
Report **READ** and **ACCEPTED**.

Reports **READ**.

On motion by Senator **MITCHELL** of Penobscot, the Majority
OUGHT NOT TO PASS Report **ACCEPTED**, in concurrence.

Divided Report

The Majority of the Committee on **EDUCATION AND
CULTURAL AFFAIRS** on Bill "An Act to Reduce Tuition at
Postsecondary Education Institutions of the State for Students
Who Maintain a 3.0 Grade Point Average in High School"
H.P. 758 L.D. 977

Reported that the same **Ought Not to Pass**.

Signed:

Senators:
MITCHELL of Penobscot
NUTTING of Androscoggin
ROTUNDO of Androscoggin

Representatives:

RICHARD of Madison
DESMOND of Mapleton
WATSON of Farmingdale
ESTES of Kittery
CUMMINGS of Portland
STEDMAN of Hartland
WESTON of Montville
LEDWIN of Holden

The Minority of the same Committee on the same subject reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-210).**

Signed:

Representative:

ANDREWS of York

Comes from the House with the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

Reports **READ**.

On motion by Senator **MITCHELL** of Penobscot, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

Divided Report

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act to Require that a Residential Facility for the Elderly Have an Automatic Door at the Main Entrance" H.P. 548 L.D. 703

Reported that the same **Ought Not to Pass**.

Signed:

Senators:

LONGLEY of Waldo
MARTIN of Aroostook
TURNER of Cumberland

Representatives:

FULLER of Manchester
BROOKS of Winterport
DUDLEY of Portland
NUTTING of Oakland
KANE of Saco
O'BRIEN of Augusta
SHIELDS of Auburn

The Minority of the same Committee on the same subject reported that the same **Ought to Pass**.

Signed:

Representative:

LAVERRIERE-BOUCHER of Biddeford

Comes from the House with the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

Reports **READ**.

On motion by Senator **LONGLEY** of Waldo, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

Divided Report

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act to Adopt the Charitable Choice Provision in this State"

H.P. 942 L.D. 1256

Reported that the same **Ought Not to Pass**.

Signed:

Senators:

LONGLEY of Waldo
MARTIN of Aroostook
TURNER of Cumberland

Representatives:

FULLER of Manchester
BROOKS of Winterport
DUDLEY of Portland
LAVERRIERE-BOUCHER of Biddeford
DUGAY of Cherryfield
KANE of Saco
LOVETT of Scarborough
O'BRIEN of Augusta
NUTTING of Oakland

The Minority of the same Committee on the same subject reported that the same **Ought to Pass**.

Signed:

Representative:

SHIELDS of Auburn

Comes from the House with the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

Reports **READ**.

On motion by Senator **LONGLEY** of Waldo, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

Divided Report

The Majority of the Committee on **TRANSPORTATION** on Bill "An Act to Prohibit Roadblocks for the Purpose of Enforcing the Seat Belt Law for Adults" (EMERGENCY)

H.P. 1064 L.D. 1427

Reported that the same **Ought Not to Pass**.

Signed:

Senators:

SAVAGE of Knox
O'GARA of Cumberland
GAGNON of Kennebec

Representatives:

FISHER of Brewer
BOUFFARD of Lewiston
WHEELER of Bridgewater
BUNKER of Kossuth Township
MARLEY of Portland
PARADIS of Frenchville
WHEELER of Eliot
COLLINS of Wells
McNEIL of Rockland

The Minority of the same Committee on the same subject reported that the same **Ought to Pass**.

Signed:

Representative:

McKENNEY of Cumberland

Comes from the House with the Majority **OUGHT NOT TO PASS**
Report **READ** and **ACCEPTED**.

Reports **READ**.

On motion by Senator **SAVAGE** of Knox, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

Senate

Ought to Pass Pursuant to Joint Order

Senator **CARPENTER** for the Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act Concerning Disabled Hunters, Trappers and Anglers"

S.P. 609 L.D. 1785

Reported that the same **Ought to Pass**, pursuant to Joint Order, S.P. 55.

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

Under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**.

Sent down for concurrence.

Ought to Pass

Senator **GOLDTHWAIT** for the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act to Increase the Bond Ceiling of the University of Maine System" S.P. 154 L.D. 498

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

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

Under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**.

Sent down for concurrence.

Senator **GOLDTHWAIT** for the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act to Expand Research and Development Facilities within the University of Maine System"

S.P. 537 L.D. 1668

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

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

Under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**.

Sent down for concurrence.

Ought to Pass As Amended

Senator **LONGLEY** for the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act to Ensure Statewide Assistance to Maine's Homeless Youth"

S.P. 50 L.D. 218

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (S-110)**.

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

READ ONCE.

Committee Amendment "A" (S-110) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-110)**.

Sent down for concurrence.

Senator **TURNER** for the Committee on **LABOR** on Bill "An Act to Amend the Laws of the Maine State Retirement System" (EMERGENCY)

S.P. 576 L.D. 1754

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (S-113).**

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

READ ONCE.

Committee Amendment "A" (S-113) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-113).**

Sent down for concurrence.

Senator **YOUNGBLOOD** for the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act to Clarify the Laws Governing Employment by the State"

S.P. 489 L.D. 1578

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (S-109).**

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

READ ONCE.

Committee Amendment "A" (S-109) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-109).**

Sent down for concurrence.

Divided Report

The Majority of the Committee on **LABOR** on Bill "An Act to Clarify the Qualifications for Health Care Providers Conducting Employer-requested Examinations"

S.P. 155 L.D. 499

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-111).**

Signed:

Senator:

EDMONDS of Cumberland

Representatives:

MATTHEWS of Winslow
BUNKER of Kossuth Township
HUTTON of Bowdoinham
NORTON of Bangor
SMITH of Van Buren
TARAZEWICH of Waterboro

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

Signed:

Senators:

TURNER of Cumberland
SAWYER of Penobscot

Representatives:

CRESSEY of Baldwin
DAVIS of Falmouth
MacDOUGALL of North Berwick
TREADWELL of Carmel

Reports **READ**.

Senator **EDMONDS** of Cumberland moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

Divided Report

The Majority of the Committee on **LABOR** on Bill "An Act to Amend the State's Overtime Law"

S.P. 314 L.D. 1082

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-114).**

Signed:

Senator:

EDMONDS of Cumberland

Representatives:

MATTHEWS of Winslow
DAVIS of Falmouth
BUNKER of Kossuth Township
HUTTON of Bowdoinham
NORTON of Bangor
SMITH of Van Buren
TARAZEWICH of Waterboro

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

Signed:

Senators:

TURNER of Cumberland
SAWYER of Penobscot

Representatives:

CRESSEY of Baldwin
MacDOUGALL of North Berwick
TREADWELL of Carmel

Reports **READ**.

Senator **EDMONDS** of Cumberland moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

Divided Report

The Majority of the Committee on **LABOR** on Bill "An Act to Improve Limits on Mandatory Overtime"

S.P. 318 L.D. 1086

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-112)**.

Signed:

Senator:
EDMONDS of Cumberland

Representatives:
MATTHEWS of Winslow
BUNKER of Kossuth Township
HUTTON of Bowdoinham
NORTON of Bangor
SMITH of Van Buren
TARAZEWICH of Waterboro

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

Signed:

Senators:
TURNER of Cumberland
SAWYER of Penobscot

Representatives:
CRESSEY of Baldwin
DAVIS of Falmouth
MacDOUGALL of North Berwick
TREADWELL of Carmel

Reports **READ**.

Senator **EDMONDS** of Cumberland moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

Divided Report

The Majority of the Committee on **UTILITIES AND ENERGY** on Bill "An Act to Provide Opportunity for Affordable House Lot Development"

S.P. 263 L.D. 910

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-115)**.

Signed:

Senators:
FERGUSON of Oxford
TREAT of Kennebec
CARPENTER of York

Representatives:
SAVAGE of Buxton
RINES of Wiscasset
CRABTREE of Hope
PERKINS of Penobscot
McGLOCKLIN of Embden
DUNCAN of Presque Isle
BLISS of South Portland
HALL of Bristol
BERRY of Belmont

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

Signed:

Representative:
GOODWIN of Pembroke

Reports **READ**.

On motion by Senator **FERGUSON** of Oxford, the Majority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**.

READ ONCE.

Committee Amendment "A" (S-115) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-115)**.

Sent down for concurrence.

ENACTORS

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

Emergency Measure

An Act to Allow the Awarding of High School Diplomas to Veterans of World War II and the Korean Conflict

H.P. 21 L.D. 21
(C "A" H-124)

This being an Emergency Measure and having received the affirmative vote of 27 Members of the Senate, with no Senators having voted in the negative, and 27 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Emergency Measure

An Act to Increase the Limit on Earnings for Beneficiaries of Disability Retirement Benefits

H.P. 94 L.D. 98
(C "A" H-133)

On motion by Senator **GOLDTHWAIT** of Hancock, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **ENACTMENT**, in concurrence.

Emergency Measure

An Act to Clarify Access to Private Lines in a Public Way

H.P. 252 L.D. 288
(C "A" H-142)

This being an Emergency Measure and having received the affirmative vote of 27 Members of the Senate, with no Senators having voted in the negative, and 27 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Emergency Measure

An Act to Authorize the Town of Bar Harbor to Acquire the Bar Harbor Water Company

S.P. 159 L.D. 503
(C "A" S-45)

This being an Emergency Measure and having received the affirmative vote of 27 Members of the Senate, with no Senators having voted in the negative, and 27 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Emergency Measure

An Act to Permit Grievance Mediation by the Panel of Mediators

H.P. 392 L.D. 513
(C "A" H-120)

This being an Emergency Measure and having received the affirmative vote of 27 Members of the Senate, with no Senators having voted in the negative, and 27 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Emergency Measure

An Act to Clarify when Reduced Speed Limits are in Effect in School Zones

H.P. 643 L.D. 843
(C "A" H-179)

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

Emergency Measure

An Act to Establish a Sales Tax Exemption for Certain Incorporated, Nonprofit Memorial Foundations

H.P. 645 L.D. 845
(C "A" H-138)

On motion by Senator **GOLDTHWAIT** of Hancock, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **ENACTMENT**, in concurrence.

Emergency Measure

An Act to Enhance Participation in the Agricultural Marketing Loan Fund

S.P. 250 L.D. 882
(C "A" S-70)

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

Emergency Measure

An Act to Provide for the Security of Certain Utility Information

H.P. 716 L.D. 931
(C "A" H-130)

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

Emergency Measure

An Act to Ensure Proper Funding of the Public Utilities Commission

H.P. 973 L.D. 1297
(C "A" H-121)

This being an Emergency Measure and having received the affirmative vote of 27 Members of the Senate, with no Senators having voted in the negative, and 27 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Emergency Measure

An Act to Create the Boothbay Region Water District

S.P. 440 L.D. 1442
(C "A" S-66)

This being an Emergency Measure and having received the affirmative vote of 27 Members of the Senate, with no Senators having voted in the negative, and 27 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Emergency Measure

An Act to Streamline the Administration of the Potato Marketing Improvement Fund

S.P. 451 L.D. 1505
(C "A" S-50; H "A" H-152)

This being an Emergency Measure and having received the affirmative vote of 27 Members of the Senate, with no Senators having voted in the negative, and 27 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Emergency Measure

An Act to Establish Municipal Cost Components for Unorganized Territory Services to be Rendered in Fiscal Year 2001-2002

H.P. 1206 L.D. 1628
(C "A" H-139)

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

Emergency Measure

An Act to Provide for the 2001 and 2002 Allocations of the State Ceiling on Private Activity Bonds

H.P. 1233 L.D. 1680

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

Emergency Resolve

Resolve, Regarding Legislative Review of Chapter 125.17D: Regulations Governing Timeout Rooms, Therapeutic Restraints and Aversives in Public Schools and Approved Private Schools, a Major Substantive Rule of the Department of Education

H.P. 22 L.D. 22
(C "A" H-125)

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

Emergency Resolve

Resolve, to Assess the Condition of Historical Records in Maine Historical Records Repositories

H.P. 776 L.D. 1020
(C "A" H-126)

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

Mandate

An Act to Change the Fiscal Year of Sagadahoc County
 H.P. 206 L.D. 241
 (C "A" H-116)

This being a Mandate, in accordance with the provisions of Section 21 of Article IX of the Constitution, having received the affirmative vote of 28 Members of the Senate, with no Senators having voted in the negative, and 28 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Mandate

An Act to Revise the Salaries of Certain Kennebec County Officers
 H.P. 1310 L.D. 1773

This being a Mandate, in accordance with the provisions of Section 21 of Article IX of the Constitution, having received the affirmative vote of 28 Members of the Senate, with no Senators having voted in the negative, and 28 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Acts

An Act to Create a Mandatory Automobile Insurance Premium Discount for Safe, Mature Drivers
 H.P. 34 L.D. 43
 (C "A" H-19)

An Act Regarding Civil Actions Involving Insurance Coverage
 H.P. 40 L.D. 49
 (C "A" H-18)

An Act to Protect the Academic Integrity of Maine's Public Institutions of Higher Education
 H.P. 136 L.D. 147
 (C "A" H-129)

An Act to Clarify the Use of 2-sided Ballots
 H.P. 195 L.D. 206
 (C "A" H-117)

An Act to Establish a Light Trailer Transporter Plate and License
 S.P. 56 L.D. 220
 (H "A" H-136 to C "A" S-17)

An Act Concerning Eligibility Requirements for State Employees, Teachers and Participating Local District Employees to Purchase Military Service Credit
 S.P. 66 L.D. 237
 (C "A" S-61)

An Act to Discourage Underage Consumption of Alcohol by a Minor
 H.P. 222 L.D. 257
 (C "A" H-167)

An Act to Amend the Standards Regarding the Endangerment of the Welfare of a Dependent Person
 S.P. 71 L.D. 277
 (C "A" S-75)

An Act to Modernize the Laws Regarding Bicycle Safety
 H.P. 263 L.D. 312
 (C "A" H-177)

An Act to Eliminate the 3 Advisory Members of the Somerset County Budget Committee
 S.P. 100 L.D. 326
 (C "A" S-65)

An Act to Extend the Repeal of the Lobster Trap Tag Freeze
 H.P. 266 L.D. 344
 (C "A" H-171)

An Act to Revise Maine Laws Governing Aquaculture
 H.P. 288 L.D. 366
 (C "A" H-157)

An Act to Require the Department of Audit to Conduct Random Audits of State Programs
 H.P. 331 L.D. 421
 (C "A" H-101)

An Act to Limit Nuisance Claims Against Commercial Fishing Operations and Activities
 S.P. 158 L.D. 502
 (C "A" S-68)

An Act Concerning the Administration of Medications in County Jails
 H.P. 502 L.D. 642
 (C "A" H-161)

An Act to Remove Barriers to Providing Natural Gas Services
 S.P. 190 L.D. 662
 (C "A" S-64)

An Act to Allow a Person with a Disability to Ride in Vehicles Being Towed
 H.P. 530 L.D. 685

An Act Concerning Commercial Driver License Certification
 H.P. 553 L.D. 708
 (C "A" H-134)

An Act to Exempt Organized Veterans Groups from Motor Vehicle Registration of Ceremonial Vehicles
 H.P. 557 L.D. 712
 (C "A" H-178)

LEGISLATIVE RECORD - SENATE, WEDNESDAY, MAY 2, 2001

An Act to Require That Wolf Hybrids be Permanently Identified and to Establish Penalties for Releasing Wolf Hybrids from Captivity

H.P. 584 L.D. 739
(C "A" H-150)

An Act to Change the Job Title of County Administrator to County Manager for York County

S.P. 204 L.D. 769

An Act to Authorize the Department of Transportation to Use the Design-Build Method of Project Delivery

S.P. 211 L.D. 776
(C "A" S-54)

An Act to Amend the Public Drinking Law

H.P. 703 L.D. 918

An Act to Amend the Supervised Community Confinement Law

H.P. 714 L.D. 929
(C "A" H-163)

An Act to Eliminate the Fees Imposed on Purple Heart Recipients for Special Registration Plates

H.P. 730 L.D. 950
(C "A" H-180)

An Act to Establish the Maine Regulatory Fairness Board

S.P. 279 L.D. 990
(C "A" S-57)

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

H.P. 774 L.D. 1018
(C "A" H-112)

An Act to Establish the Maine Firefighter Training Fund

H.P. 804 L.D. 1048
(C "A" H-159)

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

S.P. 315 L.D. 1083

An Act Concerning the Lobster Management Fund

S.P. 323 L.D. 1091
(C "A" S-67)

An Act to Allow Flexibility in Regulation of Telephone Utilities

H.P. 849 L.D. 1121
(C "A" H-165)

An Act to Allow Members, Managers and Authorized Employees to Appear in Court for a Limited Liability Company

S.P. 336 L.D. 1143
(C "A" S-56)

An Act for Voluntary Testing for Hepatitis-C of Adult Prisoners in the Maine Correctional System

H.P. 968 L.D. 1292
(C "A" H-164)

An Act to Modify Municipal Shellfish Ordinances

H.P. 997 L.D. 1334

An Act to Allow Flexibility in Payment of School Year Employee Wages

H.P. 1110 L.D. 1479
(C "A" H-170)

An Act to Clarify and Make Technical Corrections to Retirement Laws

S.P. 456 L.D. 1509

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

An Act to Expand Eligibility for the Veterans' Property Tax Exemption

H.P. 26 L.D. 26
(C "A" H-119)

On motion by Senator **GOLDTHWAIT** of Hancock, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **ENACTMENT**, in concurrence.

An Act to Implement the Recommendations of the Judicial Compensation Commission Regarding Per Diem Compensation

S.P. 124 L.D. 400
(C "A" S-55)

On motion by Senator **GOLDTHWAIT** of Hancock, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **ENACTMENT**, in concurrence.

An Act to Promote Efficiency in the Provision of Administrative Services for Child Care Providers

H.P. 328 L.D. 418
(C "A" H-148)

On motion by Senator **GOLDTHWAIT** of Hancock, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **ENACTMENT**, in concurrence.

An Act to Encourage Equity Equivalent Loans or Investments in Nonprofit Community Economic Development and Affordable Housing Organizations

H.P. 340 L.D. 430
(C "A" H-156)

On motion by Senator **GOLDTHWAIT** of Hancock, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **ENACTMENT**, in concurrence.

An Act to Appropriate Funds to the Maine Technical College System for the Programs and Operation of the Bath Higher Education Center

H.P. 411 L.D. 532
(C "A" H-128)

On motion by Senator **GOLDTHWAIT** of Hancock, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **ENACTMENT**, in concurrence.

An Act to Increase Instruction for Legally Blind Children
S.P. 175 L.D. 603

On motion by Senator **GOLDTHWAIT** of Hancock, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **ENACTMENT**, in concurrence.

An Act to Exempt Certain Temporary Placement and Adoption Services Organizations from the Sales Tax

H.P. 591 L.D. 746
(C "A" H-137)

On motion by Senator **GOLDTHWAIT** of Hancock, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **ENACTMENT**, in concurrence.

An Act to Prohibit Cyberstalking

H.P. 594 L.D. 749
(C "A" H-160)

On motion by Senator **GOLDTHWAIT** of Hancock, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **ENACTMENT**, in concurrence.

An Act to Exempt Medical Devices and Assistive Devices Used by Individuals with Disabilities from the Sales Tax

H.P. 677 L.D. 877
(C "A" H-141)

On motion by Senator **GOLDTHWAIT** of Hancock, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **ENACTMENT**, in concurrence.

An Act to Exempt Bottled Water from State Sales Tax
H.P. 800 L.D. 1044
(C "A" H-155)

On motion by Senator **GOLDTHWAIT** of Hancock, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **ENACTMENT**, in concurrence.

An Act to Allow Victims of Crimes More Access to Inmate Records

S.P. 303 L.D. 1050
(C "A" S-73)

On motion by Senator **RAND** of Cumberland, **TABLED** until Later in Today's Session, pending **ENACTMENT**, in concurrence.

An Act to Increase Business Opportunities at the Port of Eastport
S.P. 538 L.D. 1669
(C "A" S-58)

On motion by Senator **GOLDTHWAIT** of Hancock, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **ENACTMENT**, in concurrence.

Resolves

Resolve, Authorizing the Commissioner of Administrative and Financial Services to Sell or Lease the Interests of the State in 6 Parcels of Land, One with a Building, Held by the Department of Education and Located in the Unorganized Territories
S.P. 65 L.D. 236
(C "A" S-59)

Resolve, to Regulate the Harvesting of Horseshoe Crabs
H.P. 259 L.D. 308
(C "A" H-158)

Resolve, Requiring an Evaluation and Reform of the Tax Expenditure Review Process
S.P. 179 L.D. 607
(C "A" S-72)

Resolve, Authorizing the Transfer of Land from the State to School Administrative District No. 16
H.P. 656 L.D. 856
(C "A" H-131)

Resolve, Requiring the Maine Arts Commission to Review the Feasibility of Establishing a Performing Artist Subsidy Program for Fairs
H.P. 861 L.D. 1133
(C "A" H-143)

Resolve, to Authorize the Development of a New Railroad Bridge on the Union Branch Railroad Line over Back Cove in Portland
H.P. 1053 L.D. 1416

Resolve, Authorizing the State Tax Assessor to Convey the Interest of the State in Certain Real Estate in the Unorganized Territory

H.P. 1171 L.D. 1571
(C "A" H-140)

FINALLY PASSED and having been signed by the President were presented by the Secretary to the Governor for his approval.

Resolve, Extending the Reporting Deadline for the Maine Millennium Commission on Hunger and Food Security

H.P. 777 L.D. 1021
(C "A" H-147)

On motion by Senator **GOLDTHWAIT** of Hancock, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **FINAL PASSAGE**, in concurrence.

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

S.P. 338 L.D. 1145
(C "A" S-60)

On motion by Senator **GOLDTHWAIT** of Hancock, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **FINAL PASSAGE**, in concurrence.

Resolve, to Establish the Blue Ribbon Commission to Review Special Education Laws

H.P. 1118 L.D. 1487
(C "A" H-127)

On motion by Senator **GOLDTHWAIT** of Hancock, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **FINAL PASSAGE**, in concurrence.

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

REPORTS OF COMMITTEES

Senate

Ought to Pass As Amended

Senator **CARPENTER** for the Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act to Permit the Department of Inland Fisheries and Wildlife to Accept Gifts for the Benefit of Wildlife Protection and Conservation"

S.P. 281 L.D. 992

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (S-117)**.

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

READ ONCE.

Committee Amendment "A" (S-117) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-117)**.

Sent down for concurrence.

Senator **CARPENTER** for the Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act to Amend the Hunting Laws Relating to Blaze Orange"

S.P. 375 L.D. 1213

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (S-116)**.

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

READ ONCE.

Committee Amendment "A" (S-116) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-116)**.

Sent down for concurrence.

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

REPORTS OF COMMITTEES

House

Divided Report

11 members of the Committee on **BANKING AND INSURANCE** on Bill "An Act to Define and Ensure Coverage of Basic Health Services by Health Maintenance Organizations"

H.P. 749 L.D. 968

Reported in Report "A" that the same **Ought to Pass as Amended by Committee Amendment "A" (H-200)**.

Signed:

Senators:
La**FOUNTAIN** of York
DOUGLASS of Androscoggin
ABROMSON of Cumberland

Representatives:

DUDLEY of Portland
MICHAEL of Auburn
YOUNG of Limestone
MAYO of Bath
O'NEIL of Saco
SULLIVAN of Biddeford
CANAVAN of Waterville
MARRACHE of Waterville

1 member of the same Committee on the same subject reported in Report "B" that the same **Ought to Pass**.

Signed:

SMITH of Van Buren

1 member of the same Committee on the same subject reported in Report "C" that the same **Ought Not to Pass**.

Signed:

GLYNN of South Portland

Comes from the House with Report "A", **OUGHT TO PASS AS AMENDED READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-200)**.

Reports **READ**.

On motion by Senator **LAFOUNTAIN** of York, Report "A", **OUGHT TO PASS AS AMENDED ACCEPTED**, in concurrence.

READ ONCE.

Committee Amendment "A" (H-200) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-200)**, in concurrence.

Divided Report

The Majority of the Committee on **JUDICIARY** on Bill "An Act to Ban Partial Birth Abortion in the 3rd Trimester Except to Save the Life of the Mother"

H.P. 115 L.D. 119

Reported that the same **Ought Not to Pass**.

Signed:

Senators:

RAND of Cumberland
McALEVEY of York

Representatives:

LaVERDIERE of Wilton
BULL of Freeport
JACOBS of Turner

MITCHELL of Vassalboro
MUSE of South Portland
SIMPSON of Auburn

The Minority of the same Committee on the same subject reported that the same **Ought to Pass**.

Signed:

Senator:

FERGUSON of Oxford

Representatives:

MADORE of Augusta
WATERHOUSE of Bridgton
SHERMAN of Hodgdon
MENDROS of Lewiston

Comes from the House with the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

Reports **READ**.

Senator **RAND** of Cumberland moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence.

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

REPORTS OF COMMITTEES

House

Ought to Pass

The Committee on **HEALTH AND HUMAN SERVICES** on Resolve, Directing the Bureau of Health to Develop a Comprehensive Plan for the Detection and Treatment of Hepatitis C

H.P. 531 L.D. 686

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

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

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

Under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, in concurrence.

Ought to Pass As Amended

The Committee on **BANKING AND INSURANCE** on Bill "An Act to Establish the Office of Securities within the Department of Professional and Financial Regulation"

H.P. 465 L.D. 593

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-238)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-238)**.

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

READ ONCE.

Committee Amendment "A" (H-238) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-238)**, in concurrence.

The Committee on **BANKING AND INSURANCE** on Bill "An Act to Clarify and Update the Security Requirements for Employers Self-insured for Workers' Compensation Liabilities"

H.P. 1045 L.D. 1402

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-246)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-246)**.

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

READ ONCE.

Committee Amendment "A" (H-246) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-246)**, in concurrence.

The Committee on **BANKING AND INSURANCE** on Bill "An Act to Amend the Maine Banking Code"

H.P. 1271 L.D. 1729

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-247)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-247)**.

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

READ ONCE.

Committee Amendment "A" (H-247) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-247)**, in concurrence.

The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act to Improve Access to Residential Care in Rural Maine"

H.P. 404 L.D. 525

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-240)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-240)**.

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

READ ONCE.

Committee Amendment "A" (H-240) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-240)**, in concurrence.

The Committee on **HEALTH AND HUMAN SERVICES** on Resolve, to Coordinate and Improve Access To Health Care for Women

H.P. 419 L.D. 540

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-242)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-242)**.

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

READ ONCE.

Committee Amendment "A" (H-242) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-242)**, in concurrence.

The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act to Amend the Health Care Facility Immunization Laws" H.P. 1044 L.D. 1401

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-241)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-241)**.

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

READ ONCE.

Committee Amendment "A" (H-241) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-241)**, in concurrence.

The Committee on **TAXATION** on Bill "An Act to Increase the Dedicated Wild Blueberry Tax" H.P. 961 L.D. 1274

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-243)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-243)**.

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

READ ONCE.

Committee Amendment "A" (H-243) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-243)**, in concurrence.

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

REPORTS OF COMMITTEES

Senate

Ought to Pass

Senator BROMLEY for the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** on Bill "An Act to Amend the Maine Athletic Commission Laws" (EMERGENCY) S.P. 561 L.D. 1723

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

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

Under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**.

Sent down for concurrence.

Ought to Pass As Amended

Senator BROMLEY for the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** on Bill "An Act to Protect the Privacy of Maine Physicians" S.P. 110 L.D. 336

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (S-118)**.

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

READ ONCE.

Committee Amendment "A" (S-118) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-118)**.

Sent down for concurrence.

Senator BROMLEY for the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** on Bill "An Act to Safeguard Production of Groundwater" (EMERGENCY) S.P. 301 L.D. 1012

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (S-119)**.

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

READ ONCE.

Committee Amendment "A" (S-119) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-119)**.

Sent down for concurrence.

Senator BROMLEY for the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** on Bill "An Act Relating to the Office of Substance Abuse and the Licensing of Substance Abuse Personnel"

S.P. 404 L.D. 1320

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (S-120)**.

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

READ ONCE.

Committee Amendment "A" (S-120) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-120)**.

Sent down for concurrence.

Senator YOUNGBLOOD for the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** on Bill "An Act to Clarify the Maine Biomedical Research Program"

S.P. 552 L.D. 1710

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (S-121)**.

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

READ ONCE.

Committee Amendment "A" (S-121) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-121)**.

Sent down for 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 the President.

ORDERS OF THE DAY

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

HOUSE REPORT - from the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** on Bill "An Act to Amend the Rule-making Process Regarding the State's Plumbing Code" (EMERGENCY)

H.P. 214 L.D. 249

Report - **Ought to Pass As Amended by Committee Amendment "A" (H-222)**

Tabled - May 2, 2001, by Senator **MARTIN** of Aroostook

Pending - **ACCEPTANCE OF REPORT**

(In House, May 1, 2001, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-222)**.)

(In Senate, May 2, 2001, Report **READ**.)

Report **ACCEPTED**, in concurrence.

READ ONCE.

Committee Amendment "A" (H-222) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-222)**, in concurrence.

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

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

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

Off Record Remarks

RECESSED until the sound of the bell.

After Recess

Senate called to order by the President.

ORDERS OF THE DAY

The Chair laid before the Senate the following Tabled and Later (4/30/01) Assigned matter:

HOUSE REPORTS - from the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act to Repeal the Requirement that the Kennebec County Budget be Approved by the Legislature"

H.P. 427 L.D. 548

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-176)** (12 members)

Minority - **Ought Not to Pass** (1 members)

Tabled - April 30, 2001, by Senator **YOUNGBLOOD** of Penobscot

Pending - motion by same Senator to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence

(In House, April 30, 2001, the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-176).**)

(In Senate, April 30, 2001, Reports **READ.**)

On motion by Senator **YOUNGBLOOD** of Penobscot, the Majority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**, in concurrence.

READ ONCE.

Committee Amendment "A" (H-176) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-176)**, in concurrence.

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

PAPERS FROM THE HOUSE

Joint Resolution

The following Joint Resolution: H.P. 1326

JOINT RESOLUTION RECOGNIZING AND HONORING MAINE'S WABANAKI PEOPLE

WHEREAS, the Wabanaki people, the people of the Dawn, including the Passamaquoddy, the Penobscot, the Maliseet and the Micmac, have lived in Maine for thousands of years; and

WHEREAS, the Wabanaki people have defended this State and Country in every war since 1776; and

WHEREAS, the Wabanaki people have contributed much to our State's heritage; and

WHEREAS, the State of Maine recognizes the contributions made to our State by the Wabanaki people; and

WHEREAS, the State of Maine respects and honors the Wabanaki people and their cultures; and

WHEREAS, we encourage educators in Maine to teach our children about the Wabanaki people and their contributions to the State of Maine; and

WHEREAS, we look toward the future as an opportunity to better understand and work side by side with the Wabanaki people; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twentieth Legislature now assembled in the First Regular Session, on behalf of the people of the State of Maine, make history as we welcome our Wabanaki brothers and sisters to the State House today, May 2, 2001, on the occasion of Wabanaki Awareness Day; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Governors and Chiefs of each of Maine's 5 Wabanaki communities on behalf of the people of the State of Maine.

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

READ and **ADOPTED**, in concurrence.

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

REPORTS OF COMMITTEES

House

Ought to Pass

The Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act to Increase Funding for the Maine Dental Education Loan Program"

H.P. 692 L.D. 896

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.

Under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, in concurrence.

The Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Resolve, to Amend Certain Dates for the Issuance of Bonds (EMERGENCY)

H.P. 1002 L.D. 1339

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.

Under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, in concurrence.

The Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act to Exempt from the Definition of "Watercraft" Permanently Affixed Boats"

H.P. 350 L.D. 440

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.

Under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, in concurrence.

The Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act to Restrict the Commercial Harvest of Snapping Turtles in Order to Ensure Sustainability of the Resource"

H.P. 824 L.D. 1078

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.

Under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, in concurrence.

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

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **CRIMINAL JUSTICE** on Bill "An Act Regarding Prisoner Participation in Public Work Projects or Improvements to Charitable Organizations' Property"

H.P. 264 L.D. 313

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-262)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-262)**.

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

READ ONCE.

Committee Amendment "A" (H-262) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-262)**, in concurrence.

The Committee on **CRIMINAL JUSTICE** on Resolve, Establishing a Commission to Study the Laws Governing the Sentencing of a Person Convicted of a Crime Involving a Child
H.P. 670 L.D. 870

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-263)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-263)**.

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

READ ONCE.

Committee Amendment "A" (H-263) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-263)**, in concurrence.

The Committee on **CRIMINAL JUSTICE** on Bill "An Act Creating the New Crime of Aggravated Attempted Murder"
H.P. 867 L.D. 1147

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-260)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-260)**.

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

READ ONCE.

Committee Amendment "A" (H-260) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-260)**, in concurrence.

The Committee on **CRIMINAL JUSTICE** on Resolve, Establishing a Criminal Code Revision Commission
H.P. 1093 L.D. 1462

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-261)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-261)**.

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

READ ONCE.

Committee Amendment "A" (H-261) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-261)**, in concurrence.

The Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act to Clarify the Rights of Residents Within Wildlife Sanctuaries"
H.P. 516 L.D. 655

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-259)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-259)**.

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

READ ONCE.

Committee Amendment "A" (H-259) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-259)**, in concurrence.

The Committee on **MARINE RESOURCES** on Bill "An Act to Amend the Lobster Fishing Owner and Operator Laws to Allow Limited Charter Vessel Operation" (EMERGENCY)
H.P. 301 L.D. 379

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-254)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-254)**.

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

READ ONCE.

Committee Amendment "A" (H-254) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-254)**, in concurrence.

The Committee on **MARINE RESOURCES** on Bill "An Act to Require 2 Runners on Lobster Traps"
H.P. 359 L.D. 449

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-255)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-255)**.

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

READ ONCE.

Committee Amendment "A" (H-255) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-255)**, in concurrence.

The Committee on **MARINE RESOURCES** on Bill "An Act to Ensure that Fishways on Tidal Waters are Working"
H.P. 464 L.D. 592

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-256)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-256)**.

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

READ ONCE.

Committee Amendment "A" (H-256) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-256)**, in concurrence.

The Committee on **MARINE RESOURCES** on Bill "An Act to Amend the Laws Pertaining to Municipal Shellfish Management" H.P. 1266 L.D. 1717

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-257)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-257)**.

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

READ ONCE.

Committee Amendment "A" (H-257) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-257)**, in concurrence.

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

REPORTS OF COMMITTEES

House

Divided Report

The Majority of the Committee on **CRIMINAL JUSTICE** on Bill "An Act to Regulate Obscenity" H.P. 652 L.D. 852

Reported that the same **Ought Not to Pass**.

Signed:

Senators:

McALEVEY of York
O'GARA of Cumberland

Representatives:

POVICH of Ellsworth
BLANCHETTE of Bangor
TOBIN of Dexter
QUINT of Portland

GERZOFKY of Brunswick
WHEELER of Bridgewater

The Minority of the same Committee on the same subject reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-212)**.

Signed:

Representative:

SNOWE-MELLO of Poland

Comes from the House with the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

Reports **READ**.

On motion by Senator **MCALLEVEY** of York, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

Off Record Remarks

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

ENACTORS

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

Emergency Measure

An Act to Make Additional Allocations from the Highway Fund and Other Funds for the Expenditures of State Government and Change Certain Provisions of State Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2001

S.P. 212 L.D. 777
(C "A" S-48)

This being an Emergency Measure and having received the affirmative vote of 33 Members of the Senate, with no Senators having voted in the negative, and 33 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

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

REPORTS OF COMMITTEES

House

Divided Report

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act to Clarify the Relationship between State Agencies and Faith-based Organizations Regarding Charitable Choice Options"

H.P. 865 L.D. 1137

Reported that the same **Ought Not to Pass**.

Signed:

Senators:

LONGLEY of Waldo
MARTIN of Aroostook
TURNER of Cumberland

Representatives:

FULLER of Manchester
BROOKS of Winterport
DUDLEY of Portland
LAVERRIERE-BOUCHER of Biddeford
DUGAY of Cherryfield
KANE of Saco
LOVETT of Scarborough
O'BRIEN of Augusta
NUTTING of Oakland

The Minority of the same Committee on the same subject reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-250)**.

Signed:

Representative:

SHIELDS of Auburn

Comes from the House with the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

Reports **READ**.

On motion by Senator **MARTIN** of Aroostook, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

ORDERS OF THE DAY

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

HOUSE REPORTS - from the Committee on **JUDICIARY** on Bill "An Act to Ban Partial Birth Abortion in the 3rd Trimester Except to Save the Life of the Mother"

H.P. 115 L.D. 119

Majority - **Ought Not to Pass** (8 members)

Minority - **Ought to Pass** (5 members)

Tabled - May 2, 2001, by Senator **RAND** of Cumberland

Pending - motion by same Senator to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence

(In House, May 1, 2002, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.)

(In Senate, May 2, 2002, Reports **READ**.)

On motion by President Pro Tem **BENNETT** of Oxford, 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 (#31)

YEAS: Senators: ABROMSON, BROMLEY, CARPENTER, CATHCART, DAGGETT, DOUGLASS, EDMONDS, GAGNON, GOLDTHWAIT, LONGLEY, MCALEVEY, MILLS, MITCHELL, NUTTING, O'GARA, RAND, ROTUNDO, SAWYER, SMALL, TREAT, TURNER, YOUNGBLOOD

NAYS: Senators: BENNETT, DAVIS, FERGUSON, KNEELAND, LAFOUNTAIN, LEMONT, MARTIN, SAVAGE, SHOREY, WOODCOCK, THE PRESIDENT - MICHAEL H. MICHAUD

ABSENT: Senators: KILKELLY, PENDLETON

22 Senators having voted in the affirmative and 11 Senators having voted in the negative, with 2 Senators being absent, the motion by Senator **RAND** of Cumberland to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence, **PREVAILED**.

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

REPORTS OF COMMITTEES

House

Divided Report

The Majority of the Committee on **JUDICIARY** on Bill "An Act to Ensure Safety and Health Standards in Outpatient Medical or Surgical Facilities"

H.P. 1034 L.D. 1391

Reported that the same **Ought Not to Pass**.

Signed:

Senators:

RAND of Cumberland
McALEVEY of York
FERGUSON of Oxford

Representatives:
LaVERDIERE of Wilton
BULL of Freeport
JACOBS of Turner
MITCHELL of Vassalboro
MUSE of South Portland
SIMPSON of Auburn

The Minority of the same Committee on the same subject reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-233)**.

Signed:

Representatives:
MADORE of Augusta
WATERHOUSE of Bridgton
SHERMAN of Hodgdon
MENDROS of Lewiston

Comes from the House with the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

Reports **READ**.

Senator **RAND** of Cumberland moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence.

On motion by President Pro Tem **BENNETT** of Oxford, 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 (#32)

YEAS: Senators: ABROMSON, BENNETT, BROMLEY, CARPENTER, CATHCART, DAGGETT, DOUGLASS, EDMONDS, FERGUSON, GAGNON, GOLDTHWAIT, LAFOUNTAIN, LEMONT, LONGLEY, MCALEVEY, MILLS, MITCHELL, NUTTING, O'GARA, RAND, ROTUNDO, SAWYER, SMALL, TREAT, TURNER, YOUNGBLOOD, THE PRESIDENT - MICHAEL H. MICHAUD

NAYS: Senators: DAVIS, KNEELAND, MARTIN, SAVAGE, SHOREY, WOODCOCK

ABSENT: Senators: KILKELLY, PENDLETON

27 Senators having voted in the affirmative and 6 Senators having voted in the negative, with 2 Senators being absent, the motion by Senator **RAND** of Cumberland to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence, **PREVAILED**.

The Majority of the Committee on **JUDICIARY** on Bill "An Act to Require Parental Notification of Abortion" H.P. 1125 L.D. 1494

Reported that the same **Ought Not to Pass**.

Signed:

Senators:
RAND of Cumberland
McALEVEY of York
FERGUSON of Oxford

Representatives:
LaVERDIERE of Wilton
BULL of Freeport
JACOBS of Turner
MITCHELL of Vassalboro
MUSE of South Portland
SIMPSON of Auburn

The Minority of the same Committee on the same subject reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-234)**.

Signed:

Representatives:
MADORE of Augusta
WATERHOUSE of Bridgton
SHERMAN of Hodgdon
MENDROS of Lewiston

Comes from the House with the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

Reports **READ**.

Senator **RAND** of Cumberland moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence.

On motion by President Pro Tem **BENNETT** of Oxford, 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 (#33)

YEAS: Senators: ABROMSON, BENNETT, BROMLEY, CARPENTER, CATHCART, DAGGETT, DOUGLASS, EDMONDS, FERGUSON, GAGNON, GOLDTHWAIT, LAFOUNTAIN, LEMONT, LONGLEY, MILLS, MITCHELL, NUTTING, O'GARA, RAND, ROTUNDO, SMALL, TREAT, TURNER, YOUNGBLOOD

Divided Report

NAYS: Senators: DAVIS, KNEELAND, MARTIN, MCALEVEY, SAVAGE, SAWYER, SHOREY, WOODCOCK, THE PRESIDENT - MICHAEL H. MICHAUD

ABSENT: Senators: KILKELLY, PENDLETON

24 Senators having voted in the affirmative and 9 Senators having voted in the negative, with 2 Senators being absent, the motion by Senator RAND of Cumberland to ACCEPT the Majority OUGHT NOT TO PASS Report, in concurrence, PREVAILED.

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

REPORTS OF COMMITTEES

House

Divided Report

The Majority of the Committee on JUDICIARY on Bill "An Act Creating Offenses Against Unborn Children" H.P. 1049 L.D. 1406

Reported that the same Ought Not to Pass.

Signed:

Senators: RAND of Cumberland, McALEVEY of York, FERGUSON of Oxford

Representatives: BULL of Freeport, JACOBS of Turner, MITCHELL of Vassalboro, MUSE of South Portland, SIMPSON of Auburn, SHERMAN of Hodgdon

The Minority of the same Committee on the same subject reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-235).

Signed:

Representatives: MADORE of Augusta, WATERHOUSE of Bridgton, MENDROS of Lewiston

Comes from the House with the Majority OUGHT NOT TO PASS Report READ and ACCEPTED.

Reports READ.

Senator RAND of Cumberland moved the Senate ACCEPT the Majority OUGHT NOT TO PASS Report, in concurrence.

On motion by President Pro Tem BENNETT of Oxford, 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 (#34)

YEAS: Senators: ABROMSON, BENNETT, BROMLEY, CARPENTER, CATHCART, DAGGETT, DOUGLASS, EDMONDS, FERGUSON, GAGNON, GOLDTHWAIT, LAFOUNTAIN, LEMONT, LONGLEY, MCALEVEY, MILLS, MITCHELL, NUTTING, O'GARA, RAND, ROTUNDO, SAWYER, SMALL, TREAT, TURNER, YOUNGBLOOD

NAYS: Senators: DAVIS, KNEELAND, MARTIN, SAVAGE, SHOREY, WOODCOCK, THE PRESIDENT - MICHAEL H. MICHAUD

ABSENT: Senators: KILKELLY, PENDLETON

26 Senators having voted in the affirmative and 7 Senators having voted in the negative, with 2 Senators being absent, the motion by Senator RAND of Cumberland to ACCEPT the Majority OUGHT NOT TO PASS Report, in concurrence, PREVAILED.

Divided Report

The Majority of the Committee on JUDICIARY on Bill "An Act to Prevent Violence Against Pregnant Mothers" H.P. 1179 L.D. 1602

Reported that the same Ought Not to Pass.

Signed:

Senators: RAND of Cumberland, McALEVEY of York, FERGUSON of Oxford

Representatives: LaVERDIERE of Wilton, BULL of Freeport, JACOBS of Turner, MITCHELL of Vassalboro, MUSE of South Portland, SIMPSON of Auburn, MADORE of Augusta, WATERHOUSE of Bridgton, SHERMAN of Hodgdon

The Minority of the same Committee on the same subject reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-236).

Signed:

Representative:

MENDROS of Lewiston

Comes from the House with the Majority **OUGHT NOT TO PASS**
Report **READ** and **ACCEPTED**.

Reports **READ**.

Senator **RAND** of Cumberland moved the Senate **ACCEPT** the
Majority **OUGHT NOT TO PASS** Report, in concurrence.

On further motion by same Senator, 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 (#35)

YEAS: Senators: ABROMSON, BENNETT, BROMLEY,
CARPENTER, CATHCART, DAGGETT,
DOUGLASS, EDMONDS, FERGUSON, GAGNON,
GOLDTHWAIT, LAFOUNTAIN, LEMONT,
LONGLEY, MCALEVEY, MILLS, MITCHELL,
NUTTING, O'GARA, RAND, ROTUNDO, SAWYER,
SMALL, TREAT, TURNER, YOUNGBLOOD

NAYS: Senators: DAVIS, KNEELAND, MARTIN,
SAVAGE, SHOREY, WOODCOCK, THE
PRESIDENT - MICHAEL H. MICHAUD

ABSENT: Senators: KILKELLY, PENDLETON

26 Senators having voted in the affirmative and 7 Senators
having voted in the negative, with 2 Senators being absent, the
motion by Senator **RAND** of Cumberland to **ACCEPT** the Majority
OUGHT NOT TO PASS Report, in concurrence, **PREVAILED**.

Senate at Ease.

Senate called to order by the President.

Off Record Remarks

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

On motion by President Pro Tem **BENNETT** of Oxford,
ADJOURNED, to Thursday, May 3, 2001, at 9:00 in the morning.