

# MAINE STATE LEGISLATURE

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

In Senate Chamber  
Friday  
May 18, 2001

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

Prayer by Reverend Andrea McCall, Interfaith Chaplain of the University of Southern Maine.

**REVEREND MCCALL:** Thank you, Mr. President. Good morning. As a Minister in the United Church of Christ, I am a spiritual descendent of the Pilgrims who founded our nation on these shores. As Interfaith Chaplain at the University of Southern Maine, I am mindful of growing religious diversity in once uniformly white Puritan Christian New England. In my office, I have a rendering of versions of what is often called the 'Golden Rule' as it appears in virtually every religious tradition in the world. It is a reminder that despite differences in tradition or philosophy or style or language, all people share a common longing for the good and the just. In that spirit, may we be together in prayer.

Holy One, crafter of the Universe, author of the laws which govern all things from the sun and the moon to the oceans and the forests, to the marvelous unfolding of the seasons, You know how we struggle to govern many things from fair labor to fair taxation, from economics to education, from elephants to alewives. You were here when we began, full of hope and promise. You were here when we reached our stride, mounting up bills on bills, representing all the ways we were committed to make Maine a better place for those who elected us. You were here when we hit the wall, unable to reach agreement, uncertain of how we would ever find resolution. You are here in this hour as we move through these last weeks of our session. And You will be here when we no longer are, but others in our place, as committed as we are to do the people's work. You, who are the very spirit of the best that we intend and hope and do. When we are frenzied, calm us. When we are tired or overwhelmed, strengthen us. When we achieve victories, let us glory not in our own brilliance but in the triumph of a system which enables us to settle differences with words and not weapons. When we are tempted to believe that they are adversaries who will not see things our way, keep us mindful of what brought us all here, our common commitment to our state, our people and to that which is good and right and just. Let that always be our goal, oh lover and holder of goodness and righteousness and justice. Amen.

Doctor of the day, Robert P. Hockmuth, M.D. of Durham.

Reading of the Journal of Thursday, May 17, 2001.

Off Record Remarks

PAPERS FROM THE HOUSE

Non-Concurrent Matter

Bill "An Act to Increase the Forest Management Planning Income Tax Credit"

H.P. 306 L.D. 384  
(H "A" H-427 to C "A" H-359)

In Senate, May 15, 2001, **RECEDED** and **CONCURRED TO PASSAGE TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-359) AS AMENDED BY HOUSE AMENDMENT "A" (H-427)** thereto.

Comes from the House, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-359) AS AMENDED BY HOUSE AMENDMENTS "A" (H-427) AND "B" (H-473)** thereto, in **NON-CONCURRENCE**.

On motion by Senator **GAGNON** of Kennebec, the Senate **RECEDED** and **CONCURRED**.

Non-Concurrent Matter

Bill "An Act to Provide Public Employees Equal Access to Personnel Files"

H.P. 910 L.D. 1224  
(C "A" H-319)

In Senate, May 8, 2001, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-319)**, in concurrence.

In House, May 14, 2001, **PASSED TO BE ENACTED**.

In Senate, May 17, 2001, on motion of Senator **SMALL** of Sagadahoc, Bill and accompanying papers **INDEFINITELY POSTPONED**, in **NON-CONCURRENCE**.

Comes from the House, that Body **INSISTED** and **ASKED FOR A COMMITTEE OF CONFERENCE**.

On motion by Senator **SMALL** of Sagadahoc, the Senate **ADHERED**.

REPORTS OF COMMITTEES

House

Divided Report

The Majority of the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** on Bill "An Act to Provide Relief from High Fuel Costs"

H.P. 1177 L.D. 1600

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

Signed:

Senator:

YOUNGBLOOD of Penobscot

Representatives:

THOMAS of Orono  
MORRISON of Baileyville  
DUPREY of Hampden  
RICHARDSON of Brunswick  
BRYANT of Dixfield  
CLOUGH of Scarborough  
DORR of Camden  
MURPHY of Kennebunk  
MICHAUD of Fort Kent  
HATCH of Skowhegan

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

Signed:

Senator:

SHOREY of Washington

Comes from the House with the Reports **READ** and the Bill and accompanying papers **COMMITTED** to the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT**.

Reports **READ**.

On motion by Senator **SHOREY** of Washington, Bill and accompanying papers **COMMITTED** to the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT**, in concurrence.

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**Senate**

**Divided Report**

The Majority of the Committee on **TAXATION** on Bill "An Act to Strengthen Maine's Economic Development Incentive Laws"  
S.P. 95 L.D. 321

Reported that the same **Ought to Pass as Amended by Committee Amendment "B" (S-216)**.

Signed:

Senators:

GAGNON of Kennebec  
LEMONT of York  
KNEELAND of Aroostook

Representatives:

GREEN of Monmouth  
STANLEY of Medway  
GAGNE of Buckfield  
PERRY of Bangor  
McGOWAN of Pittsfield  
MURPHY of Berwick  
BUCK of Yarmouth  
BUMPS of China  
BOWLES of Sanford

The Minority of the same Committee on the same subject reported that the same **Ought to Pass as Amended by Committee Amendment "C" (S-217)**.

Signed:

Representative:

McLAUGHLIN of Cape Elizabeth

Reports **READ**.

On motion by Senator **GAGNON** of Kennebec, the Majority **OUGHT TO PASS AS AMENDED AS AMENDED BY COMMITTEE AMENDMENT "B" (S-216)** Report **ACCEPTED**.

**READ ONCE**.

Committee Amendment "B" (S-216) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (S-216)**.

Sent down for concurrence.

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

**ENACTORS**

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

**Emergency Measure**

An Act to Provide Additional Funding for the Geographic Isolation Adjustment

S.P. 428 L.D. 1383  
(C "A" S-195)

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

**Emergency Measure**

An Act to Amend the Laws Regarding Harness Racing  
H.P. 1052 L.D. 1415  
(C "A" H-441)

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

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 Resolve**

Resolve, to Establish the Commission to Clarify the Laws Governing Lobbyist Disclosure Requirements  
H.P. 249 L.D. 285  
(C "A" H-440)

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

**Emergency Resolve**

Resolve, Regarding Legislative Review of Chapter 182: Formula for Distribution of Funds to Child Development Services Regional Sites, a Major Substantive Rule of the Department of Education  
H.P. 1319 L.D. 1781

This being an Emergency Measure and having received the affirmative vote of 31 Members of the Senate, with no Senators having voted in the negative, and 31 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 Make the Laws Affecting Certain Bridges Consistent with Federal Law  
H.P. 1204 L.D. 1626  
(C "A" H-470)

On motion by Senator **SAVAGE** of Knox, placed on the **SPECIAL HIGHWAY TABLE**, pending **ENACTMENT**, in concurrence.

Off Record Remarks

**ORDERS OF THE DAY**

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

**Emergency Measure**

An Act to Amend the Laws Regarding Harness Racing  
H.P. 1052 L.D. 1415  
(C "A" H-441)

Tabled - May 18, 2001, by President Pro Tem **BENNETT** of Oxford

Pending - **ENACTMENT**, in concurrence

(In Senate, May 15, 2001, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-441)**, in concurrence.)

(In House, May 17, 2001, **PASSED TO BE ENACTED.**)

This being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with no Senators having voted in the negative, and 32 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.

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:

**Acts**

An Act to Change Certain Educational Requirements for Licensed Social Workers  
H.P. 768 L.D. 987  
(C "A" H-466)

An Act to Amend the Maine Arborist Licensing Law and Clarify the Expiration Date for Nursery Licenses  
H.P. 899 L.D. 1191  
(C "A" H-458)

An Act to Clarify Certain Laws Relating to the Harvesting of Wild Animals  
H.P. 901 L.D. 1193  
(H "A" H-426 to C "A" H-292)

An Act to Require the State to Provide Flags for Persons Who Are Listed on the Law Enforcement Memorial Located on State Street in Augusta

S.P. 363 L.D. 1201  
(C "A" S-192)

An Act to Increase the Maine Turnpike Authority Bond Limit

S.P. 409 L.D. 1353

An Act to Amend the Laws Regarding Investigations by the Commission on Governmental Ethics and Election Practices

H.P. 1020 L.D. 1369

An Act to Amend the Membership of the Substance Abuse Services Commission

H.P. 1054 L.D. 1417

An Act to Authorize the Commissioner of Inland Fisheries and Wildlife to Extend the Deer Hunting Season

H.P. 1055 L.D. 1418  
(C "A" H-436)

An Act to Allow the Purchase of Rabies Vaccine by Livestock Farmers

H.P. 1063 L.D. 1426  
(C "A" H-450)

An Act to Amend the Licensing and Survey Requirements for Residential Care Facilities and Congregate Housing Services Programs

H.P. 1158 L.D. 1558

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

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An Act to Establish a Clean Government Initiative

S.P. 256 L.D. 886  
(C "A" S-194)

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

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An Act to Amend the Tax on Mahogany Quahogs

H.P. 838 L.D. 1110  
(C "A" H-463)

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

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An Act to increase Certain Civil Process Fees

H.P. 874 L.D. 1153  
(C "A" H-428)

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

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An Act to Amend Certain Laws Pertaining to the Maine Land Use Regulation Commission

S.P. 365 L.D. 1203  
(C "A" S-181)

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

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An Act to Facilitate the Implementation of the Enhanced 9-1-1 Emergency System

H.P. 1098 L.D. 1467  
(C "A" H-442)

On motion by Senator **MARTIN** of Aroostook, **TABLED 1** Legislative Day, pending **ENACTMENT**, in concurrence.

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An Act to Increase the Penalties for Animal Cruelty

H.P. 1232 L.D. 1679  
(C "A" H-423)

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

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An Act to Amend the Finance Authority of Maine Act

H.P. 1259 L.D. 1694  
(C "A" H-467)

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

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An Act to Enhance the Enforcement and Prosecution of Computer Crimes Through Support of the Maine Computer Crimes Task Force

S.P. 620 L.D. 1800

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

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An Act to Revise the Health Insurance Benefits Available to Retired Legislators

H.P. 1092 L.D. 1461  
(S "A" S-196)

**ROLL CALL (#65)**

Comes from the House with the Bill and accompanying papers **INDEFINITELY POSTPONED**.

Senator **ROTUNDO** of Androscoggin moved the Bill and accompanying papers be **INDEFINITELY POSTPONED**, in concurrence.

Senator **ROTUNDO** of Androscoggin requested a Roll Call.

**THE PRESIDENT:** The Chair recognizes the Senator from Cumberland, Senator Edmonds.

Senator **EDMONDS:** Thank you, Mr. President, men and women of the Senate. I rise to tell you that I've learned a great deal in the past few months and the one thing that I've learned regarding this bill is that when nobody shows up in opposition to something, it doesn't necessarily mean that everything is okay. My good friend, Representative Buck, brought me this bill and I did my best to work it. I realize in hindsight that it does not do all the things we want it to do. So I urge you to join my good friend, the Senator from Androscoggin, Senator Rotundo, in Indefinitely Postponing this. Thank you.

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The Chair noted the absence of the Senator from Cumberland, Senator **ABROMSON**, the Senator from Aroostook, Senator **KNEELAND**, and the Senator from Cumberland, Senator **PENDLETON** and further excused the same Senators from today's Roll Call votes.

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

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

Senator **ROTUNDO:** Thank you, Mr. President, men and women of the Senate. I would like to speak to my motion if I might. As I went door-to-door seeking election to this wonderful body, there was no issue that was of greater concern to my constituents than health care. I think we, in the Senate, need to be concerned about health care for all and I think it's very unfair for us to be increasing our benefits when there are so many people in our own districts that do not have health care. I hope you will join me in Indefinitely Postponing this bill. Thank you.

**THE PRESIDENT:** The pending question before the Senate is the motion by the Senator from Androscoggin, Senator Rotundo, to Indefinitely Postpone the Bill and accompanying papers, in concurrence. A Roll Call has been ordered. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary called the Roll with the following results:

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

**NAYS:** Senators: None

**EXCUSED:** Senators: ABROMSON, KNEELAND, PENDLETON

32 Senators having voted in the affirmative and no Senator having voted in the negative, with 3 Senators being excused, the motion by Senator **ROTUNDO** of Androscoggin to **INDEFINITELY POSTPONE** the Bill and accompanying papers, in concurrence, **PREVAILED**.

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Off Record Remarks

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

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Senate at Ease.

Senate called to order by the President.

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**ORDERS OF THE DAY**

The Chair laid before the Senate the following Tabled and Specially (5/16/01) Assigned matter:

SENATE REPORTS - from the Committee on **CRIMINAL JUSTICE** on Bill "An Act to Make Refusing a Blood-alcohol Test a Crime"

S.P. 392 L.D. 1288  
(S "A" S-164)

Majority - **Ought Not to Pass** (7 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (S-147)** (6 members)

Tabled - May 15, 2001, by Senator **MCALEVEY** of York

Pending - **FURTHER CONSIDERATION**

(In Senate, May 10, 2001, the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED**. **COMMITTEE AMENDMENT "A" (S-147) READ** and **INDEFINITELY POSTPONED**. On motion by Senator **MILLS** of Somerset, **SENATE AMENDMENT "A" (S-164) READ** and **ADOPTED** and Bill **PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-164)**.)

(In House, May 14, 2001, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**, in **NON-CONCURRENCE**.)

On motion by Senator **MCALEVEY** of York, the Senate **INSISTED** and **ASKED FOR A COMMITTEE OF CONFERENCE**.

Sent down for concurrence.

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The Chair laid before the Senate the following Tabled and Later (5/17/01) Assigned matter:

Bill "An Act to Amend the Laws Governing the Suspension and Revocation of Hunting and Fishing Licenses"  
H.P. 1095 L.D. 1464  
(C "A" H-344)

Tabled - May 17, 2001, by Senator **CARPENTER** of York

Pending - **PASSAGE TO BE ENGROSSED AS AMENDED**, in concurrence

(In Senate, May 17, 2001, **RECALLED** from the Governor's Desk pursuant to Joint Order (S.P. 625). **RULES SUSPENDED, RECONSIDERED ENACTMENT. RULES SUSPENDED, RECONSIDERED PASSAGE TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-344)**, in concurrence.)

On motion by Senator **CARPENTER** of York, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (H-344), in concurrence.

On further motion by same Senator, Committee Amendment "A" (H-344) **INDEFINITELY POSTPONED**, in **NON-CONCURRENCE**.

On further motion by same Senator, Senate Amendment "A" (S-218) **READ** and **ADOPTED**.

**PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-218)**, in **NON-CONCURRENCE**.

Sent down for concurrence.

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Off Record Remarks

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

#### ENACTORS

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

#### Emergency Measure

An Act to Change the Snowmobile Registration Rates  
H.P. 970 L.D. 1294  
(C "A" H-346; H "A" H-435)

This being an Emergency Measure and having received the affirmative vote of 31 Members of the Senate, with no Senators having voted in the negative, and 31 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.

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

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

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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 **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act to Refine the Governance and Funding of the Education Research Institute"  
H.P. 950 L.D. 1264

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-487)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-487)**.

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

**READ ONCE**.



Committee Amendment "A" (H-487) **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-487)**, in concurrence.

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

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Off Record Remarks

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**RECESSED** until 11:30 in the morning.

After Recess

Senate called to order by the President.

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

**PAPERS FROM THE HOUSE**

**Non-Concurrent Matter**

Bill "An Act to Expand Retirement Benefits for State Employees and Teachers Returning to Service"

H.P. 941 L.D. 1255  
(C "A" H-437)

In Senate, May 15, 2001, 2001, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-437)**, in concurrence.

Comes from the House, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-437) AS AMENDED BY HOUSE AMENDMENT "B" (H-483)** thereto, in **NON-CONCURRENCE**.

On motion by Senator **EDMONDS** of Cumberland, the Senate **RECEDED** and **CONCURRED**.

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

**PAPERS FROM THE HOUSE**

**Non-Concurrent Matter**

Bill "An Act to Encourage the Use of Locally Grown Foods in School Food Service Programs"

S.P. 376 L.D. 1214  
(C "A" S-134; S "A" S-174)

In Senate, May 16, 2001, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-134) AND SENATE AMENDMENT "A" (S-174)**.

Comes from the House, **PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-174)**, in **NON-CONCURRENCE**.

On motion by Senator **KILKELLY** of Lincoln, the Senate **RECEDED** and **CONCURRED**.

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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 **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act to Require the Labeling of Certain Genetically Engineered Foods"  
H.P. 698 L.D. 902

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

Signed:

Senators:

**KNEELAND** of Aroostook  
**NUTTING** of Androscoggin  
**KILKELLY** of Lincoln

Representatives:

**LANDRY** of Patten  
**LUNDEEN** of Mars Hill  
**GOOLEY** of Farmington  
**FOSTER** of Gray  
**CARR** of Lincoln  
**JODREY** of Bethel

The Minority of the same Committee on the same subject reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-149)**.

Signed:

Representatives:

**McKEE** of Wayne  
**VOLENIK** of Brooklin  
**HAWES** of Standish  
**PINEAU** of Jay

Comes from the House with the Reports **READ** and the Bill and accompanying papers **INDEFINITELY POSTPONED**.

Reports **READ**.

Senator **KILKELLY** of Lincoln moved the Bill and accompanying papers be **INDEFINITELY POSTPONED**, in concurrence.

Senator **RAND** of Cumberland requested a Division.

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

On motion by President Pro Tem **BENNETT** of Oxford, **TABLED** until Later in Today's Session, pending motion by Senator **KILKELLY** of Lincoln to **INDEFINITELY POSTPONE** the Bill and accompanying papers, in concurrence. (Roll Call Ordered)

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

**PAPERS FROM THE HOUSE**

**Non-Concurrent Matter**

HOUSE REPORTS - from the Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act to Require the State to Pay for Veterans' Obituaries and State Flags"

H.P. 416 L.D. 537

Majority - **Ought Not to Pass** (11 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (H-317)** (2 members)

In House, May 17, 2001, the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-317)**.

In Senate, May 17, 2001, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**, in **NON-CONCURRENCE**.

Comes from the House, that Body **INSISTED** and **ASKED FOR A COMMITTEE OF CONFERENCE**.

On motion by President Pro Tem **BENNETT** of Oxford, the Senate **INSISTED** and **JOINED IN A COMMITTEE OF CONFERENCE**.

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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 **HEALTH AND HUMAN SERVICES** on Resolve, to Reduce the Administrative Burden in Home Health Care Reimbursed through the Medicaid Program  
H.P. 177 L.D. 188

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-511)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-511)**.

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

**READ ONCE**.

Committee Amendment "A" (H-511) **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-511)**, in concurrence.

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The Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act to Require Election Law Training to Voter Registrars and Clerks"

H.P. 483 L.D. 623

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-503)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-503)**.

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

**READ ONCE**.

Committee Amendment "A" (H-503) **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-503)**, in concurrence.

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

**ENACTORS**

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

**Resolves**

Resolve, to Study the Implementation of a Unified Emergency Response for Emergency Releases and Spills of Toxic or Hazardous Materials

H.P. 1085 L.D. 1454  
(C "A" H-445)

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

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Resolve, Authorizing the Department of Human Services to Establish a Prescription Drug Reimportation Program

H.P. 701 L.D. 916  
(C "A" H-383)

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

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Resolve, to Create a Stakeholders Group to Modernize Maine's Clean Air Policy

H.P. 1047 L.D. 1404  
(H "A" H-425 to C "A" H-301)

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

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Resolve, to Create a Study Commission to Develop a Comprehensive Plan to Reduce Toxic Emissions and Expand Plastics Recycling

S.P. 600 L.D. 1775  
(C "A" S-193)

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

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Senate at Ease.

Senate called to order by the President.

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Off Record Remarks

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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. 1341

**JOINT RESOLUTION HONORING EINAR GUSTAFSON**

WHEREAS, Einar Gustafson, 65, a native of New Sweden, who was known as the boy who was the inspiration for the organization known as the Jimmy Fund, which has supported our nation's war on cancer, died on January 21, 2001; and

WHEREAS, Einar Gustafson contracted a rare form of non-Hodgkin's lymphoma in 1948 when he was 12 years of age and was one of the earliest patients to be treated with chemotherapy; and

WHEREAS, in those days Dr. Sidney Farber often referred to his young patients as "Jimmy" or "Jane" to protect their identities, as having cancer often carried a stigma; and

WHEREAS, young Einar was chosen to talk baseball and sing "Take Me Out to the Ballgame" with the Boston Braves on the radio show of famed broadcaster Ralph Edwards; and

WHEREAS, soon after an outpouring of support and donations for cancer research began, the official charity known as the Jimmy Fund was formed, which has been the official charity of the Boston Red Sox since 1953; and

WHEREAS, the Jimmy Fund has raised more than \$160,000,000 for the war on cancer and Einar Gustafson continued to support and help the fund long after he became well; 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 we represent, take this opportunity to honor the memory and life of this remarkable native son of Maine and to extend our sympathy to his family; and be it further

**RESOLVED:** That a suitable copy of this resolution, duly authenticated by the Secretary of State, be transmitted to the loving family of Einar Gustafson on behalf of the people of Maine as a token of their esteem and affection.

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

**READ** and **ADOPTED**, in concurrence.

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

**REPORTS OF COMMITTEES**

**Senate**

**Ought to Pass As Amended**

Senator SAVAGE for the Committee on **TRANSPORTATION** on Resolve, to Establish the Commission to Study Ways to Improve Transportation for Senior Citizens

S.P. 454 L.D. 1507

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

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

**READ ONCE**.

Committee Amendment "A" (S-220) **READ** and **ADOPTED**.

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

Sent down for concurrence.

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

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

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On motion by President Pro Tem **BENNETT** of Oxford, **ADJOURNED** to Monday, May 21, 2001, at 10:00 in the morning.