

MAINE STATE LEGISLATURE

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Senate Legislative Record
One Hundred and Twentieth Legislature
State of Maine

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Pages 912 - 1844

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

In Senate Chamber
Wednesday
June 13, 2001

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

Prayer by Reverend Elizabeth J. Bachelder of the United Methodist Church in Gardiner.

REVEREND BACHELDER: Let us pray together. God of abundant grace and mercy, we give You thanks for this day which You have created for our use. We come into Your presence now to seek Your blessing. In these days of important deliberation and decision making, may Your spirit rest upon the members of the State Senate, that Your will might be done and our State served well. Grant each of them wisdom and courage and conviction, most holy God, as they gather on behalf of the people of Maine. We pray for our Governor, Angus King, and for all of our citizens as we give You thanks for Your guiding presence. Amen.

Reading of the Journal of Tuesday, June 12, 2001.

COMMUNICATIONS

The Following Communication: S.C. 358

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

June 12, 2001

The Honorable Joy J. O'Brien
Secretary of the Senate
120th Legislature
Augusta, ME 04333

Dear Secretary O'Brien:

Please be advised that I have appointed the following conferees to the Committee of Conference on the disagreeing action between the two branches of the Legislature on the Bill, "An Act to Amend Law Governing Municipal Citizen Initiatives and Referenda." (S.P. 231) (L.D. 796)

Senator Youngblood of Penobscot
Senator Mills of Somerset
Senator Daggett of Kennebec

Sincerely,

S/Michael H. Michaud
President of the Senate

READ and ORDERED PLACED ON FILE.

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 Regulate Push Polling
S.P. 308 L.D. 1055
(H "G" H-708)

An Act to Refine the Subdivision and Redistricting Authority of the Maine Land Use Regulation Commission
S.P. 360 L.D. 1198
(H "B" H-704 to C "A" S-253)

An Act to Provide Dairy Farmer Equity
S.P. 648 L.D. 1826

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 Fund Community Health Access Programs
H.P. 196 L.D. 226
(C "A" H-698)

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

Under suspension of the Rules, all matters thus acted upon were ordered sent forthwith for 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, Directing the Department of Economic and Community Development to Study the Designation of Tourism Regions
H.P. 1370 L.D. 1827

This being an Emergency Measure and having received the affirmative vote of 24 Members of the Senate, with no Senators having voted in the negative, and 24 being 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.

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 **UTILITIES AND ENERGY** on Bill "An Act to Amend the Charter of the Limestone Water and Sewer District"
H.P. 1363 L.D. 1820

Reported that the same **Ought to Pass As Amended by Committee Amendment "A" (H-712)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-712)**.

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

READ ONCE.

Committee Amendment "A" (H-712) **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-712)**, in concurrence.

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

REPORTS OF COMMITTEES

House

Committee of Conference

The Committee of Conference on the disagreeing action of the two branches of the Legislature, on Bill "An Act to Expand the Maine Mathematics, Science and Engineering Talent Search Venture"

S.P. 280 L.D. 991

Had the same under consideration, and asked leave to report:

That they are **Unable to Agree**.

On the Part of the Senate:

Senator MITCHELL of Penobscot
Senator ROTUNDO of Androscoggin
Senator CATHCART of Penobscot

On the part of the House:

Representative SKOGLUND of St. George
Representative BAKER of Bangor
Representative WESTON of Montville

Comes from the House, Report **READ** and **ACCEPTED**.

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

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

COMMUNICATIONS

The Following Communication: H.C. 298

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
CLERK'S OFFICE**

June 13, 2001

Honorable Joy J. O'Brien
Secretary of the Senate
120th Legislature
Augusta, Maine 04333

Dear Madam Secretary:

The Speaker appointed the following conferees to the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act to Amend the Laws Governing Municipal Citizen Initiatives and Referenda" (EMERGENCY) (S.P. 231) (L.D. 796)

Representative McDONOUGH of Portland
Representative TWOMEY of Biddeford
Representative TOBIN of Windham

Sincerely,

S/Millicent M. MacFarland
Clerk of the House

READ and **ORDERED PLACED ON FILE**.

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

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

PAPERS FROM THE HOUSE

Non-Concurrent Matter

JOINT ORDER - Relative to Recalling Bill "An Act to Repeal the Presidential Preference Primary Elections," H.P. 960, L.D. 1273, and all its accompanying papers, from the Legislative Files to the House H.P. 1374

In House, June 11, 2001, **READ** and **PASSED**.

In Senate, June 12, 2001, **READ** and **FAILED PASSAGE**, in **NON-CONCURRENCE**.

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

On motion by Senator **DAVIS** of Piscataquis, the Senate **ADHERED**.

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

PAPERS FROM THE HOUSE

Joint Order

The following Joint Order: H.P. 1375

ORDERED, the Senate concurring, that Bill, "An Act Providing Funding for the Office of the State Fire Marshal and to Increase Certain Fire Inspection Fees," H.P. 1368, L.D. 1825, and all its accompanying papers, be recalled from the legislative files to the House.

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

Off Record Remarks

Pursuant to Joint Rule 404 a Division was had. 25 Members of the Senate having voted in the affirmative, and no Senators having voted in the negative, and 25 being more than two-thirds of those present and voting, **PASSED**, in concurrence.

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

Senate at Ease.

Senate called to order by the President.

Off Record Remarks

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

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

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

RECESSED until the sound of the bell.

After Recess

Senate called to order by the President.

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. 1373

JOINT RESOLUTION HONORING ARMENIAN AMERICANS AND COMMEMORATING THE ARMENIAN GENOCIDE OF 1915 TO 1923

WHEREAS, Armenians living in their historic homeland in Asia Minor were subjected to severe persecution and brutal injustice by the Turkish rulers of the Ottoman Empire before and after the turn of the twentieth century, including widespread acts of destruction, mayhem and murder during the period from 1894 to 1896 and again in 1909; and

WHEREAS, the horrible experience of the Armenians at the hands of their Turkish oppressors culminated with what is known by historians as the "First Genocide of the Twentieth Century," or the "Forgotten Genocide"; and

WHEREAS, the Armenian Genocide began with the murder of hundreds of Armenian intellectuals, and political, religious and business leaders, who were arrested and taken from their homes in Constantinople before dawn on April 24, 1915; and

WHEREAS, the Young Turk regime then in control of the empire planned and executed the unspeakable atrocities committed against the Armenians from 1915 to 1923, including the torture, starvation and murder of 1,500,000 Armenians, death marches into the Syrian desert and the exile of more than 500,000 innocent people; and

WHEREAS, while there were some Turks who jeopardized their safety in order to protect Armenians from the slaughter being perpetrated by the Young Turk regime, the massacres of the Armenians constituted one of the most atrocious violations of human rights in the history of the world; and

WHEREAS, the United States Ambassador to the Ottoman Empire, Henry Morgenthau, Sr., stated, "Whatever crimes the most perverted instincts of the human mind can devise, and whatever refinements of persecutions and injustice the most debased imagination can conceive, became the daily misfortunes of other devoted people. I am confident that the whole history of the human race contains no such horrible episode as this. The great massacres and persecutions of the past seem almost insignificant when compared to the sufferings of the Armenian race in 1915. The killing of the Armenian people was accompanied by the systematic destruction of churches, schools, libraries, treasures of art and cultural monuments in an attempt to eliminate all traces of a noble civilization with a history of more than 3,000 years"; and

WHEREAS, contemporary newspapers such as the New York Times carried headlines including, "Tales of Armenian Horrors Confirmed," "Million Armenians killed or in Exile" and "Wholesale Massacre of Armenians by Turks"; and

WHEREAS, Adolph Hitler, in persuading his army commanders that the merciless persecution and killing of Jews, Poles and other groups of people would bring no retribution declared, "Who after all speaks today of the annihilation of the Armenians"; and

WHEREAS, unlike other groups and governments that have admitted the abuses and crimes of predecessor regimes and despite the overwhelming weight of the evidence, the Republic of Turkey has denied the occurrence of the crimes against humanity committed by the Young Turk rulers, and those denials compound the grief of the few remaining survivors of the atrocities and desecrate the memory of the victims; and

WHEREAS, nations of the world have suffered reprisals and condemnations by Turkey because of efforts to commemorate the Armenian Genocide; and

WHEREAS, there have been concerted efforts to revise history through the dissemination of propaganda suggesting that Armenians were responsible for their fate in the period from 1915 to 1923 and by the funding of programs at Armenian educational institutions for the purpose of furthering the cause of this revisionism and to counter, in the words of a Turkish official, "the Armenian view"; and

WHEREAS, leaders of nations with strategic, commercial and cultural ties to the Republic of Turkey should be reminded of their duty to encourage Turkish officials to cease efforts to distort facts and deny the history of events surrounding the Armenian Genocide; and

WHEREAS, the accelerated level and scope of denial and revisionism, coupled with the passage of time and the fact that very few survivors remain who serve as reminders of indescribable brutality and tormented lives, compel a sense of urgency in efforts to solidify recognition of historical truth; and

WHEREAS, by consistently remembering and forcefully condemning the atrocities committed against the Armenians and honoring the survivors, as well as other victims of similar heinous conduct, we guard against repetition of those acts of genocide; and

WHEREAS, our State is home to people of Armenian descent, and those citizens have enriched our State through their leadership in the fields of business, agriculture, academia, medicine, government and the arts and are proud and patriotic practitioners of American citizenship; 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, pause in solemn memory of the victims of the Armenian Genocide of 1915 to 1923 and urge one and all to express our common desire to continually strive to overcome prejudice and inhumanity through education, vigilance and resistance; and be it further

RESOLVED: That a suitable copy of this resolution, duly authenticated by the Secretary of State, be transmitted to the Armenian Assembly of America in Washington.

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:

COMMUNICATIONS

The Following Communication: S.C. 359

120TH LEGISLATURE JOINT STANDING COMMITTEE ON APPROPRIATIONS AND FINANCIAL AFFAIRS

June 13, 2001

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

Dear President Michaud and Speaker Saxl:

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

L.D. 1295 An Act to Provide Funding for Legal Services Related to Domestic Abuse

We have also notified the sponsors and cosponsors of the 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**.

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

REPORTS OF COMMITTEES

Senate

Divided Report

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

S.P. 388 L.D. 1285

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-344)**.

Signed:

Senators:

SAVAGE of Knox
O'GARA of Cumberland
GAGNON of Kennebec

Representatives:

MARLEY of Portland
McNEIL of Rockland
FISHER of Brewer
BOUFFARD of Lewiston
McKENNEY of Cumberland
BUNKER of Kossuth Township
PARADIS of Frenchville

The Minority of the same Committee on the same subject reported that the same **Ought to Pass as Amended by Committee Amendment "B" (S-345)**.

Signed:

Representatives:

WHEELER of Bridgewater
WHEELER of Eliot
COLLINS of Wells

Reports **READ**.

On motion by President Pro Tem **BENNETT** of Oxford, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-344)** Report **ACCEPTED**.

READ ONCE.

Committee Amendment "A" (S-344) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-344)**.

Sent down for concurrence.

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

Act

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

S.P. 362 L.D. 1200
(C "A" S-62)

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

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

PAPERS FROM THE HOUSE

Non-Concurrent Matter

Bill "An Act Providing Funding for the Office of the State Fire Marshal and to Increase Certain Fire Inspection Fees" (EMERGENCY)

H.P. 1368 L.D. 1825
(S "A" S-331)

In Senate, June 11, 2001, **ADHERED to PASSAGE TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-331).**

In House, June 11, 2001, **INSISTED to PASSAGE TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-707) and ASKED FOR A COMMITTEE OF CONFERENCE.**

RECALLED from Legislative files pursuant to Joint Order (H.P. 1375), in concurrence.

Comes from the House, Bill and accompanying papers **COMMITTED** to the Committee on **CRIMINAL JUSTICE**, in **NON-CONCURRENCE**.

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

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

COMMUNICATIONS

The Following Communication: H.C. 297

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
CLERK'S OFFICE**

June 13, 2001

Honorable Joy J. O'Brien
Secretary of the Senate
120th Legislature
Augusta, Maine 04333

Dear Madam Secretary:

The Speaker appointed the following conferees to the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act to Authorize Release of Certain Information Pertaining to the Certification, Authorization and Approval of Educational Personnel" (EMERGENCY) (H.P. 1295) (L.D. 1765)

Representative RICHARDSON of Brunswick
Representative LaVERDIERE of Wilton
Representative MADORE of Augusta

Sincerely,

S/Millicent M. MacFarland
Clerk of the House

READ and ORDERED PLACED ON FILE.

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.

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

COMMUNICATIONS

The Following Communication: S.C. 361

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

June 12, 2001

The Honorable Joy J. O'Brien
Secretary of the Senate
120th Legislature
Augusta, ME 04333

Dear Secretary O'Brien:

Please be advised that I have appointed the following conferees to the Committee of Conference on the disagreeing action between the two branches of the Legislature on the Bill, "An Act to Authorize Release of Certain Information Pertaining to the Certification, Authorization and Approval of Educational Personnel." (H.P.1295) (L.D. 1765)

Senator Rotundo of Androscoggin
Senator Nutting of Androscoggin
Senator Davis of Piscataquis

Sincerely,

S/Michael H. Michaud
President of the Senate

READ and ORDERED PLACED ON FILE.

ORDERS OF THE DAY

Unfinished Business

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

The Chair laid before the Senate the following Tabled and Later (5/23/01) Assigned matter:

HOUSE REPORTS - from the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** on Bill "An Act to Enhance Tourism Promotion and Increase State Revenues"
H.P. 1230 L.D. 1677

Majority - **Ought to Pass As Amended by Committee Amendment "A" (H-557)** (7 members)

Minority - **Ought to Pass As Amended by Committee Amendment "B" (H-558)** (6 members)

Tabled - May 23, 2001, by Senator **GAGNON** of Kennebec

Pending - **ACCEPTANCE OF EITHER REPORT**

(In House, May 23, 2001, Reports **READ** and the Bill and accompanying papers **COMMITTED** to the Committee on **TAXATION**.)

(In Senate, May 23, 2001, Reports **READ**.)

On motion by Senator **SHOREY** of Washington, Bill and accompanying papers **INDEFINITELY POSTPONED**, in **NON-CONCURRENCE**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (5/25/01) Assigned matter:

HOUSE REPORT - from the Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act to Amend the Provisions Governing Reports by Political Action Committees Administered by the Commission on Governmental Ethics and Election Practices"
H.P. 1013 L.D. 1350

Report - **Ought to Pass As Amended by Committee Amendment "A" (H-602)**.

Tabled - May 25, 2001, by Senator **DAGGETT** of Kennebec

Pending - **ACCEPTANCE OF REPORT**

(In House, May 24, 2001, Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-602)**.)

(In Senate, May 25, 2001, Report **READ**.)

Report **ACCEPTED**, in concurrence.

READ ONCE.

Committee Amendment "A" (H-602) **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-602)**, in concurrence.

Senate at Ease.

Senate called to order by the President.

The Chair laid before the Senate the following Tabled and Later (6/7/01) Assigned matter:

An Act to Amend the Maine Clean Election Laws
S.P. 553 L.D. 1711
(C "A" S-308)

Tabled - June 7, 2001, by President Pro Tem **BENNETT** of Oxford

Pending - **ENACTMENT**, in concurrence

(In Senate, June 4, 2001, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-308)**.)

(In House, June 6, 2001, **PASSED TO BE ENACTED**.)

On motion by President Pro Tem **BENNETT** of Oxford, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-308)**.

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (S-308).

On further motion by same Senator, **TABLED** until Later in Today's Session, pending **ADOPTION** of Committee Amendment "A" (S-308).

The Chair laid before the Senate the following Tabled and Later (6/12/01) Assigned matter:

An Act to Classify Employer-provided Medical Treatment as a Payment under the Maine Workers' Compensation Act of 1992
H.P. 644 L.D. 844
(C "A" H-244)

Tabled - June 12, 2001, by President Pro Tem **BENNETT** of Oxford

Pending - motion by same Senator to **RECONSIDER ENACTMENT** (Roll Call Ordered)

(In House, May 29, 2001, **PASSED TO BE ENACTED.**)

(In Senate, June 4, 2001, **FAILED ENACTMENT**, in **NON-CONCURRENCE.**)

(In House, June 4, 2001, that Body **INSISTED.**)

(In Senate, June 5, 2001, motion by Senator **EDMONDS** of Cumberland to **RECEDE** and **CONCUR**, **FAILED.**)

(In Senate, June 12, 2001, on motion by Senator **MARTIN** of Aroostook the Senate **RECEDED** and **CONCURRED** to **ENACTMENT.**)

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#137)

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

NAYS: Senators: BROMLEY, CATHCART, DAGGETT, DOUGLASS, EDMONDS, GOLDTHWAIT, LAFOUNTAIN, LONGLEY, MARTIN, NUTTING, O'GARA, PENDLETON, RAND, ROTUNDO, TREAT, THE PRESIDENT - MICHAEL H. MICHAUD

ABSENT: Senators: GAGNON, KILKELLY

17 Senators having voted in the affirmative and 16 Senators having voted in the negative, with 2 Senators being absent, the motion by President Pro Tem **BENNETT** of Oxford to **RECONSIDER ENACTMENT**, **PREVAILED.**

The Chair ordered a Division. 18 Senators having voted in the affirmative and 15 Senators having voted in the negative, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Senate at Ease.

Senate called to order by the President.

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

Off Record Remarks

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

RECESSED until the sound of the bell.

After Recess

Senate called to order by the President.

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:

Act

An Act to Repeal the Requirement that School Employees be Fingerprinted

S.P. 322 L.D. 1090

On motion by Senator **EDMONDS** of Cumberland, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED.**

On further motion by same Senator, Senate Amendment "A" (S-347) **READ** and **ADOPTED.**

PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-347), in NON-CONCURRENCE.

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

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

COMMUNICATIONS

The Following Communication: H.C. 300

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
CLERK'S OFFICE**

June 13, 2001

Honorable Joy J. O'Brien
Secretary of the Senate
120th Legislature
Augusta, Maine 04333

Dear Madam Secretary:

The House voted today to adhere to its previous action whereby it accepted the Majority Ought Not to Pass Report of the Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS on RESOLUTION, Proposing an Amendment to the Constitution of Maine to Require a 2/3 Vote for the Maine Government Facilities Authority to Issue Securities
(H.P. 1298) (L.D. 1767)

Sincerely,

S/Millicent M. MacFarland
Clerk of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: H.C. 301

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
CLERK'S OFFICE**

June 13, 2001

Honorable Joy J. O'Brien
Secretary of the Senate
120th Legislature
Augusta, Maine 04333

Dear Madam Secretary:

The House today failed to Recede and Concur to Passage to be Enacted on An Act to Provide for Variance Notification in the Shoreland Zoning Law (MANDATE)
(H.P. 704) (L.D. 919)
(C. "A" H-33; S. "A" S-327)

Sincerely,

S/Millicent M. MacFarland
Clerk of the House

READ and ORDERED PLACED ON FILE.

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

ORDERS

Joint Resolution

On motion by Senator **DAVIS** of Piscataquis (Cosponsored by President MICHAUD of Penobscot, President Pro Tem BENNETT of Oxford, Senators: WOODCOCK of Franklin, MITCHELL of Penobscot, SHOREY of Washington, DAGGETT of Kennebec, SMALL of Sagadahoc, TREAT of Kennebec, TURNER of Cumberland, Speaker SAXL of Portland, Representatives: COLWELL of Gardiner, NORBERT of Portland, and BRUNO of Raymond) the following Joint Resolution:
S.P. 650

**JOINT RESOLUTION ACKNOWLEDGING
JUNE 17, 2001 AS FATHER'S DAY**

WHEREAS, on Sunday, June 17, 2001, the Nation and the State of Maine will continue the time-honored tradition of celebrating Father's Day; and

WHEREAS, the celebration of Father's Day is a call upon all Americans to thank and honor fathers for the love, nurturing and guidance they have given and the sacrifices they have made on behalf of our daughters and sons; and

WHEREAS, fathers have long been an important thread in the social fabric that binds together the citizens of the State of Maine and of the United States; and

WHEREAS, the psychological, emotional and spiritual development and the well-being of children are known to be significantly rooted in the continued presence and commitment of fathers and father-figures; and

WHEREAS, the State's private and public sectors have joined to raise public awareness of the importance of fatherhood and the impact of a father's engagement with his children and family; and

WHEREAS, the well-being of our State depends to a great degree on fathers assuming their roles in their children's lives; now, therefore, be it

RESOLVED: That on June 17, 2001 We, the Members of the One Hundred and Twentieth Legislature of the State of Maine now assembled in the First Regular Session, on behalf of the people of the State of Maine, take this occasion to urge all citizens to join in this observance to gratefully and respectfully acknowledge, encourage and celebrate the role of fatherhood.

READ and ADOPTED.

Sent down for concurrence.

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

COMMUNICATIONS

The Following Communication: S.C. 332

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

June 5, 2001

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

Dear President Michaud and Speaker Saxl:

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

S.P. 614 Joint Resolution Memorializing Congress to
Support National Election Reform

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

Sincerely,

S/Sen. Neria R. Douglass
Senate Chair

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

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

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

REPORTS OF COMMITTEES

Senate

Committee of Conference

The Committee of Conference on the disagreeing action of the two branches of the Legislature, on Bill "An Act to Require Certain Employers to Provide Certification for Employees Who Dispense Medications"

H.P. 603 L.D. 758

Had the same under consideration, and asked leave to report:

That the Senate **Recede** from **Acceptance** of the Minority **Ought Not To Pass** Report. **Substitute** the bill for the Committee Reports. Under Suspension of the Rules **Read Twice**. **Read** and **Adopt** Conference Committee Amendment "A" (S-346) and **Pass to be Engrossed as Amended by Conference Committee Amendment "A" (S-346)** in **Non-Concurrence**.

That the House **Recede** and **Concur** with the Senate.

On the Part of the Senate:

Senator SHOREY of Washington
Senator YOUNGBLOOD of Penobscot
Senator PENDLETON of Cumberland

On the part of the House:

Representative HUTTON of Bowdoinham
Representative RICHARDSON of Brunswick
Representative CLOUGH of Scarborough

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

RECEDED from **ACCEPTANCE** of the Minority **OUGHT NOT TO PASS** Report.

SUBSTITUTED the Bill for the Committee Report.

Under suspension of the Rules, **READ TWICE**.

Conference Committee Amendment "A" (S-346) **READ** and **ADOPTED**.

PASSED TO BE ENGROSSED AS AMENDED BY CONFERENCE COMMITTEE AMENDMENT "A" (S-346), in **NON-CONCURRENCE**.

Under suspension of the Rules, ordered sent down forthwith for 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 Measure

An Act to Clarify the Laws Regarding the Extension of Water and Wastewater Service to the Town of Raymond
H.P. 1372 L.D. 1828
(S "A" S-343)

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.

Senator **EDMONDS** of Cumberland requested and received leave of the Senate for members and staff to remove their jackets for the remainder of this Session.

Emergency Resolve

Senate at Ease.

Resolve, to Create a Commission to Study Issues Concerning Changes to the Traditional Uses of Maine Forests and Lands, Including Camp Lot Lease Arrangements and Public Enjoyment
H.P. 1366 L.D. 1823
(S "A" S-340 to H "A" H-695)

Senate called to order by the President.

Off Record Remarks

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

RECESSED until the sound of the bell.

After Recess

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

Senate called to order by the President.

ENACTORS

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

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

Mandate

ORDERS

An Act to Amend the Charter of the Limestone Water and Sewer District

H.P. 1363 L.D. 1820
(C "A" H-712)

Joint Order

On motion by Senator **BENNETT** of Oxford, the following Joint Order:
S.P. 649

This being a Mandate, in accordance with the provisions of Section 21 of Article IX of the Constitution, 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 **ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

ORDERED, the House concurring, that when the House stands Adjourned it does so until Monday, June 18, 2001, at 9:00 in the morning and the Senate Adjourns until Monday, June 18, 2001, at 11:00 in the morning.

READ and PASSED.

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

Act

Off Record Remarks

An Act Regarding Uninsured Drivers

S.P. 425 L.D. 1380
(S "A" S-334 to C "A" S-144)

Senate at Ease.

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

Senate called to order by the President.

Resolve

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

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

S.P. 385 L.D. 1282
(C "A" S-183)

Senator **WOODCOCK** of Franklin was granted unanimous consent to address the Senate off the Record.

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

Off Record Remarks

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

On motion by President Pro Tem **BENNETT** of Oxford,
ADJOURNED, pursuant to the Joint Order, to Monday, June 18,
2001, at 11:00 in the morning.