

MAINE STATE LEGISLATURE

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Senate Legislative Record
One Hundred and Twentieth Legislature
State of Maine

Volume 2

First Regular Session (Continued)
May 24, 2001 to June 22, 2001

First Confirmation Session
October 24, 2001

Second Confirmation Session
December 6, 2001

Second Regular Session
January 2, 2002 to April 1, 2002

Pages 912 - 1844

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

In Senate Chamber
Wednesday
March 20, 2002

Senate called to order by President Richard A. Bennett of Oxford County.

Prayer by Reverend Dr. Beth Pendleton Clark, United Church of Christ in Manchester.

REVEREND CLARK: Good morning. There is a story told about a man who moved to Augusta and wanted to find a good place to live and a good church to attend. So he went around to different churches and finally came to one that seemed to be what he wanted. He listened and the minister and the congregation were reciting a passage of scripture. This is what he heard: 'We have left undone those things which we ought to have done and we have done those things which we ought not to have done.' 'Hallelujah!' he said, 'I have found my home.'

The purpose of taking a brief time in the morning at the beginning of the session is to help us to focus on the larger, the greater truth, and not just focus on ourselves and our own interests. So let us turn to that truth as we pray together.

Oh God, our Creator, we acknowledge the existence of a power beyond us, an all-knowing being who can work within us and through us. We recognize that there is a greater knowledge, a greater intelligence than our own. So often we fail in our considerations to take into account differing factors other than our own opinions. We let self and selfish concerns get in the way. We pray that You will broaden our horizons. Open our eyes to new understandings, that our caring may include the welfare of all Your children, not just those of our immediate kin. Sometimes we forget that we don't know everything. Help us to be willing to acknowledge our limitations as finite beings. Humility is a characteristic of the greatest leaders our country has ever known, while arrogance is typical of small minds. Keep us humble. Widen our caring to all people. Make us more receptive to wider horizons and keep our efforts productive. For all Your mercies, oh God, we are grateful, especially we are grateful for these Senators who work so long and tirelessly for the benefit of the people of Maine. They are such a blessing for us all. Keep them safe as they labor for our good. This we pray in name of our Savior. Amen.

Doctor of the day, Philip Archambault, M.D. of Lewiston, Retired.

Reading of the Journal of Tuesday, March 19, 2002.

Off Record Remarks

PAPERS FROM THE HOUSE

Joint Orders

The following Joint Order: H.P. 1680

ORDERED, the Senate concurring, that the Joint Standing Committee on Health and Human Services report out, to the House, legislation directing the Department of Professional and Financial Regulation, Bureau of Insurance to adopt rules requiring the issuance of standardized prescription drug cards following the model of the National Council for Prescription Drug Programs by all health coverage providers beginning with cards issued on or after January 1, 2003.

Comes from the House, **READ** and **REFERRED** to the Committees on **HEALTH AND HUMAN SERVICES** and **BANKING AND INSURANCE**.

READ and **REFERRED** to the Committees on **HEALTH AND HUMAN SERVICES** and **BANKING AND INSURANCE**, in concurrence.

The following Joint Study Order: H.P. 1682

ORDERED, the Senate concurring, that the Committee on Workforce Investment is established as follows.

1. Committee established. The Committee on Workforce Investment, referred to in this order as the "committee," is established.

2. Committee membership. The committee consists of 12 members appointed as follows. The President of the Senate shall appoint 4 Senators, one from each of the following joint standing committees: Appropriations and Financial Affairs, Education and Cultural Affairs, Health and Human Services and Labor. The Speaker of the House shall appoint 8 members of the House, 2 from each of the following joint standing committees: Appropriations and Financial Affairs, Education and Cultural Affairs, Health and Human Services and Labor.

3. Committee chair. The first named Senator is the Senate chair of the committee and the first named member of the House is the House chair of the committee.

4. Appointments; convening of committee. All appointments must be made no later than 30 days following the passage of this order. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been made. When the appointment of all members has been completed, the chairs of the committee shall call and convene the first meeting of the committee, which must be no later than May 31, 2002.

5. Duties. The committee shall hold its meetings at various locations in the States, to be determined by the chairs. The committee shall gather information and request necessary data from public and private entities in order to:

A. Develop an effective and efficient comprehensive system for workforce development based on the Workforce Investment Act of 1998, 29 United States Code, Section 794d;

B. Review all state and federally funded programs that directly or indirectly deal with job training, workforce preparedness and support, education or career services;

C. Develop and implement adequate and uniform outcome measures; and

D. Develop a comprehensive package of reform legislation to implement a comprehensive system for workforce development.

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

7. Compensation. Members of the committee are entitled to receive the legislative per diem and reimbursement for travel and other necessary expenses related to their attendance at authorized meetings of the committee.

8. Report. The committee shall submit its report that includes its findings and recommendations, including suggested legislation, to the Legislative Council no later than November 6, 2002.

9. Extension. If the committee requires a limited extension of time to complete its study and make its report, it may apply to the Legislative Council, which may grant an extension. Upon submission of its required report, the committee terminates.

10. Budget. The chairs of the committee, with assistance from the committee staff, shall administer the committee's budget. Within 10 days after its first meeting, the committee shall present a work plan and proposed budget to the Legislative Council for approval. The committee may not incur expenses that would result in the committee's exceeding its approved budget. Upon request from the committee, the Executive Director of the Legislative Council promptly shall provide the committee chairs and staff with a status report on the committee's budget, expenditures incurred and paid and available funds.

Comes from the House, **READ** and **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**.

READ and **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**, in concurrence.

Joint Resolution

The following Joint Resolution: H.P. 1681

JOINT RESOLUTION MEMORIALIZING THE PRESIDENT OF THE UNITED STATES AND THE CONGRESS OF THE UNITED STATES TO FULFILL THE INTENT TO FUND 40% OF THE COSTS OF SPECIAL EDUCATION OR AMEND THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT TO ALLOW THE STATES MORE FLEXIBILITY IN IMPLEMENTING ITS MANDATES

WE, your Memorialists, the Members of the One Hundred and Twentieth Legislature of the State of Maine now assembled in the Second Regular Session, most respectfully present and petition the President of the United States and the Congress of the United States, as follows:

WHEREAS, the Congress of the United States has found that all children deserve a quality education, including children with disabilities; and

WHEREAS, the Individuals with Disabilities Education Act, 20 United States Code, Section 1400, et seq., provides that the Federal Government and the state and local governments are to share in the expense of education for children with disabilities and commits the Federal Government to provide funds to assist with the excess of expenses of education for children with disabilities; and

WHEREAS, the Congress of the United States has committed to contribute up to 40% of the average per pupil expenditure of educating children with disabilities and the Federal Government has failed to meet this commitment to assist the states; and

WHEREAS, the Federal Government has never contributed more than 12.6% of the national average per pupil expenditure to assist with the excess expenses of educating children with disabilities under the Individuals with Disabilities Education Act; and

WHEREAS, this failure of the Federal Government to meet its commitment to assist with the excess expenses of educating a child with a disability contradicts the goal of ensuring that children with disabilities receive a quality education; and

WHEREAS, the federal grant funds in the State for children zero to 2 years of age represent only 30% of the cost of serving eligible infants and toddlers in the State, and if the federal grants were at the 40% level, the award to the State this year would have increased by \$582,000; and

WHEREAS, the federal grant funds in the State for children 3 to 5 years of age represent only 8% of the cost of serving children 3 to 5 years of age in the State, and if the federal grants were at the 40% level, the award to the State this year would have increased by \$10,086,000; and

WHEREAS, the federal grant funds in the State for children 5 to 20 years of age represent only 9.75% of the State's total special education expenditures of \$225,130,000, and if the federal grants were at the 40% level, the award to the State this year would have increased by more than \$68,000,000; now, therefore, be it

RESOLVED: That We, your Memorialists, respectfully urge and request that the President of the United States and the Congress of the United States either provide 40% of the national average per pupil expenditure to assist states and local education agencies with the excess costs of educating children with disabilities or amend the Individuals with Disabilities Education Act to allow the states more flexibility in implementing its mandates; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the President of the United States, to the President of the Senate of the United States, to the Speaker of the House of Representatives of the United States and to each Member of the Maine Congressional Delegation.

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

READ and **ADOPTED**, in concurrence.

COMMUNICATIONS

The Following Communication: S.C. 645

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

March 18, 2002

The Honorable Richard A. Bennett
President of the Senate of Maine
120th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 120th Maine Legislature, the Joint Standing Committee on Inland Fisheries and Wildlife has had under consideration the nomination of Robert S. Savage of Limington, for appointment to the Inland Fisheries and Wildlife Advisory Council.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	1	Carpenter of York
	Representatives	7	Bryant of Dixfield, Clark of Millinocket, Dunlap of Old Town, Honey of Boothbay, McGlocklin of Embden, Tracy of Rome, Usher of Westbrook

NAYS 0

ABSENT	5	Rep. Chick of Lebanon, Sen. Kilkelly of Lincoln, Rep. Perkins of Penobscot, Rep. Trahan of Waldoboro, Sen. Woodcock of Franklin
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Eight members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Robert S. Savage of Limington, for appointment to the Inland Fisheries and Wildlife Advisory Council be confirmed.

Signed,

S/David L. Carpenter
Senate Chair

S/Matthew Dunlap
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **INLAND FISHERIES AND WILDLIFE** be overridden?"

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#242)

YEAS: Senators: None

NAYS: Senators: BRENNAN, CARPENTER, CATHCART, DAGGETT, DAVIS, EDMONDS, FERGUSON, GAGNON, GOLDTHWAIT, KILKELLY, KNEELAND, LAFOUNTAIN, LEMONT, MARTIN, MCALEVEY, MICHAUD, MITCHELL, O'GARA, RAND, ROTUNDO, SAVAGE, SAWYER, SHOREY, SMALL, TREAT, TURNER, WOODCOCK, YOUNGBLOOD, THE PRESIDENT - RICHARD A. BENNETT

ABSENT: Senators: BROMLEY, DOUGLASS, LONGLEY, MILLS, NUTTING, PENDLETON

No Senator having voted in the affirmative and 29 Senators having voted in the negative, with 6 Senators being absent, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Robert S. Savage** of Limington, for appointment to the Inland Fisheries and Wildlife Advisory Council was **CONFIRMED**.

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

The Following Communication: S.C. 646

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

March 18, 2002

The Honorable Richard A. Bennett
President of the Senate of Maine
120th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 120th Maine Legislature, the Joint Standing Committee on Inland Fisheries and Wildlife has had under consideration the nomination of Raymond H. Poulin, Jr. of Ripley, for reappointment to the Inland Fisheries and Wildlife Advisory Council.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	1	Carpenter of York
	Representatives	8	Bryant of Dixfield, Clark of Millinocket, Dunlap of Old Town, Honey of Boothbay, McGlocklin of Embden, Perkins of Penobscot, Tracy of Rome, Usher of Westbrook
NAYS		0	
ABSENT		4	Rep. Chick of Lebanon, Sen. Kilkelly of Lincoln, Rep. Trahan of Waldoboro, Sen. Woodcock of Franklin

Nine members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Raymond H. Poulin, Jr. of Ripley, for reappointment to the Inland Fisheries and Wildlife Advisory Council be confirmed.

Signed,

S/David L. Carpenter
Senate Chair

S/Matthew Dunlap
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **INLAND FISHERIES AND WILDLIFE** be overridden?"

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#243)

YEAS: Senators: None

NAYS: Senators: BRENNAN, CARPENTER, CATHCART, DAGGETT, DAVIS, EDMONDS, FERGUSON, GAGNON, GOLDTHWAIT, KILKELLY, KNEELAND, LAFOUNTAIN, LEMONT, MARTIN, MCALEVEY, MICHAUD, MITCHELL, O'GARA, RAND, ROTUNDO, SAVAGE, SAWYER, SHOREY, SMALL, TREAT, TURNER, WOODCOCK, YOUNGBLOOD, THE PRESIDENT - RICHARD A. BENNETT

ABSENT: Senators: BROMLEY, DOUGLASS, LONGLEY, MILLS, NUTTING, PENDLETON

No Senator having voted in the affirmative and 29 Senators having voted in the negative, with 6 Senators being absent, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Raymond H. Poulin, Jr.** of Ripley, for reappointment to the Inland Fisheries and Wildlife Advisory Council was **CONFIRMED**.

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

The Following Communication: S.C. 647

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

March 18, 2002

The Honorable Richard A. Bennett
President of the Senate of Maine
120th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 120th Maine Legislature, the Joint Standing Committee on Inland Fisheries and Wildlife has had under consideration the nomination of Tenley A. Meara of Topsham, for appointment to the Inland Fisheries and Wildlife Advisory Council.

LEGISLATIVE RECORD - SENATE, WEDNESDAY, MARCH 20, 2002

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	1	Carpenter of York
	Representatives	8	Bryant of Dixfield, Clark of Millinocket, Dunlap of Old Town, Honey of Boothbay, McGlocklin of Embden, Perkins of Penobscot, Tracy of Rome, Usher of Westbrook
NAYS		0	
ABSENT		4	Rep. Chick of Lebanon, Sen. Kilkelly of Lincoln, Rep. Trahan of Waldoboro, Sen. Woodcock of Franklin

Nine members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Tenley A. Meara of Topsham, for appointment to the Inland Fisheries and Wildlife Advisory Council be confirmed.

Signed,

S/David L. Carpenter
Senate Chair

S/Matthew Dunlap
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **INLAND FISHERIES AND WILDLIFE** be overridden?"

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#244)

YEAS: Senators: None

NAYS: Senators: BRENNAN, CARPENTER, CATHCART, DAGGETT, DAVIS, EDMONDS, FERGUSON, GAGNON, GOLDTHWAIT, KILKELLY, KNEELAND, LAFOUNTAIN, LEMONT, MARTIN, MCALEVEY, MICHAUD, MITCHELL, O'GARA, RAND, ROTUNDO, SAVAGE, SAWYER, SHOREY, SMALL, TREAT, TURNER, WOODCOCK, YOUNGBLOOD, THE PRESIDENT - RICHARD A. BENNETT

ABSENT: Senators: BROMLEY, DOUGLASS, LONGLEY, MILLS, NUTTING, PENDLETON

No Senator having voted in the affirmative and 29 Senators having voted in the negative, with 6 Senators being absent, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Tenley A. Meara** of Topsham, for appointment to the Inland Fisheries and Wildlife Advisory Council was **CONFIRMED**.

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

The Following Communication: S.C. 648

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

March 18, 2002

The Honorable Richard A. Bennett
President of the Senate of Maine
120th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 120th Maine Legislature, the Joint Standing Committee on Inland Fisheries and Wildlife has had under consideration the nomination of Sara A. Dyer of New Gloucester, for appointment to the Inland Fisheries and Wildlife Advisory Council.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	1	Carpenter of York
	Representatives	8	Bryant of Dixfield, Clark of Millinocket, Dunlap of Old Town, Honey of Boothbay, McGlocklin of Embden, Perkins of Penobscot, Tracy of Rome, Usher of Westbrook
NAYS		0	
ABSENT		4	Rep. Chick of Lebanon, Sen. Kilkelly of Lincoln, Rep. Trahan of Waldoboro, Sen. Woodcock of Franklin

Ten members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Sara A. Dyer of New Gloucester, for appointment to the Inland Fisheries and Wildlife Advisory Council be confirmed.

Signed,

S/David L. Carpenter
Senate Chair

S/Matthew Dunlap
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **INLAND FISHERIES AND WILDLIFE** be overridden?"

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#245)

YEAS: Senators: None

NAYS: Senators: BRENNAN, CARPENTER, CATHCART, DAGGETT, DAVIS, EDMONDS, FERGUSON, GAGNON, GOLDTHWAIT, KILKELLY, KNEELAND, LAFOUNTAIN, LEMONT, MARTIN, MCALEVEY, MICHAUD, MITCHELL, O'GARA, RAND, ROTUNDO, SAVAGE, SAWYER, SHOREY, SMALL, TREAT, TURNER, WOODCOCK, YOUNGBLOOD, THE PRESIDENT - RICHARD A. BENNETT

ABSENT: Senators: BROMLEY, DOUGLASS, LONGLEY, MILLS, NUTTING, PENDLETON

No Senator having voted in the affirmative and 29 Senators having voted in the negative, with 6 Senators being absent, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Sara A. Dyer** of New Gloucester, for appointment to the Inland Fisheries and Wildlife Advisory Council was **CONFIRMED**.

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

The Following Communication: S.C. 638

**120TH LEGISLATURE
COMMITTEE ON CRIMINAL JUSTICE**

March 14, 2002

The Honorable Richard A. Bennett, President of the Senate
The Honorable Michael V. Saxl, Speaker of the House
120th Maine Legislature
State House
Augusta, Maine 04333

Dear President Bennett and Speaker Saxl:

The Joint Standing Committee on Criminal Justice is pleased to submit its findings and recommendations from the review and evaluation of the Maine State Department of Public Safety under the State Government Evaluation Act pursuant to Title 3 Maine Revised Statutes, Chapter 35. The committee received several presentations from the department's bureau chiefs and took public comment. The committee finds that the Department of Public Safety is operating within its statutory authority. In addition to its finding, the committee submits a bill, LD 2173, An Act to Implement the Recommendations of the Joint Standing Committee on Criminal Justice Regarding the Review of the Department of Public Safety under the State Government Evaluation Act, to address several immediate concerns identified by the department in its presentation of emerging issues.

Sincerely,

S/Senator Michael J. McAlevey
Senate Chair

S/Representative Edward J. Povich
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 639

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

March 18, 2002

Honorable Richard A. Bennett, President of the Senate
Honorable Michael V. Saxl, Speaker of the House
120th Maine Legislature
State House
Augusta, Maine 04333

Dear President Bennett 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 joint order out "Ought Not to Pass":

H.P. 1589 The Commission to Study Issues Concerning
Land Acquisition in Washington County

We have also notified the sponsor and cosponsors of the joint order 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. 640

**120TH LEGISLATURE
COMMITTEE ON CRIMINAL JUSTICE**

March 18, 2002

Honorable Richard A. Bennett, President of the Senate
Honorable Michael V. Saxl, Speaker of the House
120th Maine Legislature
State House
Augusta, Maine 04333

Dear President Bennett 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. 2065 An Act to Implement the Recommendations of the Committee to Study the Needs of Persons with Mental Illness who are Incarcerated Relating to Diversion from Jails and Prisons
- L.D. 2075 An Act to Implement the Recommendations of the Committee to Study the Needs of Persons with Mental Illness Who are Incarcerated Relating to Treatment and Aftercare Planning in County Jails
- L.D. 2088 An Act to Implement the Recommendations of the Committee to Study the Needs of Persons with Mental Illness Who are Incarcerated Relating to Treatment and Aftercare Planning in State Prisons

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

Sincerely,

S/Sen. Michael J. McAleve
Senate Chair

S/Rep. Edward J. Povich
House Chair

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

The Following Communication: S.C. 641

**120TH LEGISLATURE
COMMITTEE ON LABOR**

March 18, 2002

Honorable Richard A. Bennett, President of the Senate
Honorable Michael V. Saxl, Speaker of the House
120th Maine Legislature
State House
Augusta, Maine 04333

Dear President Bennett 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 bill out "Ought Not to Pass":

- L.D. 2151 An Act to Extend Unemployment Benefits by 13 Weeks

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

Sincerely,

S/Sen. Betheda G. Edmonds
Senate Chair

S/Rep. George H. Bunker Jr.
House Chair

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

The Following Communication: S.C. 642

**120TH LEGISLATURE
COMMITTEE ON NATURAL RESOURCES**

March 18, 2002

Honorable Richard A. Bennett, President of the Senate
Honorable Michael V. Saxl, Speaker of the House
120th Maine Legislature
State House
Augusta, Maine 04333

Dear President Bennett and Speaker Saxl:

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

- L.D. 1478 An Act to Amend Maine's Growth Management Law and Related Laws
- L.D. 1643 An Act to Provide Criteria for the Municipal Use of Rate of Growth Ordinances
- L.D. 2014 An Act to Stabilize Funding for the Air Quality Program within the Department of Environmental Protection

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

Sincerely,

S/Sen. John L. Martin
Senate Chair

S/Rep. Scott W. Cowger
House Chair

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

The Following Communication: S.C. 643

**120TH LEGISLATURE
COMMITTEE ON TAXATION**

March 18, 2002

Honorable Richard A. Bennett, President of the Senate
Honorable Michael V. Saxl, Speaker of the House
120th Maine Legislature
State House
Augusta, Maine 04333

Dear President Bennett and Speaker Saxl:

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

L.D. 1833 Resolve, Relating to the State Valuation for the Town of Dexter

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

Sincerely,

S/Sen. Kenneth T. Gagnon
Senate Chair

S/Rep. Bonnie Green
House Chair

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

The Following Communication: S.C. 644

**120TH LEGISLATURE
COMMITTEE ON TRANSPORTATION**

March 18, 2002

Honorable Richard A. Bennett, President of the Senate
Honorable Michael V. Saxl, Speaker of the House
120th Maine Legislature
State House
Augusta, Maine 04333

Dear President Bennett 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 bill out "Ought Not to Pass":

L.D. 1982 An Act to Reduce the Economic Impact of Seasonally Posted Roads

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

Sincerely,

S/Sen. Christine R. Savage
Senate Chair

S/Rep. Charles D. Fisher
House Chair

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

Off Record Remarks

SENATE PAPERS

Bill "An Act Regarding the Withdrawal of Lake View Plantation from School Administrative District No. 41"

S.P. 815 L.D. 2188

Sponsored by Senator DAVIS of Piscataquis.
Cosponsored by Senator: CATHCART of Penobscot,
Representatives: HASKELL of Milford, JONES of Greenville,
STANLEY of Medway.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

Sent down for concurrence.

REPORTS OF COMMITTEES

House

Ought to Pass Pursuant to Resolve

The Committee on **NATURAL RESOURCES** on Bill "An Act Regarding the Clearing of Vegetation in Areas Adjacent to Protected Natural Resources" (EMERGENCY)

H.P. 1679 L.D. 2179

Reported that the same **Ought to Pass**, pursuant to Resolve, 1999, Chapter 116.

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

Report **READ**.

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

Ought to Pass

The Committee on **CRIMINAL JUSTICE** on Resolve, to Require the Maine Fire Protection Services Commission to Report Regarding Methods to Improve the Recruitment and Retention of Firefighters and the Provision of Healthcare
H.P. 1643 L.D. 2148

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 **LABOR** on Resolve, Regarding Legislative Review of Chapter 9: Rules Governing Administrative Civil Money Penalties for Labor Law Violations, a Major Substantive Rule of the Department of Labor, Bureau of Labor Standards (EMERGENCY)
H.P. 1634 L.D. 2137

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 **NATURAL RESOURCES** on Bill "An Act to Amend the Law Relating to Growth-related Capital Investments"
H.P. 1566 L.D. 2071

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 **NATURAL RESOURCES** on Bill "An Act Regarding Workers' Compensation and Liability Immunity Coverage for Emergency Management Forces"
H.P. 1578 L.D. 2084

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 **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act to Authorize County Extension Building Associations to Borrow Money"
H.P. 1614 L.D. 2111

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-943)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-943)**.

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

READ ONCE.

Committee Amendment "A" (H-943) **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-943)**, in concurrence.

The Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** on Bill "An Act to Require Continuing Education in the Cosmetology, Manicuring, Aesthetics and Barbering Fields"
H.P. 1107 L.D. 1476

Reported that the same **Ought to Pass as Amended by Committee Amendment "B" (H-932)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-932)**.

Report **READ**.

On motion by Senator **ROTUNDO** of Androscoggin, **TABLED** 1 Legislative Day, pending **ACCEPTANCE OF REPORT**.

The Committee on **CRIMINAL JUSTICE** on Bill "An Act to Allow Federal Law Enforcement Officers to Enforce Maine Statutes"
H.P. 1458 L.D. 1955

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-927)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-927)**.

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

READ ONCE.

Committee Amendment "A" (H-927) **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-927)**, in concurrence.

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act Concerning Student Threats Against School Personnel"
H.P. 1474 L.D. 1975

Reported that the same **Ought to Pass as Amended by Committee Amendment "B" (H-922)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-922)**.

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

READ ONCE.

Committee Amendment "B" (H-922) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-922)**, in concurrence.

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act to Change the Governing Board of the George Stevens Academy in Blue Hill" (EMERGENCY)
H.P. 1639 L.D. 2142

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-921)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-921)**.

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

READ ONCE.

Committee Amendment "A" (H-921) **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-921)**, in concurrence.

The Committee on **LABOR** on Bill "An Act to Amend the Workers' Compensation Laws to Provide for a Rebuttable Presumption of Eligibility for Benefits for Hepatitis or Hepatic Disease for Firefighters and Emergency Medical Services Personnel"
H.P. 1283 L.D. 1746

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-931)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-931)**.

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

READ ONCE.

Committee Amendment "A" (H-931) **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-931)**, in concurrence.

The Committee on **MARINE RESOURCES** on Bill "An Act to Establish Educational Requirements for Granting Noncommercial Lobster Licenses"
H.P. 1493 L.D. 1996

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-935)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-935)**.

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

READ ONCE.

Committee Amendment "A" (H-935) **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-935)**, in concurrence.

The Committee on **MARINE RESOURCES** on Bill "An Act to Implement the Recommendations of the Committee to Study the Loss of Commercial Fishing Waterfront Access and Other Economic Development Issues Affecting Commercial Fishing"
H.P. 1619 L.D. 2118

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-934)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-934)**.

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

READ ONCE.

Committee Amendment "A" (H-934) **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-934)**, in concurrence.

The Committee on **MARINE RESOURCES** on Bill "An Act to Allow Qualified Shellfish Harvesters to Continue to Sample Water Quality"
H.P. 1646 L.D. 2152

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-933)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-933)**.

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

READ ONCE.

Committee Amendment "A" (H-933) **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-933)**, in concurrence.

The Committee on **NATURAL RESOURCES** on Bill "An Act to Require Major Water Users to Provide Public Information About Their Annual Water Withdrawals from Public Water Resources"
H.P. 1119 L.D. 1488

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-936)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-936)**.

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

READ ONCE.

Committee Amendment "A" (H-936) **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-936)**, in concurrence.

The Committee on **NATURAL RESOURCES** on Bill "An Act Regarding Site Selection Criteria for Parking for State Facilities"
H.P. 1557 L.D. 2059

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-916)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-916)**.

Report **READ**.

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

The Committee on **NATURAL RESOURCES** on Bill "An Act to Clarify the Use of Municipal Rate of Growth Ordinances"
H.P. 1560 L.D. 2062

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-918)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-918)**.

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

READ ONCE.

Committee Amendment "A" (H-918) **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-918)**, in concurrence.

The Committee on **NATURAL RESOURCES** on Resolve, Regarding Legislative Review of Amendments to Chapter 305, Permit by Rule Standard and Chapter 310, Wetland Protection Regarding Cutting and Removal of Vegetation, Major Substantive Rules of the Department of Environmental Protection (EMERGENCY)

H.P. 1571 L.D. 2076

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-920)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-920)**.

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

READ ONCE.

Committee Amendment "A" (H-920) **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-920)**, in concurrence.

The Committee on **NATURAL RESOURCES** on Resolve, Regarding Legislative Review of Portions of Chapter 10, Section 17(A)(2), (3) and (6), Standards for the Clearing of Vegetation for Development, Major Substantive Rules of the Maine Land Use Regulation Commission within the Department of Conservation (EMERGENCY)

H.P. 1590 L.D. 2095

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-919)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-919)**.

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

READ ONCE.

Committee Amendment "A" (H-919) **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-919)**, in concurrence.

The Committee on **NATURAL RESOURCES** on Resolve, Regarding Legislative Review of Chapter 691, Section 3-A, Siting Restrictions for New Facilities, a Major Substantive Rule of the Bureau of Remediation and Waste Management within the Department of Environmental Protection (EMERGENCY)
H.P. 1618 L.D. 2117

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-917)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-917)**.

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

READ ONCE.

Committee Amendment "A" (H-917) **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-917)**, in concurrence.

The Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act to Provide Full Utility of Retired School Buildings" (EMERGENCY)

H.P. 1615 L.D. 2114

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-940)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-940)**.

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

READ ONCE.

Committee Amendment "A" (H-940) **READ**.

On motion by President Pro Tem **MICHAUD** of Penobscot, **TABLED** until Later in Today's Session, pending **ADOPTION** of Committee Amendment "A" (H-940), in concurrence.

The Committee on **TAXATION** on Bill "An Act to Establish Municipal Cost Components for Unorganized Territory Services to be Rendered in Fiscal Year 2002-2003" (EMERGENCY)
H.P. 1613 L.D. 2110

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-914)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-914)**.

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

READ ONCE.

Committee Amendment "A" (H-914) **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-914)**, in concurrence.

The Committee on **TRANSPORTATION** on Bill "An Act to Amend the Laws Concerning Specialty License Plates"
H.P. 1506 L.D. 2009

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-928)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-928)**.

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

READ ONCE.

Committee Amendment "A" (H-928) **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-928)**, in concurrence.

Divided Report

Eight members of the Committee on **LABOR** on Bill "An Act Regarding the Payment of Severance Pay"
H.P. 1551 L.D. 2054

Reported in Report "A" that the same **Ought to Pass as Amended by Committee Amendment "A" (H-929)**.

Signed:

Senators:

EDMONDS of Cumberland
SAWYER of Penobscot

Representatives:

BUNKER of Kossuth Township
MATTHEWS of Winslow
HUTTON of Bowdoinham

NORTON of Bangor
SMITH of Van Buren
TARAZEWICH of Waterboro

Four members of the same Committee on the same subject reported in Report "B" that the same **Ought Not To Pass**.

Signed:

Senator:

TURNER of Cumberland

Representatives:

TREADWELL of Carmel
DAVIS of Falmouth
CRESSEY of Baldwin

One member of the same Committee on the same subject reported in Report "C" that the same **Ought To Pass As Amended by Committee Amendment "B" (H-930)**.

Representative:

MacDOUGALL of North Berwick

Comes from the House with Report "A", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-929)** **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-929)**.

Reports **READ**.

Senator **EDMONDS** of Cumberland moved the Senate **ACCEPT** Report "A", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-929)**, in concurrence.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** Report "A", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-929)**, in concurrence.

Divided Report

The Majority of the Committee on **NATURAL RESOURCES** on Bill "An Act to Phase Out the Availability of Mercury-added Products"
H.P. 1501 L.D. 2004

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-925)**.

Signed:

Senators:

MARTIN of Aroostook
SHOREY of Washington
SAWYER of Penobscot

Representatives:

ANNIS of Dover-Foxcroft
KOFFMAN of Bar Harbor
COWGER of Hallowell
CLARK of Millinocket
DUPLESSIE of Westbrook
TWOMEY of Biddeford

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "B" (H-926).**

Signed:

Representatives:

TOBIN of Windham
DAIGLE of Arundel
CRABTREE of Hope

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-925)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-925).**

Reports **READ.**

On motion by Senator **MARTIN** of Aroostook, the Majority **OUGHT TO PASS AS AMENDED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-925)** Report **ACCEPTED**, in concurrence.

READ ONCE.

Committee Amendment "A" (H-925) **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-943)**, in concurrence.

Off Record Remarks

Senate

Divided Report

Pursuant to Public Law

The Majority of the Committee on **TRANSPORTATION** on Bill "An Act to Implement the Minority Report of the Joint Standing Committee on Transportation Regarding the Final Report of the Task Force to Study the Municipal Excise Tax and Other Motor Vehicle Registration Fees"

S.P. 814 L.D. 2178

Reported that the same **Ought Not to Pass**, pursuant to Public Law 2001, Chapter 440.

Signed:

Senators:

SAVAGE of Knox
O'GARA of Cumberland
GAGNON of Kennebec

Representatives:

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

The Minority of the same Committee on the same subject reported that the same **Ought To Pass**, pursuant to Public Law 2001, Chapter 440.

Signed:

Representatives:

WHEELER of Bridgewater
WHEELER of Eliot
COLLINS of Wells

Reports **READ.**

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

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:

REPORTS OF COMMITTEES

Senate

Divided Report

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act Regarding the Local Governance of School Administrative Units"

S.P. 791 L.D. 2143

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-479).**

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
ANDREWS of York
WESTON of Montville
LEDWIN of Holden

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

Signed:

Representative:

SKOGLUND of St. George

Reports **READ**.

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

READ ONCE.

Committee Amendment "A" (S-479) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-479)**.

Sent down for concurrence.

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

PAPERS FROM THE HOUSE

Joint Orders

The following Joint Order: H.P. 1689

ORDERED, the Senate concurring, that the Joint Standing Committee on Legal and Veterans Affairs report out, to the House, a bill amending the membership requirements for the Board of Trustees of the Maine Veterans' Homes to require the inclusion of a female veteran.

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

READ and **PASSED**, in concurrence.

The following Joint Order: H.P. 1693

ORDERED, the Senate concurring, that the Joint Standing Committee on Natural Resources report out, to the House, legislation regarding the petition and hearing process relating to dams.

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

READ and **PASSED**, in concurrence.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Provide Equity to Adoptive Parents with Respect to Parental Leave"

H.P. 1688 L.D. 2187

Comes from the House, **REFERRED** to the Committee on **LABOR** and ordered printed.

REFERRED to the Committee on **LABOR** and ordered printed, in concurrence.

Resolve, to Establish the Task Force to Study the Effectiveness of Stormwater Management in Developed Watersheds (EMERGENCY)

H.P. 1687 L.D. 2186

Comes from the House, **REFERRED** to the Committee on **NATURAL RESOURCES** and ordered printed.

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

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

PAPERS FROM THE HOUSE

House Paper

Pursuant to Statutes

Commission on Governmental Ethics and Election Practices

The **Commission on Governmental Ethics and Election Practices** pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Chapter 3: Maine Clean Elections Act and Related Provision Amendments, Major Substantive Rules of the Commission on Governmental Ethics and Election Practices (EMERGENCY)

H.P. 1684 L.D. 2183

Be **REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS** and ordered printed pursuant to Joint Rule 218.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS** and ordered printed pursuant to Joint Rule 218.

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

REFERRED to the Committee on **LEGAL AND VETERANS AFFAIRS** and ordered printed pursuant to Joint Rule 218, in concurrence.

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

REPORTS OF COMMITTEES

House

**Ought to Pass
Pursuant to Joint Order**

The Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** on Bill "An Act to Implement the Recommendations of the Returnable Container Handling and Collection Study"

H.P. 1685 L.D. 2184

Reported that the same **Ought to Pass**, pursuant to Joint Order 2001, H.P. 1389.

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 **LABOR** on Bill "An Act to Amend Maine State Retirement System Statutes"

H.P. 1686 L.D. 2185

Reported that the same **Ought to Pass**, pursuant to Joint Order 2001, H.P. 1591.

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 **LEGAL AND VETERANS AFFAIRS** on Bill "An Act to Establish a Centralized Voter Registration System for the State"

H.P. 1683 L.D. 2182

Reported that the same **Ought to Pass**, pursuant to Joint Order 2001, H.P. 1622.

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
Pursuant to Public Law**

The Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act to Amend the Rule-making Authority of the Department of Conservation Regarding Timber Harvesting in Shoreland Areas"

H.P. 1678 L.D. 2181

Reported that the same **Ought to Pass**, pursuant to Public Law 1999, chapter 695, section 4.

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

Divided Report

The Majority of the Committee on **NATURAL RESOURCES** on Bill "An Act to Facilitate Compliance with Spill Prevention Requirements and Authorize Reimbursement for Certain Oil Spill Remediation Expenses"

H.P. 1513 L.D. 2016

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-945)**.

Signed:

Senators:

MARTIN of Aroostook
SAWYER of Penobscot
SHOREY of Washington

Representatives:

ANNIS of Dover-Foxcroft
KOFFMAN of Bar Harbor
COWGER of Hallowell
DAIGLE of Arundel
DUPLESSIE of Westbrook
TWOMEY of Biddeford
CRABTREE of Hope

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

Signed:

Representatives:

TOBIN of Windham
CLARK of Millinocket

Comes from the House with 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-945)**.

Reports **READ**.

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

READ ONCE.

Committee Amendment "A" (H-945) **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-945)**, 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 **NATURAL RESOURCES** on Bill "An Act to Establish a Pilot Project Program to Provide Incentives for Multimunicipal Development"

H.P. 1559 L.D. 2061

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-944)**.

Signed:

Senators:

MARTIN of Aroostook
SAWYER of Penobscot

Representatives:

ANNIS of Dover-Foxcroft
BAKER of Bangor
TOBIN of Windham
KOFFMAN of Bar Harbor
COWGER of Hallowell
CLARK of Millinocket
DAIGLE of Arundel
DUPLESSIE of Westbrook

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

Signed:

Representatives:

TWOMEY of Biddeford
CRABTREE of Hope

Comes from the House with 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-944)**.

Reports **READ**.

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

READ ONCE.

Committee Amendment "A" (H-944) **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-944)**, 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 **TRANSPORTATION** on Bill
"An Act to Amend the Motor Vehicle Laws"
H.P. 1406 L.D. 1844

Reported that the same **Ought to Pass as Amended by
Committee Amendment "A" (H-941).**

Signed:

Senators:

SAVAGE of Knox
O'GARA of Cumberland
GAGNON of Kennebec

Representatives:

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

The Minority of the same Committee on the same subject
reported that the same **Ought To Pass as Amended by
Committee Amendment "B" (H-942).**

Signed:

Representatives:

WHEELER of Bridgewater
COLLINS of Wells
McKENNEY of Cumberland

Comes from the House with the Majority **OUGHT TO PASS AS
AMENDED BY COMMITTEE AMENDMENT "A" (H-941)** Report
READ and **ACCEPTED** and the Bill **PASSED TO BE
ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT
"A" (H-941).**

Reports **READ.**

On motion by Senator **SAVAGE** of Knox, the Majority **OUGHT
TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A"**
Report **ACCEPTED**, in concurrence.

READ ONCE.

Committee Amendment "A" (H-941) **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-941)**, 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 to Update the Department of Defense, Veterans and
Emergency Management Laws"
H.P. 1288 L.D. 1752
(C "A" H-837)

In Senate, February 28, 2002, **PASSED TO BE ENGROSSED
AS AMENDED BY COMMITTEE AMENDMENT "A" (H-837)**, in
concurrence.

Comes from the House, **PASSED TO BE ENGROSSED AS
AMENDED BY COMMITTEE AMENDMENT "A" (H-837) AND
HOUSE AMENDMENT "C" (H-946)**, in **NON-CONCURRENCE.**

On motion by Senator **DOUGLASS** of Androscoggin, **TABLED**
until Later in Today's Session, pending **FURTHER
CONSIDERATION.**

ORDERS OF THE DAY

Unfinished Business

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

The Chair laid before the Senate the following Tabled and Later
(3/19/02) Assigned matter:

Bill "An Act to Ensure Consistent Regulation of Air Emissions in
the State"
H.P. 1675 L.D. 2176

Tabled - March 19, 2002, by Senator **MARTIN** of Aroostook

Pending - **REFERENCE**

(In House, March 18, 2002, **REFERRED** to the Committee on
NATURAL RESOURCES and ordered printed.)

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

Senate at Ease.

Senate called to order by the President.

LEGISLATIVE RECORD - SENATE, WEDNESDAY, MARCH 20, 2002

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

On motion by Senator **ROTUNDO** of Androscoggin,
ADJOURNED to Thursday, March 21, 2002, at 10:00 in the morning.