

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

In Senate Chamber
Monday
April 28, 2003

Senate called to order by President Beverly C. Daggett of Kennebec County.

Prayer by Father Paul Plante, St. John the Baptist Church in Winslow.

FATHER PLANTE: Let us turn to God, who is truth, whose spirit of truth we, hopefully, all long for. It is said that the first victim of war is truth. Could it be that truth is also the victim of our daily conflicts? Our own little war with one's spouse, children, at work, at school, at church, or right here. We know these little wars have consequences. Is truth a casualty in our daily conflicts? Is it sometimes more important for us to stand with the popular majority than to proclaim the truth? Does our initial uninformed opinion prevent us from considering other options, preferring power and self-righteousness to the truth?

Do we work at discovering the truth when something isn't quite right? Do we strive to discover the truth, especially when we are totally confident that we are bearers of the whole truth? Are we not more dangerous when we can't listen, when we can't bend?

God of truth, open our minds, and even more, our hearts. Rid us of the clutter of opinions that don't leave any space for the truth, Your truth. Amen.

Pledge of Allegiance led by Senator Betheda G. Edmonds of Cumberland County.

National Anthem performed by Timothy Cilley of St. James School in Biddeford.

Doctor of the day, Richard Dillihunt, M.D. of Portland.

Reading of the Journal of Wednesday, April 16, 2003.

Off Record Remarks

PAPERS FROM THE HOUSE

Joint Orders

The following Joint Order:

H.P. 1154

ORDERED, the Senate concurring, that the Joint Standing Committee on State and Local Government report out, to the House, legislation regarding county government.

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

READ.

On motion by Senator **ROTUNDO** of Androscoggin, **TABLED** until Later in Today's Session, pending **PASSAGE**, in concurrence.

The following Joint Order:

H.P. 1155

ORDERED, the Senate concurring, that the Joint Standing Committee on Legal and Veterans Affairs may report out, to the House, a bill that authorizes Michaela Corbin-Bumford to sue the State.

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

READ and **PASSED**, in concurrence.

COMMUNICATIONS

The Following Communication:

S.C. 180

**121ST LEGISLATURE
COMMITTEE ON
AGRICULTURE, CONSERVATION AND FORESTRY**

April 17, 2003

Honorable Beverly C. Daggett, President of the Senate
Honorable Patrick Colwell, Speaker of the House
121st Maine Legislature
State House
Augusta, Maine 04333

Dear President Daggett and Speaker Colwell:

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

- L.D. 538 An Act to Reroute the Katahdin Trail
- L.D. 702 An Act To Amend the Animal Welfare Laws
- L.D. 1114 An Act To Allow the Sale of Wood Chips by Uncertified Persons
- L.D. 1143 An Act Concerning Endangered and Invasive Plant Species
- L.D. 1194 An Act To Improve Services of Animal Shelters

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

Sincerely,

S/Sen. Bruce Bryant
Senate Chair

S/Rep. Linda Rogers McKee
House Chair

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

The Following Communication:

S.C. 181

121ST LEGISLATURE

COMMITTEE ON NATURAL RESOURCES

April 17, 2003

Honorable Beverly C. Daggett, President of the Senate
Honorable Patrick Colwell, Speaker of the House
121st Maine Legislature
State House
Augusta, Maine 04333

Dear President Daggett and Speaker Colwell:

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. 853 An Act To Promote Livable, Affordable Neighborhoods
- L.D. 1084 An Act To Provide Incentives for Affordable Neighborhood Developments
- L.D. 1276 An Act To Amend the Sand Dune Laws
- L.D. 1472 An Act To Protect Maine's Water as a Natural Resource

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. Theodore Koffman
House Chair

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

The Following Communication:

S.C. 182

**121ST LEGISLATURE
COMMITTEE ON TRANSPORTATION**

April 17, 2003

Honorable Beverly C. Daggett, President of the Senate
Honorable Patrick Colwell, Speaker of the House
121st Maine Legislature
State House
Augusta, Maine 04333

Dear President Daggett and Speaker Colwell:

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

- L.D. 991 An Act To Equalize Fuel Taxes on Vehicles Used for Personal Travel
- L.D. 1334 An Act To Require That Replacement Automobile Lights Conform to Federal Standards

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

Sincerely,

S/Sen. Pamela H. Hatch
Senate Chair

S/Rep. Ronald E. Usher
House Chair

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

The Following Communication:

S.C. 183

**121ST LEGISLATURE
COMMITTEE ON UTILITIES AND ENERGY**

April 17, 2003

Honorable Beverly C. Daggett, President of the Senate
Honorable Patrick Colwell, Speaker of the House
121st Maine Legislature
State House
Augusta, Maine 04333

Dear President Daggett and Speaker Colwell:

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

L.D. 799 Resolve, To Improve Energy Efficiency in New School Buildings

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

Sincerely,

S/Sen. Christopher Hall
Senate Chair

S/Rep. Lawrence Bliss
House Chair

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

The Following Communication:

S.C. 184

**121ST LEGISLATURE
COMMITTEE ON
BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT**

April 17, 2003

Honorable Beverly C. Daggett, President of the Senate
Honorable Patrick Colwell, Speaker of the House
121st Maine Legislature
State House
Augusta, Maine 04333

Dear President Daggett and Speaker Colwell:

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

L.D. 258 An Act Regarding Social Worker and Human Service Provider Licensure

L.D. 833 An Act To Facilitate Economic Development in Maine

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

Sincerely,

S/Sen. Lynn Bromley

S/Rep. Nancy B. Sullivan

Senate Chair

House Chair

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

The Following Communication:

S.C. 185

**121ST LEGISLATURE
COMMITTEE ON LABOR**

April 17, 2003

Honorable Beverly C. Daggett, President of the Senate
Honorable Patrick Colwell, Speaker of the House
121st Maine Legislature
State House
Augusta, Maine 04333

Dear President Daggett and Speaker Colwell:

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. 1223 An Act Relating to Retirement Qualifications for Hazardous Materials Workers

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

Sincerely,

S/Sen. Betheda G. Edmonds
Senate Chair

S/Rep. William J. Smith
House Chair

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

The Following Communication:

S.C. 186

**121ST LEGISLATURE
COMMITTEE ON TAXATION**

April 17, 2003

Honorable Beverly C. Daggett, President of the Senate
Honorable Patrick Colwell, Speaker of the House
121st Maine Legislature
State House
Augusta, Maine 04333

Dear President Daggett and Speaker Colwell:

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

S.P. 381 Joint Study Order to Establish the Blue Ribbon Commission on Cooperation, Communication and Tax Equity among State, County and Local Governments

L.D. 16 An Act to Increase the Income Tax Deduction on Private, Public and Military Pensions from \$6,000 to \$10,000

L.D. 17 An Act to Increase the Homestead Property Tax Exemption From \$7,000 to \$20,000

- L.D. 107 RESOLUTION, Proposing an Amendment to the Constitution of Maine to Allow Municipalities to Limit Property Taxes for Elderly Residents
- L.D. 206 An Act to Expand the Maine Residents Property Tax Program
- L.D. 218 RESOLUTION, Proposing an Amendment to the Constitution of Maine to Stabilize Real Estate Valuation and Protect Ancestral Homes
- L.D. 266 An Act To Provide Meaningful Property Tax Relief
- L.D. 347 An Act to Amend School Administrative District Cost-sharing and County Tax Apportionments to Recognize the Value of Property in Municipal Tax Increment Financing Districts
- L.D. 378 An Act to Enhance the Maine Earned Income Tax Credit
- L.D. 403 An Act To Amend the Laws Governing the Deduction of Pension and Retirement Benefits from State Income Tax
- L.D. 445 An Act To Facilitate Farmer Participation in the Land for Maine's Future Program
- L.D. 545 An Act To Provide Federal Civil Service Retirees the Same State Income Tax Protection as Federal Military Service Retirees
- L.D. 555 An Act To Increase the Maine Income Tax Deduction for Benefits Received Under the Maine State Retirement System
- L.D. 573 An Act To Provide Property Tax Relief to Elderly Maine Citizens
- L.D. 588 An Act To Expand Eligibility for the "Circuit Breaker" Program
- L.D. 654 An Act To Establish a Flat Tax Rate for the Maine Income Tax
- L.D. 681 An Act To Amend the Law Pertaining to Tax Exemptions for Public and Private Pensions
- L.D. 753 An Act To Facilitate the Application Process for the Maine Residents Property Tax Program
- L.D. 773 An Act To Expand the Revenue-generating Authority of Municipalities
- L.D. 855 An Act To Establish Minimum Standards of Eligibility for the Property Tax Exemption for Benevolent and Charitable Institutions
- L.D. 940 RESOLUTION, Proposing an Amendment to the Constitution of Maine To Cap the Property Taxes of Homes That Have Been in the Same Family for 4 Generations
- L.D. 977 An Act To Adjust Qualifications for the So-called "Circuit Breaker Program"
- L.D. 996 An Act Allowing Municipalities To Retain a Percentage of Any Increase in the Sales and Use Tax
- L.D. 1010 An Act To Exempt Military Pensions from State Income Tax
- L.D. 1080 An Act To Impose a Municipal Services Fee on Tax-exempt Property
- L.D. 1124 RESOLUTION, Proposing an Amendment to the Constitution of Maine To Allow Property Tax Reductions for Seniors
- L.D. 1171 RESOLUTION, Proposing an Amendment to the Constitution of Maine To Allow Municipalities To Assess 2nd Homes at up to Twice the Valuation

- L.D. 1178 An Act To Create a Local Property Tax Rebate Program for the Elderly
- L.D. 1208 An Act To Provide Property Tax Relief to Maine Citizens Who Meet Certain Guidelines
- L.D. 1235 An Act To Provide Property Tax Relief to Maine Resident Homeowners
- L.D. 1313 An Act To Permit a Limited Local Option Sales Tax
- L.D. 1330 RESOLUTION, Proposing an Amendment to the Constitution of Maine To Provide Property Tax Relief for Maine Seniors
- L.D. 1331 RESOLUTION, Proposing an Amendment to the Constitution of Maine To Allow Real Estate To Be Valued Differently Based on the Residence of the Owner

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

Sincerely,

S/Sen. Stephen Stanley
Senate Chair

S/Rep. David G. Lemoine
House Chair

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

The Following Communication:

S.C. 187

**121ST LEGISLATURE
COMMITTEE ON TAXATION**

April 22, 2003

Honorable Beverly C. Daggett, President of the Senate
Honorable Patrick Colwell, Speaker of the House
121st Maine Legislature
State House
Augusta, Maine 04333

Dear President Daggett and Speaker Colwell:

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. 1299 An Act To Fully Fund Local Education with Sales Tax Revenues

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

Sincerely,

S/Sen. Stephen Stanley
Senate Chair

S/Rep. David G. Lemoine
House Chair

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

SENATE PAPERS

Bill "An Act Concerning the Animal Health and Disease Control Laws"
S.P. 542 L.D. 1583

Sponsored by Senator BRYANT of Oxford.

Cosponsored by Representative PIOTTI of Unity and Senator: KNEELAND of Aroostook,
Representative: COWGER of Hallowell.
Submitted by the Department of Agriculture, Food and Rural Resources pursuant to Joint Rule 204.

On motion by Senator **BRYANT** of Oxford, **REFERRED** to the Committee on **AGRICULTURE,
CONSERVATION AND FORESTRY** and ordered printed.

Ordered sent down forthwith for concurrence.

Bill "An Act To Protect Critical Homeland Security Information"

S.P. 541 L.D. 1582

Sponsored by Senator ROTUNDO of Androscoggin.
Cosponsored by Representatives: BRUNO of Raymond, Speaker COLWELL of Gardiner,
McLAUGHLIN of Cape Elizabeth, MOODY of Manchester.
Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.

On motion by Senator **PENDLETON** of Cumberland, **REFERRED** to the Committee on
JUDICIARY and ordered printed.

Ordered sent down forthwith for concurrence.

REPORTS OF COMMITTEES

House

Divided Report

The Majority of the Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act to
Change the Name of the Maine Clean Election Act to the 'Publicly Funded Election Act'"
H.P. 198 L.D. 243

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

Signed:

Senator:

GAGNON of Kennebec

Representatives:

CLARK of Millinocket
PATRICK of Rumford
BLANCHETTE of Bangor
CANAVAN of Waterville
JENNINGS of Leeds
LANDRY of Sanford

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

Signed:

Senators:

MAYO of Sagadahoc
LEMONT of York

Representatives:

GLYNN of South Portland
HOTHAM of Dixfield
BROWN of South Berwick

MOORE of Standish

Comes from the House with the Reports **READ** and the Bill and accompanying papers **COMMITTED** to the Committee on **LEGAL AND VETERANS AFFAIRS**.

Reports **READ**.

On motion by Senator **GAGNON** of Kennebec, **TABLED** Unassigned, pending **ACCEPTANCE OF EITHER REPORT**.

Senate

Ought to Pass

Senator **BRENNAN** for the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act to Allow Members of the Maine Public Drinking Water Commission to Serve More than 2 Consecutive Terms"

S.P. 70 L.D. 147

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator **BRENNAN** for the Committee on **HEALTH AND HUMAN SERVICES** on Resolve, To Lower the Costs of Prescription Drugs through the Use of the Federal Public Health Service Act

S.P. 249 L.D. 711

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator **MAYO** for the Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Amend the Debt Management Services Laws"

S.P. 486 L.D. 1458

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator **MAYO** for the Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Update and Clarify the Law Regarding the Conversion of a Nonprofit Hospital and Medical Service Organization to a Domestic Stock Insurer"

S.P. 496 L.D. 1490

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator SAVAGE for the Committee on **TRANSPORTATION** on Bill "An Act Relating to Motorcycles and Driver Education"

S.P. 289 L.D. 894

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator HATCH for the Committee on **TRANSPORTATION** on Bill "An Act Pertaining to Trustee Services for the Maine Turnpike Authority"

S.P. 302 L.D. 906

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Ought to Pass As Amended

Senator BROMLEY for the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Stimulate Economic Growth in Northern Penobscot County"

S.P. 117 L.D. 335

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-65)**.

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

READ ONCE.

Committee Amendment "A" (S-65) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator BROMLEY for the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act to Strengthen State Investment in the University of Maine System for Applied Research and Development"

S.P. 119 L.D. 337

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-66)**.

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

READ ONCE.

Committee Amendment "A" (S-66) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator BROMLEY for the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Provide for the 2003 and 2004 Allocations of the State Ceiling on Private Activity Bonds" (EMERGENCY)

S.P. 428 L.D. 1326

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-73)**.

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

READ ONCE.

Committee Amendment "A" (S-73) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator BROMLEY for the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Establish the Pine Tree Development Zones Program"

S.P. 456 L.D. 1385

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-68)**.

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

READ ONCE.

Committee Amendment "A" (S-68) **READ**.

On motion by Senator **TREAT** of Kennebec, **TABLED** until Later in Today's Session, pending **ADOPTION** of Committee Amendment "A" (S-68).

Senator STRIMLING for the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Allow a Judge To Assess a Fee on a Defendant To Reimburse a Municipality for a Drug Test"

S.P. 311 L.D. 970

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-76)**.

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

READ ONCE.

Committee Amendment "A" (S-76) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator STRIMLING for the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Enhance Juvenile Rehabilitation"

S.P. 397 L.D. 1192

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-77)**.

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

READ ONCE.

Committee Amendment "A" (S-77) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator DOUGLASS for the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Increase Access to Higher Education"

S.P. 108 L.D. 326

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-71)**.

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

READ ONCE.

Committee Amendment "A" (S-71) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator GAGNON for the Committee on **LEGAL AND VETERANS AFFAIRS** on Resolve, To Renew the Veterans' Emergency Assistance Program

S.P. 350 L.D. 1021

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-74)**.

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

READ ONCE.

Committee Amendment "A" (S-74) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator DAMON for the Committee on **MARINE RESOURCES** on Bill "An Act Concerning the Renewal of Commercial Harvester and Dealer Licenses"

S.P. 457 L.D. 1387

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-70)**.

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

READ ONCE.

Committee Amendment "A" (S-70) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator DAMON for the Committee on **MARINE RESOURCES** on Bill "An Act To Create a Marine Harvesting Demonstration License"

S.P. 459 L.D. 1389

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-69).**

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

READ ONCE.

Committee Amendment "A" (S-69) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator MARTIN for the Committee on **NATURAL RESOURCES** on Bill "An Act To Improve the Effectiveness of the Maine Coastal and Inland Surface Oil Clean-up Fund"

S.P. 205 L.D. 596

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-72).**

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

READ ONCE.

Committee Amendment "A" (S-72) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator MARTIN for the Committee on **NATURAL RESOURCES** on Bill "An Act To Require the Department of Environmental Protection To Develop and Implement an Eradication Plan for Invasive Aquatic Plants"

S.P. 245 L.D. 707

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-75).**

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

READ ONCE.

Committee Amendment "A" (S-75) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator HATCH for the Committee on **TRANSPORTATION** on Resolve, To Rename the Patty Hill Road in Medford the Clyde Hichborn Road

S.P. 431 L.D. 1329

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-78).**

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

READ ONCE.

Committee Amendment "A" (S-78) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **LABOR** on Bill "An Act To Increase the Assessment on Workers' Compensation Insurance To Fund the Workers' Compensation Board Administrative Fund"

S.P. 21 L.D. 35

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-61)**.

Signed:

Senators:

EDMONDS of Cumberland
STANLEY of Penobscot

Representatives:

SMITH of Van Buren
HUTTON of Bowdoinham
HATCH of Skowhegan
PATRICK of Rumford
JACKSON of Fort Kent
WATSON of Bath

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "B" (S-62)**.

Signed:

Senator:

BLAIS of Kennebec

Representatives:

TREADWELL of Carmel
CRESSEY of Baldwin
HEIDRICH of Oxford
NUTTING of Oakland

Reports **READ**.

Senator **EDMONDS** of Cumberland moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-61)** Report.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-61)** Report.

Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Establish the Commission for the Blind"

S.P. 393 L.D. 1189

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

Signed:

Senators:

ROTUNDO of Androscoggin
LaFOUNTAIN of York

Representatives:

McLAUGHLIN of Cape Elizabeth
PEAVEY-HASKELL of Greenbush
STONE of Berwick

KETTERER of Madison
BARSTOW of Gorham
BOWEN of Rockport
SUSLOVIC of Portland
SUKEFORTH of Union
BUNKER of Kossuth Township

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-63)**.

Signed:

Senator:

GILMAN of Cumberland

Representative:

CROSTHWAITE of Ellsworth

Reports **READ**.

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

Sent down for concurrence.

Divided Report

The Majority of the Committee on **TRANSPORTATION** on Bill "An Act Relating to Motorcycle Safety"

S.P. 367 L.D. 1095

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

Signed:

Senators:

HATCH of Somerset
DAMON of Hancock
SAVAGE of Knox

Representatives:

USHER of Westbrook
MARLEY of Portland
PARADIS of Frenchville
MARRACHÉ of Waterville
McKENNEY of Cumberland
COLLINS of Wells
McNEIL of Rockland
JODREY of Bethel
BROWNE of Vassalboro

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-67)**.

Signed:

Representative:

SAMPSON of Auburn

Reports **READ**.

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

Sent down for concurrence.

Off Record Remarks

SECOND READERS

The Committee on **Bills in the Second Reading** reported the following:

House

Bill "An Act To Create the Bayside Utilities District"

H.P. 886 L.D. 1212

Bill "An Act To Clarify the Duties Relating to County Taxes and Remove Obsolete References to the Secretary of State"

H.P. 1055 L.D. 1443

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

House As Amended

Bill "An Act to Address Funding of the North Jay Water District" (EMERGENCY)

H.P. 14 L.D. 7
(C "A" H-111)

Bill "An Act to Enhance School Zone Safety"

H.P. 19 L.D. 12
(C "A" H-119)

Bill "An Act to Amend the Liquor Law as it Pertains to Special Taste-testing Festival Licenses"

H.P. 62 L.D. 54
(C "A" H-98)

Bill "An Act To Clarify the Intent of School Budget Referendum Language"

H.P. 77 L.D. 69
(C "A" H-115)

Bill "An Act to Prohibit Absolute Discretion Clauses in Health Carrier and Excess Loss Carrier Contracts"

H.P. 259 L.D. 316
(C "A" H-118)

Bill "An Act To Allow a Former Spouse or Domestic Partner To Cancel a Life Insurance Policy in That Person's Name"

H.P. 317 L.D. 409
(C "A" H-112)

Bill "An Act To Improve the Process of Credentialing Health Care Providers"

H.P. 331 L.D. 423
(C "A" H-116)

Bill "An Act To Establish New Standards for Credit Reporting"

H.P. 419 L.D. 556
(C "A" H-117)

Resolve, To Allow Certain State Employees To Be Voting Board Members of Project SHARE
H.P. 603 L.D. 826
(C "A" H-114)

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

Senate

Bill "An Act To Criminalize Noncompliance with an Interstate Compact for Adult Offender Supervision"

S.P. 354 L.D. 1023

READ A SECOND TIME and **PASSED TO BE ENGROSSED**.

Sent down for concurrence.

Senate As Amended

Bill "An Act To Provide Energy Opportunities to Northern Maine" (EMERGENCY)
S.P. 86 L.D. 163
(C "A" S-48)

Bill "An Act To Impose Restrictions on the Operation of ATVs and Snowmobiles"
S.P. 130 L.D. 354
(C "A" S-50)

Bill "An Act To Clarify Ownership Rights to Repossessed Vehicles"
S.P. 148 L.D. 430
(C "A" S-60)

Bill "An Act To Amend the Charter of the Lubec Water and Electric District" (EMERGENCY)
S.P. 242 L.D. 678
(C "A" S-46)

Bill "An Act To Require Public Hearings prior to State Agreements for Dam Removal" (EMERGENCY)
S.P. 247 L.D. 709
(C "A" S-64)

Bill "An Act Relating to Existing Life-care Communities Licensed by the Superintendent of Insurance"
S.P. 275 L.D. 796
(C "A" S-55)

Bill "An Act To Amend the Standard Water District Enabling Act"
S.P. 283 L.D. 804
(C "A" S-51)

Bill "An Act To Create Equality in Medicare Supplement Insurance Policies"
S.P. 298 L.D. 902
(C "A" S-56)

Bill "An Act To Protect Employees if Their Employer Fails To Pay Premiums for Employer-sponsored Health Insurance"
S.P. 301 L.D. 905
(C "A" S-57)

Bill "An Act To Amend the Charter of the Madawaska Water District"

S.P. 308 L.D. 967
(C "A" S-45)

Bill "An Act To Amend the Constitution of the Maine Episcopal Missionary Society"
S.P. 312 L.D. 971
(C "A" S-49)

Bill "An Act To Encourage Economic Development in Piscataquis County" (EMERGENCY)
S.P. 445 L.D. 1357
(C "A" S-59)

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

Sent down for concurrence.

ENACTORS

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

Emergency Measure

An Act Regarding Age Eligibility for Enrollment in a Public Secondary School
S.P. 201 L.D. 592

This being an Emergency Measure and having received the affirmative vote of 27 Members of the Senate, with 3 Senators having voted in the negative, and 27 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Acts

An Act To Provide Parity in Lending by State-chartered Lenders
H.P. 234 L.D. 291
(C "A" H-32)

An Act To Amend the Maine State Grant Program
H.P. 950 L.D. 1296

An Act To Amend Marine Resources Special License Requirements for Educational Programs
S.P. 474 L.D. 1437

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

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Ensure Equity for Active Retired Justices of the Supreme Judicial Court Who Perform Judicial Service"
H.P. 1156 L.D. 1584

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

On motion by Senator **PENDLETON** of Cumberland, **REFERRED** to the Committee on **JUDICIARY** 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

Bill "An Act Regarding Distribution of Tobacco Products"

H.P. 1160 L.D. 1587

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

On motion by Senator **STANLEY** of Penobscot, **REFERRED** to the Committee on **TAXATION** and ordered printed, in concurrence.

Senate at Ease.

Senate called to order by the President.

Senator **EDMONDS** of Cumberland 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 **DAVIS** of Piscataquis was granted unanimous consent to address the Senate off the Record.

Off Record Remarks

On motion by Senator **TREAT** of Kennebec, **ADJOURNED** to Tuesday, April 28, 2003, at 10:00 in the morning.