

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

In Senate Chamber
Thursday
January 16, 2003

Senate called to order by President Pro Tem Sharon Anglin Treat of Kennebec County.

Prayer by Senator Chandler E. Woodcock of Franklin County.

SENATOR WOODCOCK: Good morning to my colleagues in the Senate. I have two very brief comments before we pray this morning. On Tuesday's recorded date in history, in the late 1700's, there was a temperature reading of 120° below zero in Siberia, so I would trust that our tropical heat wave would entice you to think wonderful thoughts this coming weekend.

The second brief comment that I have is a bit more serious. It has to do with the recent passing of Representative Howard Chick, a colleague of mine on the Fish and Wildlife Committee during the 120th Legislature. I found Representative Chick to be a man of subtle wit and vast knowledge. I would hope, on behalf of this body, I could extend our sympathies to his family and friends and all of his colleagues and former colleagues. Let us pray.

Father, between the pallet of splendor, which is autumn, and the spring freshet, descends plodding, seemingly unrelenting, winter with a beauty often masked; we pray that all who suffer from the hardships of the season find relief in the warmth of their clothing, the security of a sheltered residence, the nourishment found in a hot meal, the psychological comfort of friends, the enduring love of family, and the inner peace of Your presence.

This day brings a myriad of concerns for each of my colleagues. Perhaps it is the knowledge of a sick child, a relationship in need of improved communication, an elderly family member who demands seemingly more than can be given, or the empty nest created by successful childrearing and the passing, too quickly, of those years. I pray that Your guidance and love fills the heart of each Senator in these times of personal need. Thank You, Father, for our many blessings, for each has come from You.

I close today, Father, with this special prayer for all of us to consider. I am not what I might be. I am not what I wish to be. I am not even what I hoped to be, but with Your grace and love, I am not what I was. Amen.

Reading of the Journal of Tuesday, January 14, 2003.

Out of order and under suspension of the Rules, on motion by Senator **GAGNON** of Kennebec, the following Joint Order:

S.P. 28

ORDERED, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, January 21, 2003, at 10:00 in the morning.

READ and PASSED.

Ordered sent down forthwith for concurrence.

PAPERS FROM THE HOUSE

Joint Orders

The following Joint Order:

H.P. 41

ORDERED, the Senate concurring, that Joint Rule 308, section 3 is amended to read:

3. Reference to More Than One Committee. When a bill or resolve has a subject matter that falls within the jurisdiction of more than one committee, suggested references may be made and the full Legislature may vote to refer a bill or resolve to more than one committee. When references are made to more than one committee, the first named committee is responsible for the scheduling and conduct of all public hearings, subject to approval of the chairs of the other committee or committees. Committees to whom a bill or resolve is referred pursuant to this rule shall participate equally in all public hearings and work sessions and shall make a joint report or joint reports. The public hearing or hearings and work session or work sessions must be conducted jointly by both committees. The chairs of the committees involved shall establish the process for conduct of the work session or work sessions on the bill. If the chairs are unable to agree, the presiding officers shall establish the process. The work session process must provide for balanced representation for each committee. The report or reports on a jointly referred bill is as voted by the full membership of each committee, except that if a member serves on more than one committee to whom a bill or resolve is referred, that member may cast only one vote.

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

READ and **PASSED**, in concurrence.

The following Joint Order:

H.P. 42

ORDERED, the Senate concurring, that Joint Rule 304 is amended to read:

Rule 304. Procedures for Public Hearings and Work Sessions.

At the beginning of each legislative biennium, all committees shall adopt procedures that govern public hearings, work sessions and confirmation hearings, which shall include the order in which testimony will be heard. Copies of the procedures must be sent to the presiding officers, the Secretary of the Senate, the Clerk of the House and the Executive Director of the Legislative Council upon adoption and must be posted and made available upon request at all public hearings and work sessions.

The rules of procedure in committee are the same as the rules of the Senate and the House of Representatives to the extent applicable. Committee procedures must be consistent with these rules.

The presiding chair shall decide all questions of order, subject to appeal to the committee. The chair's ruling stands unless overruled by a majority vote of the committee membership.

Scheduling of bills to be considered in public hearings and work sessions must be arranged by the Senate chair with the agreement of the House chair; if agreement is not reached, the committee shall decide by majority vote of the membership.

At public hearings, the chair may limit testimony as necessary for the orderly conduct of the hearing. Members may question witnesses to clarify testimony and to elicit helpful and pertinent information. While aggressive and probing questions may sometimes be appropriate, members shall exhibit respect for the witnesses and for one another. Members shall refrain from interrogation that is argumentative, oppressive, repetitive or unnecessarily embarrassing to hearing participants. Advocacy and discussion among members are not appropriate at public hearings. A committee member who is the primary sponsor of a bill and any member who testifies for or against the bill should ordinarily refrain from questioning other witnesses.

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

READ.

On motion by Senator **GAGNON** of Kennebec, **INDEFINITELY POSTPONED**, in **NON-CONCURRENCE**.

Ordered sent down forthwith for concurrence.

The following Joint Order:

H.P. 44

ORDERED, the Senate concurring, that Joint Rule 301, section 5 is amended to read:

5. Other Tasks. Performing other tasks assigned to them, including, but not limited to, reviewing specific provisions of law, conducting studies on assigned topics, issuing reports on policy and legal issues of interest to the Legislature, reporting out specific legislation pursuant to joint order and authorizing the annual budgets of certain counties.

There are 17 joint standing committees, which must be appointed at the commencement of the first regular session and which exercise jurisdiction in the following areas:

Agriculture, conservation and forestry
Appropriations and financial affairs
Banking and insurance
Business and economic development
Criminal justice and public safety
Education and cultural affairs
Health and human services
Inland fisheries and wildlife
Judiciary
Labor
Legal and veterans affairs
Marine resources
Natural resources
State and local government
Taxation
Transportation
Utilities and energy

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

READ and **PASSED**, in concurrence.

The following Joint Order:

H.P. 45

ORDERED, the Senate concurring, that Joint Rule 301, section 5 is amended to read:

5. Other Tasks. Performing other tasks assigned to them, including, but not limited to, reviewing specific provisions of law, conducting studies on assigned topics, issuing reports on policy and legal issues of interest to the Legislature, reporting out specific legislation pursuant to joint order and authorizing the annual budgets of certain counties.

There are 17 joint standing committees, which must be appointed at the commencement of the first regular session and which exercise jurisdiction in the following areas:

Agriculture, conservation and forestry
Appropriations and financial affairs
~~Banking and insurance~~ Insurance and financial services
Business and economic development
Criminal justice
Education and cultural affairs
Health and human services
Inland fisheries and wildlife
Judiciary
Labor

Legal and veterans affairs
Marine resources
Natural resources
State and local government
Taxation
Transportation
Utilities and energy

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

READ and **PASSED**, in concurrence.

The following Joint Order:

H.P. 47

ORDERED, the Senate concurring, that the Joint Rules be amended in Part 3 by adding a new Subpart C to read:

Subpart C
Legislative Oversight of Government Agencies and Programs

Rule 371. Government Oversight Committee.

The Government Oversight Committee, referred to in this Rule as "the committee," is established. The committee consists of 2 members of the Senate and 6 members of the House of Representatives and must be evenly divided between the 2 largest political parties represented in each chamber. The President of the Senate shall appoint 2 Senators, one from the political party holding the majority of seats in the Senate and one from the political party holding the majority of the remainder of the seats in the Senate. The first-named Senator is the Senate chair. The Speaker shall appoint 6 members, 3 from the political party holding the majority of seats in the House and 3 from the political party holding the majority of the remainder of the seats in the House. The first-named member of the House is the House chair.

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

READ and **PASSED**, in concurrence.

COMMUNICATIONS

The Following Communication:

S.C. 15

121ST LEGISLATURE
SENATE OF MAINE
OFFICE OF THE PRESIDENT

January 13, 2003

Joy J. O'Brien
Secretary of the Senate
3 State House Station
Augusta, Maine 04333

Dear Secretary O'Brien,

Pursuant to my authority under P.L. 2001, Chapter 439, Part PPPP, I have appointed Senator Lynn Bromley of Cumberland to the Legislative Youth Advisory Council.

Please let me know if you have questions regarding this appointment.

Sincerely,

S/Beverly C. Daggett
President of the Senate

READ and ORDERED PLACED ON FILE.

SENATE PAPERS

Bill "An Act to Protect the Privacy of Maine Nurses"

S.P. 22 L.D. 36

Sponsored by President DAGGETT of Kennebec.
Cosponsored by Representative PERRY of Calais and Senators: HALL of Lincoln, MAYO of Sagadahoc, PENDLETON of Cumberland, Representatives: ANDREWS of York, Speaker COLWELL of Gardiner, FLETCHER of Winslow, MARRACHÉ of Waterville.

REFERRED to the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** and ordered printed.

Ordered sent down forthwith for concurrence.

Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$10,000,000 to Promote Affordable Housing"

S.P. 25 L.D. 39

Sponsored by Senator BRENNAN of Cumberland.
Cosponsored by Senators: BROMLEY of Cumberland, MAYO of Sagadahoc, STRIMLING of Cumberland, Representatives: BRANNIGAN of Portland, CUMMINGS of Portland, DUDLEY of Portland, MARLEY of Portland, NORBERT of Portland.

Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** suggested and ordered printed.

On motion by Senator **BROMLEY** of Cumberland, **TABLED** until Later in Today's Session, pending **REFERENCE**.

Bill "An Act to Specify the Public Status of Disputed Ballots" (EMERGENCY)

S.P. 27 L.D. 41

Sponsored by Senator WOODCOCK of Franklin.
Cosponsored by Representatives: MILLS of Cornville, RECTOR of Thomaston and Senators: BLAIS of Kennebec, DAVIS of Piscataquis.

REFERRED to the Committee on **LEGAL AND VETERANS AFFAIRS** and ordered printed.

Ordered sent down forthwith for concurrence.

Bill "An Act to Rename the Town of Westport"

S.P. 23 L.D. 37

Sponsored by Senator HALL of Lincoln. (BY REQUEST)
Cosponsored by Representative GROSE of Woolwich.

Resolve, to Extend the Reporting Deadline of the Commission to Recognize Veterans of World War II and the Korean War in the State House Hall of Flags (EMERGENCY)

S.P. 26 L.D. 40

Sponsored by Senator GAGNON of Kennebec.

Cosponsored by Representative CLARK of Millinocket and Senators: LEMONT of York, MAYO of Sagadahoc, Representatives: CANAVAN of Waterville, GLYNN of South Portland, PATRICK of Rumford.

REFERRED to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

Ordered sent down forthwith for concurrence.

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Protect the Commercial Fishing Industry

S.P. 24 L.D. 38

Sponsored by Senator BRENNAN of Cumberland.

Cosponsored by Senators: BROMLEY of Cumberland, DAMON of Hancock, HALL of Lincoln, MAYO of Sagadahoc, PENDLETON of Cumberland, STRIMLING of Cumberland, Representatives: DUDLEY of Portland, NORBERT of Portland.

Committee on **TAXATION** suggested and ordered printed.

On motion by Senator **BENNETT** of Oxford, **TABLED** until Later in Today's Session, pending **REFERENCE**.

ORDERS OF THE DAY

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

Bill "An Act to Provide a 5% Increase in the State's Contribution for Insurance for Retired Teachers"

H.P. 39 L.D. 32

Tabled - January 14, 2003, by Senator **GAGNON** of Kennebec

Pending - **REFERENCE**

(In House, January 14, 2003, **REFERRED** to Committee on **LABOR** and ordered printed.)

On motion by Senator **GAGNON** of Kennebec, **REFERRED** to the Committee on **LABOR** and ordered printed, in concurrence.

Senate at Ease.

Senate called to order by President Pro Tem **SHARON A. TREAT** of Kennebec County.

Senator **GAGNON** 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

RECESSED until the sound of the bell.

After Recess

Senate called to order by President Pro Tem **SHARON A. TREAT** of Kennebec County.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Allow Experimentation in the Cultivation of Agricultural Hemp"
H.P. 61 L.D. 53

Comes from the House, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed.

REFERRED to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed, in concurrence.

Resolve, to Fund Scholarships to the Seeds of Peace Camp
H.P. 55 L.D. 47

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

REFERRED to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed, 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 Establish Rent Caps on Property in Southern Maine"
H.P. 50 L.D. 42

Bill "An Act to Amend the Motor Vehicle Franchise Laws"
H.P. 83 L.D. 75

Come from the House, **REFERRED** to the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** and ordered printed.

REFERRED to the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** and ordered printed, in concurrence.

Bill "An Act to Reduce Jail Overcrowding"
H.P. 56 L.D. 48

Comes from the House, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed.

REFERRED to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed, 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 School Districts with Authority to Address the Problem of Truancy"
H.P. 68 L.D. 60

Bill "An Act To Clarify the Intent of School Budget Referendum Language"
H.P. 77 L.D. 69

Come from the House, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.

REFERRED to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed, 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 Continue To Allow Young Adults To Remain in Foster Care after Turning 18 Years of Age"
H.P. 51 L.D. 43

Resolve, to Change MaineCare Prior Authorization Procedures for Certain Women's Health Care Procedures
H.P. 52 L.D. 44

Bill "An Act to Keep Foster Children Safe and Healthy"
H.P. 63 L.D. 55

Bill "An Act to Extend the Long-term Care Implementation Committee" (EMERGENCY)
H.P. 65 L.D. 57

Resolve, to Expand the Choices of People Seeking Mental Health Therapy Under the MaineCare Program
H.P. 66 L.D. 58

Bill "An Act to Adjust MaineCare Reimbursement Rates"
H.P. 67 L.D. 59

Bill "An Act to Promote Public Awareness of Parkinson's Disease"
H.P. 69 L.D. 61

Bill "An Act Regarding the Billing for Medical Supplies by a Health Care Provider"
H.P. 73 L.D. 65

Bill "An Act to Make the Children's Ombudsman Program an Independent Office"
H.P. 81 L.D. 73

Come from the House, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

REFERRED to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed, in concurrence.

Bill "An Act to Promote Equity Among Health Care Clinics"

H.P. 70 L.D. 62

Committee on **HEALTH AND HUMAN SERVICES** suggested and ordered printed.

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

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

Bill "An Act to Provide a Method of Compensation for Personal Injuries Caused by Sidestream Tobacco Smoke"

H.P. 82 L.D. 74

Committee on **HEALTH AND HUMAN SERVICES** suggested and ordered printed.

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

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 to Implement the Recommendations from the Programmatic Review of the State's Inland Fisheries Management Program"

H.P. 57 L.D. 49

Comes from the House, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed.

REFERRED to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed, 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 Establish a Living Wage for Maine Citizens"

H.P. 53 L.D. 45

Bill "An Act to Discourage Unfounded Workers' Compensation Disputes"

H.P. 64 L.D. 56

Bill "An Act to Extend the Jurisdiction of the Maine Labor Relations Board to Employees of Public Higher Education Institutions Who Have Been Employed Less than Six Months"

H.P. 76 L.D. 68

Bill "An Act to Ban Strikebreakers"

H.P. 79 L.D. 71

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

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

Bill "An Act to Reduce Workers' Compensation Costs for Self-insured Public Utilities"

H.P. 72 L.D. 64

Committee on **LABOR** suggested and ordered printed.

Comes from the House, **REFERRED** to the Committee on **BANKING AND INSURANCE**.

REFERRED to the Committee on **BANKING AND INSURANCE** and ordered printed, 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 Amend the Liquor Law as it Pertains to Special Taste-testing Festival Licenses"

H.P. 62 L.D. 54

Comes from the House, **REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS** and ordered printed.

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

Bill "An Act To Allow Free Clinics To Purchase Medications and Supplies through State Contracts"

H.P. 54 L.D. 46

Bill "An Act to Amend Certain Provisions of the Program Evaluation and Government Accountability Laws"

H.P. 59 L.D. 51

Bill "An Act to Repeal the Mandate to Perambulate the Municipal Boundary Lines when there is No Boundary Dispute"

H.P. 74 L.D. 66

Come from the House, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

REFERRED to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed, in concurrence.

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

PAPERS FROM THE HOUSE

House Papers

Resolve, Requiring that the Waldo-Hancock Bridge be Replaced (EMERGENCY)

H.P. 58 L.D. 50

Bill "An Act to Protect Motor Vehicles From Dangerous Pedestrians"

H.P. 71 L.D. 63

Come from the House, **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed.

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

Bill "An Act to Ensure that Utility Property is used to Further the Public Interest"

H.P. 75 L.D. 67

Comes from the House, **REFERRED** to the Committee on **UTILITIES AND ENERGY** and ordered printed.

REFERRED to the Committee on **UTILITIES AND ENERGY** and ordered printed, in concurrence.

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

PAPERS FROM THE HOUSE

Joint Resolution

The following Joint Resolution:

H.P. 86

**JOINT RESOLUTION MEMORIALIZING THE DEPARTMENT OF LABOR TO
ABANDON PLANS TO CONSOLIDATE OSHA OFFICES
IN THE STATE OF MAINE**

WE, your Memorialists, the Members of the One Hundred and Twenty-first Legislature of the State of Maine now assembled in the First Regular Session, most respectfully present and petition the United States Department of Labor, Occupational Safety and Health Administration as follows:

WHEREAS, the United States Department of Labor, Occupational Safety and Health Administration is proposing to consolidate the Bangor and Portland offices in the State of Maine to one location in Augusta; and

WHEREAS, this consolidation will leave Maine with just one office while the remaining New England states, except Vermont, will have 7 OSHA offices to cover much smaller geographic areas; and

WHEREAS, this consolidation will do a disservice to Maine employers and workers alike, as Maine's geographic area is almost as large as the other New England states combined; and

WHEREAS, this consolidation is not required by either budget or program consideration; and

WHEREAS, this planned consolidation will in effect abandon the large areas north and east of Augusta, having an adverse effect on workers' safety and health; now, therefore be it

RESOLVED: That We, your Memorialists, oppose the combining of the 2 OSHA offices into one, which will only serve to expand the territory that the office can serve; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the members of the Maine Congressional Delegation and to Mr. John Henshaw of the Department of Labor, Occupational Safety and Health Administration in Washington, D.C.

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

READ and **ADOPTED**, in concurrence.

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

PAPERS FROM THE HOUSE

Joint Order

The following Joint Order:

H.P. 85

ORDERED, the Senate concurring, that Joint Rule 301, subsection 5 is amended to read:

5. Other Tasks. Performing other tasks assigned to them, including, but not limited to, reviewing specific provisions of law, conducting studies on assigned topics, issuing reports on policy and legal issues of interest to the Legislature, reporting out specific legislation pursuant to joint order and authorizing the annual budgets of certain counties.

There are 17 joint standing committees, which must be appointed at the commencement of the first regular session and which exercise jurisdiction in the following areas:

Agriculture, conservation and forestry
Appropriations and financial affairs
Banking and insurance
~~Business and economic development~~ Business, research and economic development
Criminal justice
Education and cultural affairs
Health and human services
Inland fisheries and wildlife
Judiciary
Labor
Legal and veterans affairs
Marine resources
Natural resources
State and local government
Taxation
Transportation
Utilities and energy

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

Joint Order

The following Joint Order:

H.P. 49

ORDERED, the Senate concurring, that the Joint Standing Committee on Utilities and Energy shall examine the structure of the fees imposed on businesses for the E-9-1-1 system, including, but not limited to, the current phone line limitation. The committee also shall study the costs that have been imposed upon municipalities, including the costs of signs and mapping that were necessary to implement the E-9-1-1 system, and methods of returning some of those expenditures to those municipalities.

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

READ and **PASSED**, in concurrence.

ORDERS OF THE DAY

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

Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$10,000,000 to Promote Affordable Housing"

S.P. 25 L.D. 39

Tabled - January 16, 2003, by Senator **BROMLEY** of Cumberland

Pending - **REFERENCE**

(Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** suggested and ordered printed.)

On motion by Senator **BROMLEY** of Cumberland, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**.

Ordered sent down forthwith for concurrence.

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

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Protect the Commercial Fishing Industry

S.P. 24 L.D. 38

Tabled - January 16, 2003, by Senator **BENNETT** of Oxford

Pending - **REFERENCE**

(Committee on **TAXATION** suggested and ordered printed.)

On motion by Senator **DAMON** of Hancock, **REFERRED** to the Committees on **MARINE RESOURCES** and **TAXATION**.

Ordered sent down forthwith for concurrence.

Off Record Remarks

Senate at Ease.

Senate called to order by President Pro Tem **SHARON A. TREAT** of Kennebec County.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Ease Congestion in the Courts"

H.P. 84 L.D. 76

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

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

Bill "An Act to Strengthen the Governor's Council on Landowner Relations"

H.P. 60 L.D. 52

Committee on **JUDICIARY** suggested and ordered printed.

Comes from the House, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE**.

REFERRED to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed, in concurrence.

Bill "An Act to Improve Juvenile Rehabilitation"

H.P. 80 L.D. 72

Committee on **JUDICIARY** suggested and ordered printed.

Comes from the House, **REFERRED** to the Committee on **CRIMINAL JUSTICE**.

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

Off Record Remarks

Senate at Ease.

Senate called to order by President Pro Tem **SHARON A. TREAT** of Kennebec County.

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

PAPERS FROM THE HOUSE

Joint Order

The following Joint Order:

H.P. 88

ORDERED, the Senate concurring, that the Joint Rules be amended by adding a new Joint Rule 316 to read:

Rule 316. Penobscot Nation and Passamaquoddy Tribe.

The member of the Penobscot Nation and the member of the Passamaquoddy Tribe elected to represent their people at the biennial session of the Legislature must be granted seats on the floor of the House of Representatives; be granted, by consent of the Speaker, the privilege of speaking on pending legislation; must be appointed to sit with joint standing committees as nonvoting members during the committees' deliberations; and be granted such other rights and privileges as may from time to time be voted by the House of Representatives. In reports from committees on which a tribal member serves, the position of the member must be noted and included.

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

READ and **PASSED**, in concurrence.

On motion by Senator **GAGNON** of Kennebec, **ADJOURNED**, pursuant to the Joint Order, to Tuesday, January 21, 2003, at 10:00 in the morning.