

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

Senate Legislative Record
One Hundred and Twenty-First Legislature
State of Maine

Volume II

First Regular Session (Continued)
May 21, 2003 to June 14, 2003

First Special Session
August 21, 2003 to August 22, 2003

First Confirmation Session
October 30, 2003

Second Regular Session
January 7, 2004 to January 30, 2004

Second Special Session
February 3, 2004 to March 18, 2004

Pages 715 - 1415

ROLL CALL (#251)

YEAS: Senators: BENNETT, BRENNAN, BROMLEY, BRYANT, DAVIS, EDMONDS, GILMAN, HALL, HATCH, KNEELAND, MARTIN, MAYO, NASS, SAVAGE, SAWYER, WOODCOCK, YOUNGBLOOD, THE PRESIDENT PRO TEM – SHARON A. TREAT

NAYS: Senators: BLAIS, CARPENTER, CATHCART, DAMON, DOUGLASS, GAGNON, LAFOUNTAIN, LEMONT, MITCHELL, PENDLETON, ROTUNDO, STANLEY, STRIMLING, TURNER, WESTON

ABSENT: Senator: SHOREY

EXCUSED: Senator: DAGGETT

18 Senators having voted in the affirmative and 15 Senators having voted in the negative, with 1 Senator being absent and 1 Senator being excused, the motion by Senator **MARTIN** of Aroostook to **ADOPT** Senate Amendment "A" (S-421) to Committee Amendment "A" (H-636), **PREVAILED**.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#252)

YEAS: Senators: BLAIS, BROMLEY, BRYANT, CARPENTER, CATHCART, DAMON, DAVIS, DOUGLASS, GAGNON, GILMAN, HATCH, KNEELAND, LAFOUNTAIN, LEMONT, MARTIN, MAYO, MITCHELL, PENDLETON, SAVAGE, STANLEY, STRIMLING, TURNER, WESTON, YOUNGBLOOD, THE PRESIDENT PRO TEM – SHARON A. TREAT

NAYS: Senators: BENNETT, BRENNAN, EDMONDS, HALL, NASS, ROTUNDO, SAWYER, WOODCOCK

ABSENT: Senator: SHOREY

EXCUSED: Senator: DAGGETT

25 Senators having voted in the affirmative and 8 Senators having voted in the negative, with 1 Senator being absent and 1 Senator being excused, Committee Amendment "A" (H-636) as Amended by Senate Amendment "A" (S-421) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#253)

YEAS: Senators: BLAIS, BROMLEY, BRYANT, CARPENTER, CATHCART, DAMON, DAVIS, DOUGLASS, GAGNON, GILMAN, HATCH, LAFOUNTAIN, LEMONT, MARTIN, MAYO, MITCHELL, PENDLETON, SAVAGE, STANLEY, STRIMLING, TURNER, WESTON, YOUNGBLOOD

NAYS: Senators: BENNETT, BRENNAN, EDMONDS, HALL, KNEELAND, NASS, ROTUNDO, SAWYER, WOODCOCK, THE PRESIDENT PRO TEM – SHARON A. TREAT

ABSENT: Senator: SHOREY

EXCUSED: Senator: DAGGETT

23 Senators having voted in the affirmative and 10 Senators having voted in the negative, with 1 Senator being absent and 1 Senator being excused, the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-636) AS AMENDED BY SENATE AMENDMENT "A" (S-421)** thereto, in **NON-CONCURRENCE**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (2/25/04) Assigned matter:

Bill "An Act To Make Polling Places More Convenient"
H.P. 1216 L.D. 1639

Tabled - February 25, 2004, by Senator **GAGNON** of Kennebec

Pending - motion by same Senator to **INDEFINITELY POSTPONE** Committee Amendment "A" (H-698), in concurrence

(In House, February 24, 2004, **PASSED TO BE ENGROSSED**.)

(In Senate, February 25, 2004, Report **READ** and **ACCEPTED**. **READ ONCE**. Committee Amendment "A" (H-698) **READ**.)

On motion by Senator **GAGNON** of Kennebec, Committee Amendment "A" (H-698) **INDEFINITELY POSTPONED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Chair laid before the Senate the following Tabled and Later (3/4/04) Assigned matter:

Bill "An Act To Make Emergency Changes to Recent Law"
(EMERGENCY)

H.P. 1404 L.D. 1897

Tabled - March 4, 2004, by Senator **GAGNON** of Kennebec

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

(In House, March 2, 2004, **PASSED TO BE ENGROSSED**, without reference to a Committee.)

(In Senate, March 4, 2004, **READ A SECOND TIME**.)

On motion by Senator **PENDLETON** of Cumberland, Senate Amendment "A" (S-416) **READ**.

THE PRESIDENT PRO TEM: The Chair recognizes the Senator from Cumberland, Senator Pendleton.

Senator **PENDLETON**: Thank you, Madame President. Just so everyone knows what we are doing here, this is an amendment to the errors bill. The amendment clarifies the application of Public Law 2003, chapter 456. This was an act to protect against unfair prescription drug prices. What happened in the original bill is that it did not specify how the law would apply to previously entered contracts. What this amendment does is allows those contracts that were not already settled to have a date certain set back so that they can have time to not be caught in-between. Thank you.

On further motion by Senator **PENDLETON** of Cumberland, Senate Amendment "A" (S-416) **ADOPTED**.

PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-416), in NON-CONCURRENCE.

Sent down for concurrence.

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

PAPERS FROM THE HOUSE

House Paper

Pursuant to Resolve

Commission to Study the Scope and Quality of Citizenship Education

The **Commission to Study the Scope and Quality of Citizenship Education**, pursuant to Resolve 2003, chapter 85, section 8 and chapter 101, section 3 asked leave to report that the accompanying Resolve, To Implement the Recommendations of the Commission To Study the Scope and Quality of Citizenship Education

H.P. 1417 L.D. 1915

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

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

On motion by Senator **DOUGLASS** of Androscoggin, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218, in concurrence.

All matters thus acted upon were ordered sent down forthwith for concurrence.

Senate at Ease.

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

Off Record Remarks

Senator **HATCH** of Somerset 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.

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

On motion by Senator **GAGNON** of Kennebec, **ADJOURNED**, to Wednesday, March 10, 2004, at 10:00 in the morning.