

# MAINE STATE LEGISLATURE

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

Volume III

Second Special Session (Continued)  
March 22, 2004 to April 30, 2004

Second Confirmation Session  
August 25, 2004

Interim Appendix

Senate Legislative Sentiments

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Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-881)**.

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

**READ ONCE.**

Committee Amendment "A" (H-881) **READ**.

On motion by Senator **BRYANT** of Oxford, Senate Amendment "A" (S-509) to Committee Amendment "A" (H-881) **READ**.

On motion by Senator **BENNETT** of Oxford, **TABLED** until Later in Today's Session, pending the motion by Senator **BRYANT** of Oxford to **ADOPT** Senate Amendment "A" (S-509) to Committee Amendment "A" (H-881).

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

**REPORTS OF COMMITTEES**

**House**

**Ought to Pass As Amended**

The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Establish the Department of Health and Human Services"  
H.P. 1414 L.D. 1913

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-890)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-890)**.

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

**READ ONCE.**

Committee Amendment "A" (H-890) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

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The Committee on **JUDICIARY** on Bill "An Act To Clarify the Responsibilities under the Adult Protective Services Act"  
H.P. 1287 L.D. 1765

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-887)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-887)**.

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

**READ ONCE.**

Committee Amendment "A" (H-887) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

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The Committee on **UTILITIES AND ENERGY** on Bill "An Act To Promote Economic Development in the State by Encouraging the Production of Electricity from Renewable and Indigenous Resources"

H.P. 1429 L.D. 1929

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-886)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-886)**.

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

**READ ONCE.**

Committee Amendment "A" (H-886) **READ**.

**THE PRESIDENT:** The Chair recognizes the Senator from Lincoln, Senator Hall.

Senator **HALL:** Thank you, Madame President, men and women of the Senate. Although I don't wish to hold up our proceedings any longer than necessary, I do feel that it is important, after a discussion with some of the interested parties and with the Public Utilities Commission, to read certain items into the record regarding this bill in order to clarify its legislative history. First, I'd like to take a moment to thank the good Senator from Penobscot, Senator Youngblood, for his work in forging a coconscious on this bill that permitted this very complicated Governor's bill to be reported out unanimously.

I'd just like to make three points for the record if I may, Madame President. The first is this, the words 'constructed after March 1, 2004' mean what the words commonly mean and which common sense dictates. This passage refers to new generating facilities at new sites. It does not mean repaired, replaced, relocated, repowered, or expanded. My second point, due to the lateness of proposals that were made to the committee in regard to L.D. 1929, the committee did not take public testimony on the provision that relates to hedging by the purchase of renewals by the commission or standard offer provider. Accordingly, we expect the commission, in the development of its major substantive rule to listen carefully to all concerns and to report them to the legislature and that they be considered by the 122<sup>nd</sup> legislature in 2005. The committee does not wish the next legislature to have to duplicate the PUC hearings in this matter. Finally, Madame President, I wish it to be clear in the record that the legislature is aware of recent changes in the duration of the

standard offer periods for different classes of customers and does not expect these to change solely to accommodate the hedging concept in L.D. 1929. I am speaking here especially with regard to the large industrial standard offer period. Thank you very much.

Committee Amendment "A" (H-886) **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

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

**ENACTORS**

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

**Acts**

An Act To Promote the Public Interest by Providing for Reasonable Rates of Compensation for Forest Products Harvesting and Hauling Services

H.P. 972 L.D. 1318  
(H "A" H-864 to C "C" H-848)

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

An Act To Exempt Unemployment Benefits from State Income Tax

H.P. 1267 L.D. 1745  
(C "A" H-755; H "A" H-813)

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

**Resolve**

Resolve, To Promote Transparency in Budgeting

H.P. 1302 L.D. 1780  
(C "A" H-807)

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

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

**PAPERS FROM THE HOUSE**

**Joint Resolution**

The following Joint Resolution:

H.P. 1461

**JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO CONTINUE ITS SUPPORT AND ADVOCACY FOR THE MILITARY BASES IN MAINE**

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

WHEREAS, within the year, Secretary of Defense Donald Rumsfeld, through the Base Realignment and Closure (BRAC) Commission, will make recommendations about which military installations are to be considered for closure in cost-cutting measures for the military and has indicated that reductions may total 25% or an estimated 100 bases; and

WHEREAS, the State of Maine has 3 distinct and important military installations that are potentially at risk for closure: the naval shipyard in Kittery, the Naval Air Station Brunswick and the Naval Computer and Telecommunications Area Master Station, Atlantic Cutler Detachment; and

WHEREAS, the naval shipyard in Kittery is one of only 4 public shipyards in the Nation, is vital to our maritime strength and is of major importance to 2 states' local economies; and

WHEREAS, Naval Air Station Brunswick is the only fully capable air base in the northeastern United States, does not encroach on the civilian community and has plenty of space for expansion, even for housing other branches of the military. Naval Air Station Brunswick is on the coast, and aircraft can take off and land without flying over major centers of population; and

WHEREAS, the Cutler detachment's primary mission is Very Low Frequency communications with submarines in the Atlantic Ocean and Mediterranean Sea; the installation has the most powerful radio transmitter in the world and is staffed with 84 civil service workers, who ensure the signal stays in the wind to the submarine fleet; and

WHEREAS, the people of the State of Maine have long been at the forefront of our Nation's defense, are first to join and send troops in any conflict and have a strong tradition of support and appreciation for the bases within our borders; now, therefore, be it

**RESOLVED:** That We, your Memorialists, take this opportunity to convey our appreciation for the advocacy and support for our 3 bases that the Congress of the United States and the Maine Congressional Delegation have provided over the years, and we strongly urge the Congress of the United States to consider the importance of these installations in this time of war on terrorism and the vital need to protect our Nation; 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 Senate, to the Speaker of the