

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

Emergency Measure

An Act to Facilitate Water Well Drilling if Necessitated by
Emergency Drought Conditions

S.P. 795 L.D. 2150
(C "A" S-469)

This being an Emergency Measure and having received the affirmative vote of 31 Members of the Senate, with no Senators having voted in the negative, and 31 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.

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:

Emergency Resolve

Resolve, Directing the Department of Public Safety, Maine Emergency Medical Services, Medical Direction and Practices Board to Review and Update Protocols for Training Basic Emergency Medical Technicians to Administer Epinephrine

H.P. 1536 L.D. 2039
(C "A" H-864)

This being an Emergency Measure and having received the affirmative vote of 31 Members of the Senate, with no Senators having voted in the negative, and 31 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Emergency Resolve

Resolve, Regarding Legislative Review of Chapters I to IV: Regulations Governing the Licensing and Functioning of Assisted Living Facilities, a Major Substantive Rule of the Department of Human Services

H.P. 1547 L.D. 2050
(C "A" H-905)

This being an Emergency Measure and having received the affirmative vote of 31 Members of the Senate, with no Senators having voted in the negative, and 31 being more than two-thirds of the entire elected Membership of the Senate, was **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:

ENACTORS

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

Acts

An Act to Clarify the Status of Henderson Brook Bridge
S.P. 703 L.D. 1905
(C "A" S-471)

An Act to Clarify the Application of the Freedom of Access Laws to Certain Proceedings and Records of the Maine Technology Institute

S.P. 712 L.D. 1914
(H "A" H-915 to C "A" S-452)

An Act to Amend the Animal Health and Disease Control Laws
S.P. 724 L.D. 1965
(C "A" S-470)

An Act to Amend the Laws Regarding Public Health
H.P. 1525 L.D. 2029
(C "A" H-904)

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

An Act to Aid Implementation of the Maine Medical Marijuana Act of 1998

S.P. 183 L.D. 611
(C "A" S-451)

Senator **SMALL** of Sagadahoc requested a Division.

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Rand.

Senator **RAND:** Thank you, Mr. President, men and women of the Senate. I hope you will vote to enact this piece of legislation. I would like to inform the body that the bill that you have before you is an amended bill. It replaces the original. It clarifies the definition of designated caregiver for a patient eligible to use marijuana for medical purposes. It does increase the amount of harvested marijuana that may be possessed for medical purposes from 1.25 ounces to 2.5 ounces. It does not increase the number of plants that a person may have, but it does increase by about an ounce the amount available for use. The purpose behind that will become clear when I continue with this explanation. It adds an affirmative defense provision to clarify that an eligible patient or designated caregiver has an affirmative defense under the law, passed as the citizen initiative in 1999. It removes from the bill the provision that would have established a non-profit distribution center governed by a community board and mandatory registration system. The reason that the amount of usable marijuana on hand was increased that little bit was to take care of the section of this amendment that expands slightly the people who can be called healthcare providers. That would be to a family member. It just expands it a little bit. This is a very, very

modest approach to try to fulfill the will of the people who passed this initiative, overwhelmingly, without actually going to a pilot program and a distribution center. So I would ask you to please support enactment at this time. Thank you.

At the request of Senator **SMALL** of Sagadahoc a Division was had. 17 Senators having voted in the affirmative and 15 Senators having voted in the negative, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Senate at Ease.

Senate called to order by the President.

An Act to Amend the County Jail Prisoner Support and Community Corrections Fund

S.P. 810 L.D. 2175

On motion by Senator **GOLDTHWAIT** of Hancock, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **ENACTMENT**, 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:

Resolve

Resolve, to Reduce Pollution of Androscoggin Lake by Repairing and Altering the Existing State-owned Barrier on Dead River in Leeds

H.P. 1465 L.D. 1962
(C "A" H-902)

On motion by Senator **GOLDTHWAIT** of Hancock, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **FINAL PASSAGE**, 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 Private & Special Law**

The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act to Implement the Recommendations of the Commission to Study Assisted Living"

H.P. 1697 L.D. 2195

Reported that the same **Ought to Pass**, pursuant to Private and Special Law 1991, chapter 36.

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

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

Under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, in concurrence.

**Ought to Pass
Pursuant to Joint Order**

The Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** on Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$15,000,000 for Biomedical Research and Development Equipment and Infrastructure"

H.P. 1696 L.D. 2194

Reported that the same **Ought to Pass**, pursuant to Joint Order 2001, H.P. 1610.

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

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

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:

PAPERS FROM THE HOUSE

Joint Order

The following Joint Order: H.P. 1699

ORDERED, the Senate concurring, that the Joint Standing Committee on Legal and Veterans Affairs report out, to the House, legislation regarding reimbursement for stolen lottery tickets.

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

READ.

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