

# MAINE STATE LEGISLATURE

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Senate Legislative Record  
One Hundred and Twentieth Legislature  
State of Maine

Volume 3

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April 2, 2002 to April 24, 2002

Third Confirmation Session  
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First Special Session  
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On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-527) AS AMENDED BY SENATE AMENDMENT "A" (S-532)** thereto.

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (S-527) as Amended by Senate Amendment "A" (S-532) thereto.

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Senate Amendment "A" (S-532) to Committee Amendment "A" (S-527) and **INDEFINITELY POSTPONED** same, in **NON-CONCURRENCE.**

On further motion by same Senator, Senate Amendment "B" (S-604) to Committee Amendment "A" (S-527) **READ** and **ADOPTED.**

Committee Amendment "A" (S-527) as Amended by Senate Amendment "B" (S-604) thereto, **ADOPTED**, in **NON-CONCURRENCE.**

**PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-527) AS AMENDED BY SENATE AMENDMENT "B" (S-604)** thereto, in **NON-CONCURRENCE.**

Under suspension of the Rules, ordered sent down forthwith for concurrence.

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On motion by Senator **GOLDTHWAIT** of Hancock, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Establish the Maine Consumer Choice Health Plan  
S.P. 793 L.D. 2146  
(S "A" S-548 to C "A" S-530)

Tabled - April 5, 2002, by Senator **GOLDTHWAIT** of Hancock

Pending - **ENACTMENT**, in concurrence

(In Senate, April 2, 2002, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-530) AS AMENDED BY SENATE AMENDMENT "A" (S-548)** thereto.)

(In House, April 5, 2002, **PASSED TO BE ENACTED.**)

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-530) AS AMENDED BY SENATE AMENDMENT "A" (S-548)** thereto.

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (S-530) as Amended by Senate Amendment "A" (S-548) thereto.

On further motion by same Senator, Senate Amendment "B" (S-606) to Committee Amendment "A" (S-530) **READ** and **ADOPTED.**

Committee Amendment "A" (S-530) as Amended by Senate Amendments "A" (S-548) and "B" (S-606) thereto, **ADOPTED**, in **NON-CONCURRENCE.**

**PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-530) AS AMENDED BY SENATE AMENDMENTS "A" (S-548) AND "B" (S-606)** thereto, in **NON-CONCURRENCE.**

Under suspension of the Rules, ordered sent down forthwith for concurrence.

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On motion by Senator **GOLDTHWAIT** of Hancock, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

**Resolve**

Resolve, to Study the Impact of a Maine-based Casino on the Economy, Transportation Infrastructure, State Revenues and the Job Market

H.P. 1700 L.D. 2200  
(S "B" S-560 to C "A" H-1035)

Tabled - April 4, 2002, by Senator **GOLDTHWAIT** of Hancock

Pending - **FINAL PASSAGE**, in concurrence

(In Senate, April 3, 2002, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1035) AS AMENDED BY SENATE AMENDMENT "B" (S-560)** thereto, in concurrence.)

(In House, April 4, 2002, **FINALLY PASSED.**)

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Resolve was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1035) AS AMENDED BY SENATE AMENDMENT "B" (S-560)** thereto, in **NON-CONCURRENCE**.

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (H-1035) as Amended by Senate Amendment "B" (S-560) thereto, in **NON-CONCURRENCE**.

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Senate Amendment "B" (S-560) to Committee Amendment "A" (H-1035) and **INDEFINITELY POSTPONED** the same, in **NON-CONCURRENCE**.

On further motion by same Senator, Senate Amendment "D" (S-605) to Committee Amendment "A" (H-1035) **READ** and **ADOPTED**.

Committee Amendment "A" (H-1035) as Amended by Senate Amendment "D" (S-605) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

The Chair ordered a Division.

**THE PRESIDENT:** The Chair recognizes the Senator from Washington, Senator Shorey.

Senator **SHOREY:** Thank you, Mr. President, men and women of the Senate. I'd like to remind you that this is not a referendum of whether we should have a casino or not. It is merely whether we should study the issues and be apprised of all the information that is available to us. So I would urge you to vote yes. Thank you.

The Chair ordered a Division. 20 Senators having voted in the affirmative and 15 Senators having voted in the negative, was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1035) AS AMENDED BY SENATE AMENDMENT "D" (S-605)** thereto, in **NON-CONCURRENCE**.

Under suspension of the Rules, ordered sent down forthwith for concurrence.

On motion by Senator **GOLDTHWAIT** of Hancock, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

**Resolve**

Resolve, to Allow Julie Harrington to Sue the State  
H.P. 1659 L.D. 2165  
(C "A" H-1045)

Tabled - April 4, 2002, by Senator **GOLDTHWAIT** of Hancock

Pending - **FINAL PASSAGE**, in concurrence

(In Senate, April 3, 2002, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1045)**, in concurrence.)

(In House, April 4, 2002, **FINALLY PASSED**.)

Senator **GOLDTHWAIT** of Hancock moved the Resolve and accompanying papers be **INDEFINITELY POSTPONED**, in **NON-CONCURRENCE**.

At the request of Senator **DOUGLASS** of Androscoggin a Division was had. 9 Senators having voted in the affirmative and 26 Senators having voted in the negative, the motion by Senator **GOLDTHWAIT** of Hancock to **INDEFINITELY POSTPONED** the Resolve and accompanying papers, in **NON-CONCURRENCE**, **FAILED**.

**THE PRESIDENT:** The Chair recognizes the Senator from Hancock, Senator Goldthwait.

Senator **GOLDTHWAIT:** Thank you, Mr. President. Since this bill has a fiscal note of \$30,000 and there is no funding provided, which would create an unbalanced budget, would it be appropriate to refer this bill to the Appropriations Table?

**THE PRESIDENT:** Is the Senator posing a rhetorical question or asking the Chair for a ruling?

Senator **GOLDTHWAIT:** I am asking if a motion is in order to placed this bill on the Special Appropriations Table?

**THE PRESIDENT:** The Chair would answer in the affirmative.

Senator **GOLDTHWAIT** of Hancock moved the Resolve and accompanying papers be placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **ENACTMENT**, in concurrence.

Senator **TREAT** of Kennebec requested a Division.

**THE PRESIDENT:** The Chair recognizes the Senator from Sagadahoc, Senator Small.

Senator **SMALL:** I wish to pose a question through the chair.

**THE PRESIDENT:** The Senator may pose her question.

Senator **SMALL:** The last time I dealt with a bill, that I actually paid attention to, that allowed someone to sue the state, I learned that there was a fund set up that would fund these if the person was successful in their suit against the state. I guess my question would be, would this be a situation where that fund would be accessed or does there need to be money just to pursue it up to that point?