

# MAINE STATE LEGISLATURE

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Senate Legislative Record  
One Hundred and Twenty-Second Legislature

State of Maine

Daily Edition

First Special Session  
April 4, 2005 to June 17, 2005

Pages 411 - 1350

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:

**Act**

An Act To Implement Certain Recommendations of the Commission To Study Maine's Community Hospitals  
S.P. 620 L.D. 1673  
(C "A" S-356)

On motion by Senator **MAYO** of Sagadahoc, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-356)**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (S-356).

On further motion by same Senator, Senate Amendment "A" (S-363) to Committee Amendment "A" (S-356) **READ**.

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

Senator **MAYO:** Thank you, Madame President, ladies and gentlemen of the Senate. Senate Amendment "A" (S-356) has two parts, as is indicated in the summary. The first part came up yesterday in a discussion, which was a rather heated discussion at times, of another piece of legislation. This amendment, which I trust will receive a favorable response in this body, requires that the rule making provisions of the Maine Administrative Procedures Act apply to rule making by the Governor's Office of Health Policy and Finance. Hopefully this will cover the issue that we had yesterday that caused the tabling of an item on our calendar. The amendment also directs that legislative oversight of Dirigo Health be governed by the joint rules and requires consideration of insuring thorough and ongoing oversight of Dirigo Health. That is the amendment. At one point there were going to be two specific documents but it came out of the Revisor's Office in one. I would hope, as I said earlier, that this document now answers the questions that came up from the good Senator from Hancock and the good Senator from Aroostook and my seatmate, the Senator from Kennebec on the issue of the APA and Governor's Office of Health Policy and Finance/Dirigo. I would urge acceptance of this amendment.

On further motion by same Senator, Senate Amendment "A" (S-363) to Committee Amendment "A" (S-356) **ADOPTED**.

Committee Amendment "A" (S-356) as Amended by Senate Amendment "A" (S-363) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

**PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-356) AS AMENDED BY SENATE AMENDMENT "A" (S-363)** thereto, in **NON-CONCURRENCE**.

Ordered sent down forthwith for 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 Regarding Advertising by Drug Manufacturers and Disclosure of Clinical Trials  
H.P. 1141 L.D. 1618  
(H "A" H-675 to C "A" H-661)

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

An Act To Contain Costs, Reduce Paperwork and Streamline the Regulatory Process for Maine's Small Businesses  
S.P. 443 L.D. 1263  
(H "A" H-678 to C "A" S-348)

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

**ORDERS OF THE DAY**

The Chair laid before the Senate the following Tabled and Later (6/9/05) Assigned matter:

HOUSE REPORTS - from the Committee on **HEALTH AND HUMAN SERVICES**, pursuant to the Maine Revised Statutes, Title 5, section 8072, on Resolve, Regarding Legislative Review of Chapter 101: Establishment of the Capital Investment Fund, a Major Substantive Rule of the Governor's Office of Health Policy and Finance (EMERGENCY)

H.P. 36 L.D. 33

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-636)** (8 members)

Minority - **Ought to Pass as Amended by Committee Amendment "B" (H-637)** (5 members)

Tabled - June 9, 2005, by Senator **MARTIN** of Aroostook