

# MAINE STATE LEGISLATURE

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

Volume 1

First Regular Session  
December 4, 2002 to May 20, 2003

Pages 1 - 714

**STATE OF MAINE  
ONE HUNDRED AND TWENTY-FIRST LEGISLATURE  
FIRST REGULAR SESSION  
JOURNAL OF THE SENATE**

In Senate Chamber  
Tuesday  
March 25, 2003

Senate called to order by President Beverly C. Daggett of  
Kennebec County.

Prayer by Reverend Timothy Haynes, Calvary Pentecostal  
Church in Madison.

**REVEREND HAYNES:** Thank you. Would you please join me in  
prayer.

Lord, God of heaven, creator of all things, I acknowledge  
today that You rule supremely over all that You have made. I  
come before Your throne to ask Your mercy toward us in our time  
of need. I know that You are not the author of confusion, hunger,  
disease, suffering, hatred, violence, and abuse, since they are the  
result of man's degenerate condition and the corruption that is in  
our hearts. I thank You for the redemption You have provided  
through the cross of Christ and pray that You would save us from  
our sins and our failures. Strengthen us by Your spirit within us.  
Make us able to know and do Your will today.

Father, I represent our nation before You. The United States  
of America is in great need of Your assistance today. Not only  
are we at war in Iraq, but great passions divide us at home as  
well. We're hated by many, some even wish to destroy this  
nation which You've raised up to be a sanctuary and defender of  
freedom. Help us and defend us, Lord, and don't let our enemies  
triumph over us. Forgive us for trusting too much in our weapons  
and skill and remind us, again, that if it were not for Your divine  
aide, we would quickly fall.

Unite us Father, as we pray for our nation while we are in  
peril. We pray for our President, that he would have wisdom and  
insight; for the Congress; and for our military commanders, that  
their decisions and leadership would bring us success and peace.  
We pray especially for the young men and women who, right now,  
are facing mortal danger in our defense. God, strengthen them  
and help them.

Dear God, please comfort the families of those who fall in  
battle and assure them that their loss is felt by all of us who value  
life. Our own State of Maine has already been saddened by the  
loss of our soldiers and I ask for Your protection on all of them,  
that the loss of lives be miraculously small. I pray also for the  
people of Iraq, that You would protect them against the loss of  
innocent lives.

But those are not the only casualties and victims for which I  
pray today. I pray for the children in our land and in our state who  
suffer from abuse and neglect. I pray for the women who are  
battered and abused. I pray for those who are hungry and  
without the ability to even provide for themselves and their  
families. Help us meet our responsibility to defend the weak and  
helpless, to feed the hungry, house the homeless, and share our  
blessings with those in need.

As this Senate meets today, I ask that you would give the  
ladies and gentlemen of this body wisdom, compassion, and

sound judgment. Grant them the ability to know which decisions  
will benefit and improve the lives of the citizens of this state. Give  
them the moral strength to do what is right. Lead them in paths of  
righteousness, Lord. I thank You for them and for their  
willingness to give of their time and abilities in service to the  
people of Maine. Bless them, Father, unite them in one heart and  
mind for the good of the people whom they serve. May Your will  
be accomplished in this room today. Amen.

Pledge of Allegiance led by Senator Richard Kneeland of  
Arroostook County.

Doctor of the day, Lisa Letourneau, M.D. of Scarborough.

Reading of the Journal of Thursday, March 20, 2003.

Off Record Remarks

**COMMUNICATIONS**

The Following Communication: S.C. 110

**121<sup>ST</sup> LEGISLATURE  
JOINT STANDING COMMITTEE ON  
LABOR**

March 19, 2003

The Honorable Beverly C. Daggett  
President of the Senate of Maine  
121<sup>ST</sup> Maine Legislature  
State House  
Augusta, Maine 04333-0003

Dear Madame President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule  
505 of the 121<sup>st</sup> Maine Legislature, the Joint Standing Committee  
on Labor has had under consideration the nomination of P.  
Vincent O'Malley of Portland, for appointment as the Labor  
Representative of the Maine Unemployment Insurance  
Commission.

After public hearing and discussion on this nomination, the  
Committee proceeded to vote on the motion to recommend to the  
Senate that this nomination be confirmed. The Committee Clerk  
called the roll with the following result:

YEAS	Senators	2	Edmonds of Cumberland, Blais of Kennebec
------	----------	---	---

Representatives 9 Smith of Van Buren, Cressey of Baldwin, Hatch of Skowhegan, Heidrich of Oxford, Hutton of Bowdoinham, Jackson of Fort Kent, Nutting of Oakland, Treadwell of Carmel, Watson of Bath

Representative of the Maine Unemployment Insurance Commission was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

NAYS 0

ABSENT 2 Rep. Patrick of Rumford, Sen. Stanley of Penobscot

Eleven members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of P. Vincent O'Malley of Portland, for appointment as the Labor Representative of the Maine Unemployment Insurance Commission be confirmed.

Signed,

S/Betheda G. Edmonds  
Senate Chair

S/William J. Smith  
House Chair

# **READ and ORDERED PLACED ON FILE.**

The President laid before the Senate the following: "Shall the recommendation of the Committee on **LABOR** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 121<sup>st</sup> Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

## **ROLL CALL (#26)**

YEAS: Senators: None

NAYS: Senators: BLAIS, BRENNAN, BROMLEY, BRYANT, CARPENTER, CATHCART, DAMON, DAVIS, DOUGLASS, EDMONDS, GAGNON, GILMAN, HALL, HATCH, KNEELAND, LAFOUNTAIN, LEMONT, MARTIN, MAYO, MITCHELL, NASS, ROTUNDO, SAVAGE, SAWYER, SHOREY, STANLEY, STRIMLING, TREAT, TURNER, WESTON, WOODCOCK, YOUNGBLOOD, THE PRESIDENT - BEVERLY C. DAGGETT

ABSENT: Senators: BENNETT, PENDLETON

No Senator having voted in the affirmative and 33 Senators having voted in the negative, with 2 Senators being absent, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **P. Vincent O'Malley** of Portland, for appointment as the Labor

The Following Communication: S.C. 101

**UNIVERSITY OF SOUTHERN MAINE  
COLLEGE OF EDUCATION AND HUMAN DEVELOPMENT  
CENTER FOR EDUCATION POLICY,  
APPLIED RESEARCH & EVALUATION  
119 BAILEY HALL  
GORHAM, MAINE 04038**

March 17, 2003

Senator Beverly Daggett  
President of the Senate  
3 State House Station  
Augusta, ME 04333-0003

Dear Senator Daggett:

The Maine State Legislature requested the Maine Education Policy Research Institute, University of Southern Maine Office, to compile and publish a comprehensive description of public education in Maine each year. Appropriately, the recently completed book is entitled The Condition of K-12 Public Education in Maine 2003.

We would like to provide you and your staff with copies of the book for use in your daily deliberations. We hope you will find the information broad yet focused on the many aspects of K-12 public education.

Sincerely,

S/David L. Silvernail  
Director

S/A. Mavourneen Thompson  
Research Analyst

**READ and with accompanying papers ORDERED PLACED ON FILE.**

The Following Communication: S.C. 102

**121<sup>ST</sup> LEGISLATURE  
COMMITTEE ON AGRICULTURE, CONSERVATION AND  
FORESTRY**

March 13, 2003

Honorable Beverly C. Daggett, President of the Senate  
Honorable Patrick Colwell, Speaker of the House  
121st Maine Legislature  
State House  
Augusta, Maine 04333

Dear President Daggett and Speaker Colwell:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Agriculture, Conservation and Forestry has voted unanimously to report the following bills out "Ought Not to Pass":

- |          |  |
|----------|--|
| L.D. 248 | An Act To Amend the Laws Governing the Weighing of Wood                      |
| L.D. 297 | An Act to Provide for Proper Identification of Stray Cats by Animal Shelters |

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,

S/Sen. Bruce Bryant Senate Chair	S/Rep. Linda Rogers McKee House Chair
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**READ** and with accompanying papers **ORDERED PLACED ON FILE**.

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The Following Communication: S.C. 103

**121<sup>ST</sup> LEGISLATURE  
COMMITTEE ON BUSINESS, RESEARCH  
AND ECONOMIC DEVELOPMENT**

March 13, 2003

Honorable Beverly C. Daggett, President of the Senate  
Honorable Patrick Colwell, Speaker of the House  
121st Maine Legislature  
State House  
Augusta, Maine 04333

Dear President Daggett and Speaker Colwell:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Business, Research and Economic Development has voted unanimously to report the following bills out "Ought Not to Pass":

- |          |   |
|----------|---|
| L.D. 42  | An Act to Establish Rent Caps on Property in Southern Maine   |
| L.D. 384 | Resolve, Directing the Maine State Housing Authority To Study Ways To Promote Construction of Affordable Housing for Veterans |
| L.D. 453 | An Act To Promote the Development of Affordable Housing   |

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,

S/Sen. Lynn Bromley  
Senate Chair

S/Rep. Nancy B. Sullivan  
House Chair

**READ** and with accompanying papers **ORDERED PLACED ON FILE**.

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The Following Communication: S.C. 104

**121<sup>ST</sup> LEGISLATURE  
COMMITTEE ON HEALTH AND HUMAN SERVICES**

March 13, 2003

Honorable Beverly C. Daggett, President of the Senate  
Honorable Patrick Colwell, Speaker of the House  
121st Maine Legislature  
State House  
Augusta, Maine 04333

Dear President Daggett and Speaker Colwell:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Health and Human Services has voted unanimously to report the following bills out "Ought Not to Pass":

- |          |  |
|----------|--|
| L.D. 43  | An Act To Continue To Allow Young Adults To Remain in Foster Care after Turning 18 Years of Age  |
| L.D. 44  | Resolve, to Change MaineCare Prior Authorization Procedures for Certain Women's Health Care Procedures   |
| L.D. 61  | An Act to Promote Public Awareness of Parkinson's Disease  |
| L.D. 65  | An Act Regarding the Billing for Medical Supplies by a Health Care Provider  |
| L.D. 135 | An Act to Allow Nursing Homes to Use Leftover Medications  |
| L.D. 226 | Resolve, to Exempt Bona Fide Education Trust Funds from Family Income for Purposes of Determining Benefits from the Department of Human Services |
| L.D. 557 | Resolve, To Increase the Amount of Emergency Assistance Available to Families  |
| L.D. 619 | An Act Making Substantive and Technical Changes to the General Assistance Laws   |

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,

S/Sen. Michael Brennan  
Senate Chair

S/Rep. Thomas J. Kane  
House Chair

**READ** and with accompanying papers **ORDERED PLACED ON FILE.**

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The Following Communication: S.C. 105

**121<sup>ST</sup> LEGISLATURE  
COMMITTEE ON JUDICIARY**

March 13, 2003

Honorable Beverly C. Daggett, President of the Senate  
Honorable Patrick Colwell, Speaker of the House  
121st Maine Legislature  
State House  
Augusta, Maine 04333

Dear President Daggett and Speaker Colwell:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Judiciary has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 80 An Act to Change the Child Protective Laws
- L.D. 144 An Act To Limit Pretrial Discovery in Libel Actions
- L.D. 376 An Act To Encourage Lawful Investigations of Suspected Child Abuse and Neglect
- L.D. 377 An Act To Responsibly Allocate Costs in Child Protection Proceedings
- L.D. 733 An Act To Create the Fully Informed Jury Act

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,

S/Sen. Peggy A. Pendleton  
Senate Chair

S/Rep. William S. Norbert  
House Chair

**READ** and with accompanying papers **ORDERED PLACED ON FILE.**

---

The Following Communication: S.C. 106

**121<sup>ST</sup> LEGISLATURE  
COMMITTEE ON NATURAL RESOURCES**

March 13, 2003

Honorable Beverly C. Daggett, President of the Senate  
Honorable Patrick Colwell, Speaker of the House  
121st Maine Legislature  
State House  
Augusta, Maine 04333

Dear President Daggett and Speaker Colwell:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Natural Resources has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 590 An Act To Regulate the Disposal of Computers and Related Equipment
- L.D. 633 An Act To Provide for Local Approval of Existing or Former Hydropower Projects To Enable Prioritization of Renewable Indigenous Energy Generation in Maine
- L.D. 670 An Act Regarding the Disposal of Sludge

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,

S/Sen. John L. Martin  
Senate Chair

S/Rep. Theodore Koffman  
House Chair

**READ** and with accompanying papers **ORDERED PLACED ON FILE.**

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The Following Communication: S.C. 107

**121<sup>ST</sup> LEGISLATURE  
COMMITTEE ON UTILITIES AND ENERGY**

March 13, 2003

Honorable Beverly C. Daggett, President of the Senate  
Honorable Patrick Colwell, Speaker of the House  
121st Maine Legislature  
State House  
Augusta, Maine 04333

Dear President Daggett and Speaker Colwell:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Utilities and Energy has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 298 An Act To Define Standard-offer Service as a Service of Last Resort
- L.D. 330 An Act To Clarify the Ability of Transmission and Distribution Utilities To Market Electricity at Retail

L.D. 548      An Act To Require Fair Treatment of  
Ratepayers When Electric Utilities Are Sold

Sincerely,

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

S/Sen. Stephen Stanley  
Senate Chair

S/Rep. David G. Lemoine  
House Chair

Sincerely,

S/Sen. Christopher Hall  
Senate Chair

S/Rep. Lawrence Bliss  
House Chair

**READ** and with accompanying papers **ORDERED PLACED ON FILE.**

**READ** and with accompanying papers **ORDERED PLACED ON FILE.**

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The Following Communication:      S.C. 108

The Following Communication:      S.C. 109

**121<sup>ST</sup> LEGISLATURE  
COMMITTEE ON TAXATION**

**121<sup>ST</sup> LEGISLATURE  
COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS**

March 13, 2003

March 17, 2003

Honorable Beverly C. Daggett, President of the Senate  
Honorable Patrick Colwell, Speaker of the House  
121st Maine Legislature  
State House  
Augusta, Maine 04333

Honorable Beverly C. Daggett, President of the Senate  
Honorable Patrick Colwell, Speaker of the House  
121st Maine Legislature  
State House  
Augusta, Maine 04333

Dear President Daggett and Speaker Colwell:

Dear President Daggett and Speaker Colwell:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Taxation has voted unanimously to report the following bills out "Ought Not to Pass":

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Education and Cultural Affairs has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 13      An Act to Establish a Visual and Performing  
Arts Position for the Department of Education

We have also notified the sponsor and cosponsors of the Committee's action.

Sincerely,

L.D. 38      RESOLUTION, Proposing an Amendment to  
the Constitution of Maine to Protect the  
Commercial Fishing Industry

L.D. 141      An Act to Increase Revenue Sharing to a  
Municipality by 5% of its Allocation if it Shares  
Fire, Police and Recreation Services with  
Adjoining Municipalities

S/Sen. Neria R. Douglass      S/Rep. Glenn Cummings  
Senate Chair      House Chair

**READ** and with accompanying papers **ORDERED PLACED ON FILE.**

L.D. 209      An Act to Increase the Tax on All Tobacco  
Products

L.D. 289      An Act to Create the Family Technology  
Assistance Tax Credit

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Off Record Remarks

L.D. 320      An Act Concerning Counties' Share of the Real  
Estate Transfer Tax

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**SENATE PAPERS**

L.D. 447      An Act To Exempt from Sales Tax the Sales of  
Adaptive Equipment To Make a Vehicle  
Handicapped Accessible

Bill "An Act To Clarify That an Individual Requestor of a State  
Bureau of Identification Record Check Must Pay a Fee"  
S.P. 473 L.D. 1436

L.D. 559      An Act To Increase the Value of a Parsonage  
That is Exempt from the Property Tax

Sponsored by Senator STRIMLING of Cumberland.  
Cosponsored by Representative JODREY of Bethel.  
Submitted by the Department of Public Safety pursuant to Joint  
Rule 204.

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

On motion by Senator **STRIMLING** of Cumberland, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed.

Sent down for concurrence.

---

Bill "An Act To Promote Student and Taxpayer Equity in the School Funding Formula" (EMERGENCY)

S.P. 472 L.D. 1422

Sponsored by Senator **BRENNAN** of Cumberland.  
Cosponsored by Representative **CUMMINGS** of Portland and Representatives: **KANE** of Saco, **MURPHY** of Kennebunk.

On motion by Senator **DOUGLASS** of Androscoggin, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.

Sent down for concurrence.

---

Bill "An Act To Protect Campers by Making Personal Information Confidential"

S.P. 467 L.D. 1419

Sponsored by Senator **BRYANT** of Oxford.  
Cosponsored by Representative: **CARR** of Lincoln.  
Submitted by the Department of Conservation pursuant to Joint Rule 204.

On motion by Senator **CATHCART** of Penobscot, **REFERRED** to the Committee on **JUDICIARY** and ordered printed.

Sent down for concurrence.

---

Bill "An Act To Amend Marine Resources Special License Requirements for Educational Programs"

S.P. 474 L.D. 1437

Sponsored by Senator **DAMON** of Hancock.  
Cosponsored by Representative **BULL** of Freeport.  
Submitted by the Department of Marine Resources pursuant to Joint Rule 204.

On motion by Senator **DAMON** of Hancock, **REFERRED** to the Committee on **MARINE RESOURCES** and ordered printed.

Sent down for concurrence.

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Bill "An Act To Reduce Property Taxes"

S.P. 471 L.D. 1421

Sponsored by Senator **BRENNAN** of Cumberland.

Cosponsored by Senator: **STRIMLING** of Cumberland, Representatives: **CUMMINGS** of Portland, **SUSLOVIC** of Portland.

On motion by Senator **STANLEY** of Penobscot, **REFERRED** to the Committee on **TAXATION** and ordered printed.

Sent down for concurrence.

---

Bill "An Act To Allow the Maine Turnpike Authority To Allow the Purchase of Nontoll Services by Electronic Toll Collection Patrons"

S.P. 470 L.D. 1420

Sponsored by Senator **HATCH** of Somerset.  
Cosponsored by Representative **USHER** of Westbrook and Senator: **SAVAGE** of Knox.  
Submitted by the Maine Turnpike Authority pursuant to Joint Rule 204.

On motion by Senator **HATCH** of Somerset, **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed.

Sent down for concurrence.

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## ORDERS

### Joint Resolution

On motion by Senator **TREAT** under unanimous consent on behalf of President **DAGGETT** of Kennebec (Under suspension of the rules, cosponsored by Speaker **COLWELL** of Gardiner and Senators: **DAVIS** of Piscataquis, **DOUGLASS** of Androscoggin, **GAGNON** of Kennebec, **HATCH** of Somerset, **WOODCOCK** of Franklin, Representatives: **BRUNO** of Raymond, **CUMMINGS** of Portland, **DUPLESSIE** of Westbrook, **LEDWIN** of Holden, **MILLETT** of Waterford, **MURPHY** of Kennebunk, **RICHARDSON** of Brunswick), the following Joint Resolution:

S.P. 475

### JOINT RESOLUTION RECOGNIZING ADULT EDUCATION IN THE STATE

WHEREAS, Public Law 1871, chapter 194 authorized cities and towns to provide for instruction in industrial or mechanical drawing to persons over 15 years of age, either in day or evening schools, establishing the beginning of formal adult education in Maine; and

WHEREAS, the legislation in 1871 was followed by an amendment in 1889 allowing cities and towns to raise money to support evening schools; and

WHEREAS, by 1909, a legislative study determined that 11 cities and towns were maintaining evening schools, with an approximate enrollment of 1,400 pupils found to be generally employed in mills or factories; and



WHEREAS, literacy became a concern during World War I and adult education in Maine took a broader focus, although the growth of the programs was modest. The Great Depression saw a decline of programs due to financial reasons, but by 1934 there were classes in 9 communities, with a total enrollment of 2,824 pupils; and

WHEREAS, modern adult education is a product of the 1960s and the War on Poverty programs. In 1966, 59 communities offered adult education, with a total enrollment of 8,086. The growth has continued dramatically throughout recent decades; and

WHEREAS, current trends in adult education reflect the variety of ways the State's programs serve the needs of the State's population. The trends include:

1. Collaboration with postsecondary institutions through career guidance, brush-up and college preparation classes for aspiring students;
2. High school completion and General Equivalency Diploma, GED, programs, with 650 high school diplomas and 3,500 GEDs awarded in the State last year;
3. Job readiness courses, including career guidance and a variety of skills classes, including computer training and many other vocational offerings;
4. Workplace literacy programs, including courses offered on-site at businesses, focusing on such topics as math, computer literacy and writing skills;
5. Family literacy education that includes a coordinated approach, including adult education, early literacy, parenting instruction and intergenerational activities; and
6. A vibrant array of community programs reflecting the needs and interests of Maine people; and

WHEREAS, funding for adult education in the State is a partnership that includes state subsidy, local taxpayer support, grants, contracts and fees paid by those enrolled in nonacademic courses; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-first Legislature now assembled in the First Regular Session, on behalf of the people we represent, pause to acknowledge and applaud adult education programs, which uniquely reflect the needs of the communities they serve and provide a vital system of service to the population of the State as new challenges are faced in economic, community and family life; and be it further

RESOLVED: That a suitable copy of this resolution, duly authenticated by the Secretary of State, be transmitted to the Department of Education.

**READ and ADOPTED.**

Sent down for concurrence.

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Off Record Remarks

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

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**REPORTS OF COMMITTEES**

**House**

**Change of Committee**

The Committee on **LABOR** on Bill "An Act To Protect Health Care Workers Who Report Medical Errors"

H.P. 526 L.D. 720

Reported that the same be **REFERRED** to the Committee on **JUDICIARY**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **JUDICIARY**.

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

**REFERRED** to the Committee on **JUDICIARY**, in concurrence.

---

**Divided Report**

The Majority of the Committee on **TRANSPORTATION** on Bill "An Act To Allow Fire and Emergency Medical Services Response Vehicles To Display One Blue Light at the Rear of the Vehicle"

H.P. 356 L.D. 464

Reported that the same **Ought to Pass**.

Signed:

Senators:

HATCH of Somerset  
DAMON of Hancock

Representatives:

USHER of Westbrook  
SAMPSON of Auburn  
MARLEY of Portland  
BROWNE of Vassalboro  
MARRACHÉ of Waterville  
PARADIS of Frenchville  
McNEIL of Rockland

The Minority of the same Committee on the same subject reported that the same **Ought Not To Pass**.

Signed:

Senator:  
SAVAGE of Knox

Representatives:  
JODREY of Bethel  
COLLINS of Wells  
McKENNEY of Cumberland

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

Reports **READ**.

Senator **HATCH** of Somerset moved the Senate **ACCEPT** the  
Majority **OUGHT TO PASS** Report, in concurrence.

On further motion by same Senator, **TABLED** until Later in  
Today's Session, pending the motion by same Senator to  
**ACCEPT** the Majority **OUGHT TO PASS** Report, in concurrence.

---

**Senate**

**Ought to Pass**

Senator **BROMLEY** for the Committee on **BUSINESS,**  
**RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act  
To Exempt a Person Who Performs Work on Certain Vessels  
from the Laws Governing Professional Engineers"  
S.P. 339 L.D. 995

Reported that the same **Ought to Pass**.

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

**READ ONCE**.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE**  
**DAY**.

---

**Ought to Pass As Amended**

Senator **STRIMLING** for the Committee on **CRIMINAL JUSTICE**  
**AND PUBLIC SAFETY** on Bill "An Act Regarding the  
Enforcement Powers of the Office of the State Fire Marshal"  
S.P. 31 L.D. 79

Reported that the same **Ought to Pass as Amended by**  
**Committee Amendment "A" (S-3)**.

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

**READ ONCE**.

Committee Amendment "A" (S-3) **READ** and **ADOPTED**.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE**  
**DAY**.

---

Senator **ROTUNDO** for the Committee on **STATE AND LOCAL**  
**GOVERNMENT** on Resolve, to Extend the Reporting Deadline of  
the Commission to Recognize Veterans of World War II and the  
Korean War in the State House Hall of Flags (EMERGENCY)  
S.P. 26 L.D. 40

Reported that the same **Ought to Pass as Amended by**  
**Committee Amendment "A" (S-4)**.

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

**READ ONCE**.

Committee Amendment "A" (S-4) **READ** and **ADOPTED**.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE**  
**DAY**.

---

**SECOND READERS**

The Committee on **Bills in the Second Reading** reported the  
following:

**House As Amended**

Bill "An Act to Further Define a Strain of Maine Standardbred  
Horses" (EMERGENCY)  
H.P. 94 L.D. 85  
(C "A" H-17)

**READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS**  
**AMENDED**, in concurrence.

---

Bill "An Act To Expand Unemployment Benefits"  
H.P. 92 L.D. 83  
(C "A" H-16)

**READ A SECOND TIME**.

House Amendment "A" (H-21) **READ** and **ADOPTED**, in  
concurrence.

**PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE**  
**AMENDMENT "A" (H-16) AND HOUSE AMENDMENT "A" (H-**  
**21)**, in concurrence.

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**ENACTORS**

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

**Acts**

An Act to Create the Maine Youth Conservation Wildlife Management Area

H.P. 33 L.D. 26

An Act to Reenact Standards for Road Construction for Forest Management Activities

H.P. 262 L.D. 319

An Act to Enhance Integration of Transportation and Land Use Planning

H.P. 355 L.D. 463

An Act To Repeal the Crime of Plundering at Fires as Larceny

H.P. 534 L.D. 728

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

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Senate at Ease.

Senate called to order by the President.

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

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Senator **ROTUNDO** of Androscoggin was granted unanimous consent to address the Senate off the Record.

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Senator **DAVIS** of Piscataquis was granted unanimous consent to address the Senate off the Record.

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Off Record Remarks

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**RECESSED** until the sound of the bell.

After Recess

Senate called to order by the President.

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

**PAPERS FROM THE HOUSE**

**House Paper**

Bill "An Act To Improve Farmer Participation in the Agricultural Marketing Loan Fund"

H.P. 1049 L.D. 1430

Comes from the House, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed.

On motion by Senator **GAGNON** of Kennebec, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed, in concurrence.

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

**PAPERS FROM THE HOUSE**

**House Paper**

Bill "An Act To Ensure Basic Standards for Death Investigations by Law Enforcement Agencies"

H.P. 1053 L.D. 1434

Comes from the House, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed.

On motion by Senator **GAGNON** of Kennebec, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed, in concurrence.

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

**PAPERS FROM THE HOUSE**

**House Paper**

Bill "An Act To Give Moose Permits to Members of the Wesget-Sipu Organization"

H.P. 1045 L.D. 1426

Comes from the House, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed.

On motion by Senator **GAGNON** of Kennebec, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed, in concurrence.

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

**PAPERS FROM THE HOUSE**

**House Papers**

Bill "An Act Relating to the Award of Attorneys' Fees and Damages under the Maine Human Rights Act"  
H.P. 1043 L.D. 1424

Bill "An Act Relating to the Protection of Whistleblowers"  
H.P. 1044 L.D. 1425

Come from the House, **REFERRED** to the Committee on **JUDICIARY** and ordered printed.

On motion by Senator **GAGNON** of Kennebec, **REFERRED** to the Committee on **JUDICIARY** and ordered printed, in concurrence.

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

**PAPERS FROM THE HOUSE**

**House Paper**

Bill "An Act To Clarify Immunity and Workers' Compensation for Search and Rescue Volunteers"  
H.P. 1054 L.D. 1435

Comes from the House, **REFERRED** to the Committee on **LABOR** and ordered printed.

On motion by Senator **GAGNON** of Kennebec, **REFERRED** to the Committee on **LABOR** and ordered printed, in concurrence.

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

**PAPERS FROM THE HOUSE**

**House Papers**

Bill "An Act To Authorize the Department of Audit To Perform Other Audits and Reviews"  
H.P. 1048 L.D. 1429

Bill "An Act To Update the Requirements of Counties' and Municipalities' Audit Reports"  
H.P. 1050 L.D. 1431

Come from the House, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

On motion by Senator **ROTUNDO** of Androscoggin, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed, in concurrence.

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

**PAPERS FROM THE HOUSE**

**House Paper**

Bill "An Act To Make Changes in Maine's Tax Laws"  
H.P. 1041 L.D. 1418

Comes from the House, **REFERRED** to the Committee on **TAXATION** and ordered printed.

On motion by Senator **GAGNON** of Kennebec, **REFERRED** to the Committee on **TAXATION** and ordered printed, in concurrence.

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

**PAPERS FROM THE HOUSE**

**House Paper**

Bill "An Act To Require That Temporary Registration Plates Identify the Issuing Dealership"  
H.P. 1046 L.D. 1427

Comes from the House, **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed.

On motion by Senator **HATCH** of Somerset, **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed, in concurrence.

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

**PAPERS FROM THE HOUSE**

**House Paper**

Bill "An Act To Facilitate the Implementation, Maintenance and Operation of the E-9-1-1 Emergency System"  
H.P. 1042 L.D. 1423

Comes from the House, **REFERRED** to the Committee on **UTILITIES AND ENERGY** and ordered printed.

On motion by Senator **HALL** of Lincoln, **REFERRED** to the Committee on **UTILITIES AND ENERGY** and ordered printed, in concurrence.

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

**PAPERS FROM THE HOUSE**

**Pursuant to Statutes  
Department of Audit**

The **Department of Audit**, pursuant to the Maine Revised Statutes, Title 36, section 1604 asked leave to report that the accompanying Bill "An Act To Establish Municipal Cost Components for Unorganized Territory Services To Be Rendered in Fiscal Year 2003-04" (EMERGENCY)

H.P. 1052 L.D. 1433

Be **REFERRED** to the Committee on **TAXATION** and ordered printed pursuant to Joint Rule 218.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **TAXATION** and ordered printed pursuant to Joint Rule 218.

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

On motion by Senator **STRIMLING** of Cumberland, **REFERRED** to the Committee on **TAXATION** and ordered printed pursuant to Joint Rule 218, in concurrence.

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Senate at Ease.

Senate called to order by the President.

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

**PAPERS FROM THE HOUSE**

**House Paper**

Bill "An Act Regarding the Factors Used for General Purpose Aid in the Essential Programs and Services Model for 'English as a 2nd Language' Students"

H.P. 1051 L.D. 1432

Comes from the House, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.

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

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Senate at Ease.

Senate called to order by the President.

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On motion by Senator **TREAT** of Kennebec, **ADJOURNED** to Wednesday, March 26, 2003, at 9:30 in the morning.